

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

Table with 2 columns: RULE TITLES and RULE NOS.:
Definitions 5I-2.003
Prohibitions 5I-2.004
Agriculture, Silviculture and Other Open Burning 5I-2.006

PURPOSE AND EFFECT: The purpose of the rule development is to amend Rule Chapter 5I-2 sections 5I-2.003, 5I-2.004, and 5I-2.006 in order to simplify and clarify the open burning rules and procedures. Additionally the duties, responsibilities, benefits and re-certification process of the Florida Prescribed Burn Manager Program are included in this revision.

SUBJECT TO BE ADDRESSED: The proposed rule development deletes definitions that are no longer necessary, and adds some new definitions to further clarify the rule. Defines under what conditions the Division can withhold authorizations when public health and safety are threatened. The proposed rule separates and defines the obligations of individuals (Certified and Un-Certified) requesting authorization to burn from the Division of Forestry. The proposed rule includes what a prescribed burn prescription must contain in order to be approved, it also defines the change in open burning hours based on the whether the person is a Certified Prescribed Burn Manager of a burner without this certification. The language of the proposed rule has been simplified to facilitate the understanding of all Floridians.

SPECIFIC AUTHORITY: 570.07(23), (28), 590.026(4) FS.

LAW IMPLEMENTED: 570.07(28), 570.548, 590.02(1)(b), 590.026, 590.12 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., May 17, 1999

PLACE: Doyle Conner Building, George Eyster IV Auditorium, 3125 Conner Blvd, Tallahassee, FL 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.

Information regarding the proposed rule development and/or a copy of the preliminary draft may be obtained by contacting Mr. James D. Brenner, Fire Management Administrator, Florida Division of Forestry, Department of Agriculture and Consumer Services, Room 160, 3125 Conner Blvd, Tallahassee, Florida 32399-1650, telephone (850)488-6480, E-Mail: brennej@doacs.state.fl.us.

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing And Community Development

Table with 2 columns: RULE CHAPTER TITLE and RULE CHAPTER NO.:
Florida Building Commission
- Operational Procedures 9B-3

Table with 2 columns: RULE TITLE and RULE NO.:
State Building Code Adopted 9B-3.047

PURPOSE AND EFFECT: Replace adoption of state minimum building codes with adoption of the Florida Building Code, effective January 1, 2001.

SUBJECT AREA TO BE ADDRESSED: Statewide uniform building code.

SPECIFIC AUTHORITY: 553.73(1) FS. (1998 Supplement)

LAW IMPLEMENTED: 553.71, 553.72, 553.73 FS. (1998 Supplement)

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

DATE AND TIME: May 17, 1999, 3:00 p.m.- 7:00 p.m.

PLACE: Broward County Covention Center, 1950 Eisenhower Boulevard, Ft. Lauderdale, FL

DATE AND TIME: May 18, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Hilton Melbourne Beach, 3003 North Highway A1A, Indialantic, FL

DATE AND TIME: May 19, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Ramada Inn, 5885 Arlington Expressway, Jacksonville, FL

DATE AND TIME: May 20, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Room 212, Knott Building (Adjacent to the Senate office building), 111 West St. Augustine St., Tallahassee, FL

DATE AND TIME: May 24, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Double Tree Hotel, 3011 Maingate Lane, Kissimmee, FL

DATE AND TIME: May 25, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Naples Beach Hotel, 851 Gulf Shore Boulevard, Naples, FL

DATE AND TIME: May 26, 1999, 3 p.m. - 7 p.m.

PLACE: Double Tree Hotel - Tampa Airport, 4500 West Cypress Street, Tampa, FL

DATE AND TIME: May 27, 1999, 3:00 p.m. - 7:00 p.m.

PLACE: Beach Side Resort & Conference Center, 14 Via De Luna, Pensacola Beach, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani, Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-3.047 State ~~Minimum~~ Building Codes Adopted.

~~(1) The Florida Building Code is hereby adopted and incorporated by reference as the building code for the state of Florida. In order to authorize the use of the most recent advances in technology and materials in building construction, the Commission hereby adopts the following revisions and amendments to the State Minimum Building Codes:~~

~~(a) Standard Codes, 1997 edition:~~

~~1. Standard Building Code, including the engineering design criteria contained in Section 1606 excluding Chapter 11, "Accessibility for People with Physical Disabilities", Section 2405.2.1.6 relating to safety glazing near swimming pools, and Appendix E, "Energy Conservation".~~

~~2. Standard Mechanical Code.~~

~~3. Standard Gas Code.~~

~~(b) South Florida Building Code (Dade County), 1994 edition.~~

~~(c) South Florida Building Code (Broward County), 1996 edition.~~

~~(d) EPCOT Code, 1996 edition.~~

~~(e) One and Two Family Dwelling Code, 1995 edition excluding Section 308.4.9 relating to safety glazing near swimming pools.~~

~~(f) Section 1606 of the Standard Building Code shall be the minimum wind load criteria used for the design of all one and two family dwellings. Compliance with the engineering design criteria contained in Section 1606 may be achieved by using the Southern Building Code Congress International, Inc., Standard SSTD 10-97 for Hurricane Resistant Residential Construction, the Wood Products Promotion Council High Wind Project, Guide to Wood Construction in High Wind Areas 1997 edition, "the Builder's Guide", the Wood Frame Construction Manual for One and Two Family Dwellings, 1995 High Wind Edition, or the Guide to Concrete Masonry Residential Construction in High Wind Areas, the "Masonry Guide". The Builder's Guide implementation shall be limited to the construction and design of wood frame single story buildings with wind speed design parameters of 100 and 110 miles per hour. The Manual is limited to residential buildings of three stories or less, a mean roof height not exceeding 33 feet and wind speed design parameters between 90 and 120~~

~~miles per hour. The Masonry Guide is limited to residential buildings of one story with a maximum height not exceeding 25 feet and wind speed design parameters of 90, 100, and 110 miles per hour (fastest mile).~~

~~(2) Application. The construction provisions contained within these referenced codes shall apply as required by Part VII, Chapter 553, Florida Statutes. Each local government and state agency with building construction regulation responsibilities shall adopt one of the state minimum building codes as its building code, which shall govern the construction, erection, alteration, repair or demolition of any building for which the local government or state agency has responsibility. If the One and Two Family Dwelling Code is adopted for residential construction, then one of the other recognized model codes must be adopted for the regulation of other residential and nonresidential structures.~~

Specific Authority ~~553.73(1), 553.73(3), 553.73(9)~~ FS. Law Implemented ~~553.71, 553.72, 553.73~~ FS. History-New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Relocation Assistance Regulations	14-66
RULE TITLES:	RULE NOS.:
Purpose	14-66.001
Scope	14-66.002
Definitions	14-66.003
Public Information	14-66.004
Advisory Services	14-66.005
Written Notices	14-66.006
Relocation Assistance Program	14-66.007
Moving and Related Expenses	14-66.008
Replacement Housing Payments	14-66.009
Mobile Homes	14-66.010
Claim Filing and Documentation	14-66.011
Appeal Rights	14-66.012

PURPOSE AND EFFECT: The purpose of this rule is to promulgate regulations governing the provision of relocation services, moving costs, replacement housing costs, and other related expenses and to ensure that each person displaced as a direct result of transportation projects is treated fairly, consistently, and equitably, so that such person will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole and to ensure that the Florida Department of Transportation implements these regulations in a manner that is efficient and cost effective. This amendment also restructures the rule chapter by repealing 11 of the current 12 rules and consolidating material into an amended Rule 14-66.007.

SUBJECT AREA TO BE ADDRESSED: This amendment restructures the rule chapter by repealing 11 of the current 12 rules and consolidating material into an amended Rule 14-66.007.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 339.09(2),(3) FS.

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

TIME AND DATE: 9:00 a.m., June 1, 1999

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-66.001 Purpose.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Amended 1-12-83, Formerly 14-66.01, Amended 11-24-92, Repealed.

14-66.002 Scope.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Amended 1-12-83, Formerly 14-66.02, Amended 11-24-92, Repealed.

14-66.003 Definitions.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Amended 1-12-83, Formerly 14-66.03, Amended 11-24-92, Repealed.

14-66.004 Public Information.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Formerly 14-66.04, Amended 11-24-92, Repealed.

14-66.005 Advisory Services.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Formerly 14-66.05, Amended 11-24-92, Repealed.

14-66.006 Written Notices.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Formerly 14-66.06, Amended 11-24-92, Repealed.

14-66.007 ~~Project Determination of Adequate~~ Relocation Assistance Program.

Pursuant to Section 339.09, Florida Statutes, the Department may expend transportation tax revenues on federal and non-federal-aid projects which shall include relocation assistance and moving costs to persons displaced by transportation facilities or other related projects. Prior to proceeding with right-of-way negotiations on a project which will necessitate the relocation of any person, the Department will make a determination that:

(1) The purpose of this rule is to promulgate regulations governing the provision of relocation services, moving costs, replacement housing costs, and other related expenses and to ensure that each person displaced as a direct result of transportation projects is treated fairly, consistently, and equitably, so that such person will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole and to ensure that the Department implements these regulations in a manner that is efficient and cost effective. This rule shall apply to all persons displaced by any transportation project on which negotiations for right-of-way acquisition begin after the effective date of this rule. The provisions of 49 C.F.R. Part 24, Uniform Relocation Assistance and Real Property Acquisition Regulations (effective March 15, 1999), as modified herein, are incorporated into this rule by reference. The Department shall require, as a condition of financial participation, that the requirements of this rule be met by the administering Agency on transportation projects or project phases:

(a) that are federalized;

(b) for which there is any anticipation or intent to federalize. Anticipation includes discussion by local or state officials regarding the intended or potential use of federal funds in any phase of the project;

(c) that are on the State Highway System; or

(d) are intended to be on the State Highway System.

(2) Definitions. The following definitions, as well as those stated in 49 C.F.R. Part 24, Subpart A, shall apply as used in the context of this rule:

(a) "Agency" shall mean any state, county, district, authority or municipal office, department (including the Florida Department of Transportation), division, board, bureau, commission, or other separate unit of government created or established by law and any other public or private Agency, person, partnership, corporation, or business entity acting on behalf of any public Agency.

(b) "Carve Out" shall mean the method used in making a typical homesite determination, whereby, that portion of the parent tract which is typical for residential use in the area is "carved out," or separated from, the parent tract for the purpose of the replacement housing payment computation.

(c) "Department" shall mean the Florida Department of Transportation.

(d) "Direct Loss Payment" shall mean a payment made to displaced persons for personal property that cannot be moved or the displaced person chooses not to move and may be in the form of either of the following:

1. On-Premise Signs – payment is limited to the lesser of the sign's depreciated reproduction cost minus proceeds from its sale, salvage value, or the costs that would be incurred to move the sign, if it could be moved. If the sign cannot be

moved without violating local, state or federal codes, payment will be limited to the sign's depreciated reproduction cost minus proceeds from its sale or salvage value.

2. Tangible Personal Property – payment is limited to the lesser of the fair market value of the item for continued use at the displacement site, less the proceeds from its sale, or the estimated cost of moving the item, but with no allowance for storage. (The Agency may determine the effort to sell an item is not necessary and when payment for property loss is claimed for goods held for sale, the fair market value shall be based on the cost of the goods to the business, not the potential selling price.

(e) "Displaced Person" shall mean any person who moves from the real property or moves his or her personal property from the real property as defined in 49 C.F.R. Part 24.2, and is used interchangeably with "displacee" and "relocatee."

(f) "Displacement Dwelling" shall mean the dwelling from which a displaced person is required to move due to a transportation project.

(g) "Displacement Site" shall mean, for purposes of a non-residential fixed payment, the parent tract on which the business is operating.

(h) "Domicile" shall mean the place where a person has his or her true, fixed, permanent home and principal establishment and to which he or she has, when absent, the intention of returning.

(i) "Family" shall mean two or more individuals who are living together and intend to live together at the replacement dwelling.

(j) "Federalized Project" shall mean any project with federal participation in any project phase.

(k) "Gross Monthly Income" shall mean salaries, wages, and all other amounts, whether in cash or in-kind, paid or given to the displaced person.

(l) "Initiation of Negotiations" shall mean the date the initial written offer of just compensation is delivered by the Agency to the owner or representative of the owner to purchase real property for a project.

(m) "Major Exterior Attribute" shall mean any major appurtenant structure exterior to a residential dwelling, or an aesthetically valuable view which substantially contributes to the quality or standard of living of the displaced person(s).

(n) "Market/Economic Rent" shall mean the Agency's determination of the reasonable income expectancy of a dwelling or other property if it were available for rent, and the rent justifiably payable for the right of occupancy of land or improvements.

(o) "Personal Property" shall mean, generally, moveable items not permanently affixed to and a part of the real estate, which typically can be removed without serious injury either to the real estate or to the items themselves.

(p) "Post-Move Inventory" shall mean a list of personal property actually moved to the replacement site as a part of a relocation. Such list is prepared by the displaced person or the Agency after the move is completed and is attested to by the Agency's representative and the displaced person(s).

(q) "Pre-Move Inventory" shall mean a list of items to be included in a move. Such list is prepared prior to the move and attested to by the displaced person(s).

(r) "Typical Homesite Determination" shall mean a determination, for replacement housing payment computation purposes, of the portion of a tract of land which is typical for residential use in the area.

(3) Advisory Services. The Agency will provide relocation advisory services in accordance with 49 C.F.R. Part 24.205.

(4) Written Notices. The following written notices will be furnished to each displaced person to provide information regarding the benefits and services available to him or her.

(a) A General Information notice shall be furnished to each displaced person as required in 49 C.F.R. Part 24, Subpart C.

(b) A 90-Day Notice will be furnished to each displaced person as delineated in 49 C.F.R. Part 24, Subpart C.

(c) A Notice of Eligibility shall be furnished to all displaced persons. The notice of eligibility shall:

1. Be delivered at the time of initiation of negotiations for owners, and no later than 14 days from the date of initiation of negotiations for tenants;

2. Provide an explanation of all services and payments to which the occupant is entitled and identify the address of the nearest relocation assistance office where additional information concerning relocation assistance may be obtained;

(d) A Statement of Eligibility shall be furnished to each residential displaced person and shall include:

1. The amount of the maximum payment that the displaced person is eligible for;

2. An identification of the comparable replacement dwelling upon which such amount is based. The comparable replacement dwelling upon which the payment eligibility is based must be available to the displaced person at the time the Statement of Eligibility is delivered.

3. A description of the procedures which the displaced person shall follow in order to obtain the full amount of the payment.

(5) Relocation Planning. If a transportation project necessitates the relocation of any person, prior to proceeding with right-of-way negotiations, the Agency shall determine the following:

(a)(4) Within a reasonable period of time prior to displacement, adequate replacement dwellings shall ~~will~~ be available or provided for each displaced person and ~~and~~ (such

determination shall be accompanied by an analysis of all relocation issues involved and a specific plan to resolve such issues); and

~~(b)(2)~~ The relocation program adequately provides is realistic and is adequate to provide orderly, timely, and efficient relocation of displaced persons, including, when appropriate, Housing of Last Resort as required in 49 C.F.R., Part 24, and these regulations.

(6) Moving and Related Expenses. Any individual, family, business, farm operation, or non-profit organization which qualifies as a displaced person is entitled to payment of his or her actual moving and related expenses, as the Agency determines to be reasonable and necessary, as outlined in 49 C.F.R. Part 24, subject to the following provisions:

(a) In a residential or non-residential self-move, if the Agency questions the reasonableness of a moving expense, the Agency shall obtain an estimate of customary charges for the appropriate moving activity from a reputable moving firm. If the charges submitted by the commercial moving firm are substantially less than the charges submitted by the displaced person, for the same activity, the Agency shall reimburse the lesser amount.

(b) Prior to moving personal property for a residential move, performed by a commercial mover, or any non-residential move, when the move is expected to exceed \$10,000, at least two estimates of move costs shall be obtained by the Department or the displaced person(s). The amount of the payment is limited to the lower of the two estimates. When a move is expected to cost less than \$10,000, a single move estimate prepared by a commercial mover or a qualified Department employee shall be sufficient.

(c) In the event the Agency requires a move to be monitored, eligibility for payment shall be contingent on a written agreement between the Agency and the displaced person(s) as to:

1. The date and time the move is to begin;
2. The items that are listed as part of the realty in the appraisal report and which are not eligible for moving expense reimbursement;
3. The displaced person's list of items to be moved.

(d) The displaced person shall provide the Agency with or allow the Agency to take pre-move and post-move inventories. If the pre-move and post-move inventories differ, the Agency will reimburse only costs associated with the actual personal property moved.

(e) After the displaced person receives actual direct loss payment for the items, the displaced person shall transfer ownership to the Agency of personal property that has not been moved, sold, or traded upon request by the Agency. In the event the Agency acquires personal property as part of the real estate transaction, such personal property shall not be eligible for Relocation Assistance benefits.

(f) If no effort to sell personal property is made by the displaced person(s) and the personal property is abandoned, the displaced person is neither entitled to payment for moving said personal property nor to payment for direct loss upon its abandonment.

(g) A business, non-profit organization, or farm operation must provide the Agency with notice of the approximate date of the start of the move at least seven days in advance.

(h) In a non-residential move, the displaced person(s) shall not give permission to a mover to begin the move before receiving authorization from the Agency.

(i) For moves requiring special handling, complete move specifications shall be written by the displaced person(s) or the Agency, or the Agency's designee.

(j) A business may be eligible to choose a fixed payment in-lieu of payment for actual moving and related expenses, and actual reasonable reestablishment expenses as provided by 49 C.F.R. Parts 24.303 and 24.304. The displaced business is eligible for a fixed payment if the Agency determines that the business meets all qualifying criteria under 49 C.F.R. Part 24.306(a) and (b).

(k) All pollutants or contaminants, as defined in Chapters 376 and 403, Florida Statutes, which are not hazardous wastes, shall not be abandoned and shall be disposed of or moved to the replacement site by the displaced person owner/operator in accordance with those Chapters.

1. The Department shall pay the lesser of the cost of disposal or the cost to move, if the displaced person(s) chooses to dispose of the material. If the displaced person(s) is not permitted to move the pollutant or contaminant, the Department shall pay the actual, reasonable cost of disposal.

2. If the displaced person(s) chooses to move the material to the replacement site, the Department shall pay the actual, reasonable, and necessary costs associated with the move.

3. If the applicable law prohibits the displaced person from obtaining the necessary permit to move the hazardous material to the replacement site, the Department shall pay for the cost of disposal and transportation to the disposal site. The displaced person shall be responsible for the disposal of such material.

4. If disposal of hazardous material is a part of the normal operation of the displaced business, the Department shall not pay for the cost of such disposal. If, however, the operation maintains a schedule for the pick-up or transportation of hazardous material to a disposal site and is required to move the material at an unscheduled time, the Department shall pay the actual, reasonable and necessary extra costs associated with the move.

(l) All underground or above-ground tanks shall be emptied and removed from the site by the displaced owner/operator in accordance with Rule Chapters 62-761 and 62-762, F.A.C.

1. If the displaced person(s) chooses to dispose of the tank contents, the Department shall pay the lesser of the cost of disposal or the cost to move.

2. If the displaced person(s) chooses to move the tank contents to the replacement site, the Department shall pay the actual, reasonable, and necessary costs associated with the move.

3. In cases where the tanks meet the definition of "out of service," as defined in Department of Environmental Protection Rule 62-761.200, F.A.C., the Department shall neither be responsible for the removal and disposal of the tank nor the removal and disposal of any contents.

(m) While transporting any hazardous material or substance to a replacement site or disposal site the Department shall not be considered the owner or shipper of any hazardous material or substance. In no case shall the Department contract with licensed shippers for the disposal of or moving of hazardous materials nor shall the Department be noted or identified on any manifest relating to the disposal of or moving of hazardous material.

(n) Any individual or business which generates solid waste shall make a hazardous waste determination pursuant to the Resource Conservation and Recovery Act (RCRA), and the Florida Resource and Management Act. All hazardous waste, as defined in 40 C.F.R. Part 261.2 and 262.11, must be disposed of in accordance with Chapter 403, Florida Statutes, and Title 40 C.F.R. Part 262, at the sole cost of the individual or business before the subject site is vacated.

(7) Replacement Housing Payments. Individuals and families displaced from a dwelling acquired for a transportation project are eligible for replacement housing payments in accordance with the payments delineated in 49 C.F.R. Part 24.

(a) A displaced person is eligible for the replacement housing payment for a 180-day monomer-occupant if he or she meets the criteria of 49 C.F.R. Part 24.

(b) Typical Homesite Determination.

1. Typical Tract for Area: If the acquired dwelling is located on a tract typical in size for residential use in the area, the maximum purchase additive payment is the probable selling price of a comparable replacement dwelling on another typical tract, less the acquisition price of the acquired dwelling and the tract on which it is situated. If an uneconomic remnant remains after a partial taking and the owner declines to sell that remnant to the Agency, the fair market value of the remainder will not be added to the acquisition cost of the acquired dwelling for the purposes of computing the replacement housing payment.

2. Large Tract for Area: If the acquired dwelling is located on a tract larger in size than is typical for residential use in the area, the maximum purchase additive payment is the probable selling price of a comparable replacement dwelling on a typical tract, less the sum of the acquisition price of the acquired

dwelling (on the portion of land typical in size for residential use in the area), plus any severance damages to the dwelling or typical homesite area.

3. Higher and Better Use Tract: If the acquired dwelling is located on a tract where the fair market value is established on a higher and better use than residential, the maximum replacement housing payment is the probable selling price of a comparable replacement dwelling on a typical tract, less the sum of the acquisition price of the acquired dwelling (on the portion of land typical in size for residential use in the area), plus any severance damages to the dwelling or typical homesite.

4. Joint Residential/Business Use: If the acquired dwelling was part of a property that contained another dwelling unit or space used for non-residential purposes, only that portion of the acquisition payment which is actually attributable to the displacement dwelling shall be considered its acquisition cost when computing the price differential. To determine what constitutes the typical homesite, a tract typical for residential use in the area must be used, even if a portion of that tract is used for other than residential purposes.

5. Carve-Outs of Homesites: When determining the typical homesite portion of the acquisition price, the actual price paid for the portion of the homesite in the taking area plus the value of the residential improvements in the taking area, plus any severance damages to either the remainder of the dwelling or homesite area shall be used. If damages are assigned to the entire remainder without an allocation between the remainder of the homesite and the excess land remaining, the damages shall be prorated between these remainders to establish the acquisition price of the dwelling, including the structure and land. In areas where a typical homesite cannot be determined due to differences in tract sizes within a residential area, the area actually utilized for residential purposes by the displaced person shall be used to compute the replacement housing payment. Consideration shall be given to locations of driveways and fences, outbuildings, gardens, and pools, and to the area maintained for residential usage. If all or part of areas occupied by non-residential structures must be included in order to create a homesite tract typical of the area, the typical homesite shall be figured using whatever portion of those areas are necessary. For replacement dwellings which are on tracts larger than typical for residential use in the area where the excess land is used for nonresidential purposes, the replacement housing payment shall be calculated using the actual cost of the replacement dwelling plus the prorated portion of the site which is typical for residential use.

6. If the site of the comparable replacement dwelling lacks a major exterior attribute of the displacement dwelling site, (e.g., the site is significantly smaller or does not contain a swimming pool), the contributory value of such attribute shall be subtracted from the acquisition cost of the displacement dwelling for purposes of computing the payment.

(c) Displaced person(s) are not required to relocate to the same occupancy status (owner or tenant) as existing prior to acquisition, and may choose payment benefits for an alternate occupancy status, if eligible:

1. At the displaced person's request, a dwelling which changes the occupancy status of the displaced person(s) shall be provided, if such a dwelling is available and can be provided more economically.

2. The rental assistance payment to a 180-day owner may not exceed \$5,250, unless the calculated purchase additive or mortgage interest differential payment eligibility exceeds \$22,500, in accordance with 49 C.F.R. Part 24, Last Resort Housing.

3. The replacement housing payment may not exceed the maximum amount that would have been paid had the displaced person(s) remained in the same occupancy status.

(d) Single Household, Multiple Occupancy: If two or more eligible occupants of the displacement dwelling move to separate replacement dwellings and the Agency determines only one household existed, payment shall be as follows:

1. If a comparable replacement dwelling is not available and the displaced persons are required to relocate separately, a replacement housing payment will be computed for each person separately, based on housing which is comparable to the quarters privately occupied by each individual plus the full value of the community rooms shared with other occupants.

2. If a comparable replacement dwelling is available, the displaced persons are entitled to a prorated share of the singular relocation payment allowable had they moved together to a single dwelling.

(e) Multiple Household, Multiple Occupancy: If two or more eligible occupants of the displacement dwelling move to separate replacement dwellings and the Agency determines that separate households had been maintained in the displacement dwelling, the replacement housing payment computation shall be based on housing which is comparable to the quarters privately occupied by each individual plus a prorated share of the value of community rooms shared with other occupants. If two or more eligible occupants of the displacement dwelling move to a single comparable replacement dwelling, they shall only be entitled to one replacement housing payment under this subsection.

(f) Partial Ownership: When a single-family dwelling is owned by several persons, but not occupied by all of the owners, the replacement housing payment for the displaced owner-occupants is the lesser of the difference between the total acquisition price of the replacement dwelling and the amount determined by the Agency as necessary to purchase a comparable replacement dwelling or the actual cost of the replacement dwelling.

1. The displaced owner-occupants may choose a rent supplement payment instead of a purchase additive. The rent supplement shall be based on the Agency's determination of the fair market/economic rent of the displacement dwelling.

2. To receive the entire replacement housing payment, the owner occupant must purchase and occupy a replacement dwelling for an amount equal to his or her share of the acquisition payment for the acquired dwelling plus the amount of the replacement housing payment.

(g) A 90-day tenant or owner-occupant displaced from a dwelling is entitled to a replacement housing payment as outlined in 49 C.F.R. Part 24, Subpart E.

(h) Any displaced person eligible for a rental assistance payment, except a 180-day owner occupant, may choose to use that payment as a down payment supplement, including incidental expenses, to purchase a replacement dwelling.

1. Payment shall be the amount of the down payment or percentage of the purchase price ordinarily required to obtain conventional, rather than VA or FHA, financing for the replacement dwelling in an amount that does not require private mortgage insurance ("required down payment"), not to exceed \$5,250. If the actual down payment required of the displaced person(s) exceeds the amount ordinarily required for a conventional loan, the "required down payment" shall be based upon the amount ordinarily required for a conventional loan.

2. If the actual required down payment, plus incidental expenses, exceeds the amount of rental assistance calculated and is no more than \$5,250, payment shall be for the amount of the actual required down payment. If the actual required down payment, plus incidental expenses, is less than the amount of the rental assistance calculated, the payment shall be for the amount of the rental assistance calculated.

3. If the required down payment on the replacement dwelling exceeds \$5,250 and the rental assistance payment allowable does not exceed \$5,250, the down payment supplement shall be limited to \$5,250. If the rental assistance payment allowable exceeds \$5,250, the full amount of the rental assistance payment shall be used as the down payment supplement under the provisions of Last Resort Housing as outlined in 49 C.F.R. Part 24.

4. If other than conventional financing (e.g., VA or FHA) is obtained by the displaced person he or she shall be advised that, in order to claim the maximum payment benefits, a down payment equal to that required for conventional financing, up to \$5,250, must be paid down on the replacement dwelling.

5. The full amount of the down payment assistance payment shall be applied to the purchase price of the replacement dwelling and related incidental expenses and shall be shown on an executed closing statement or similar documentation for the replacement dwelling.

6. The payment to a 90-day owner-occupant shall not exceed the amount the owner would receive as a purchase additive if he or she met the 180-day occupancy requirement.

(i) 90-day occupants may receive rental assistance payments as outlined in 49 C.F.R. Part 24, Subpart E.

(j) Displaced persons who are less than 90-day occupants may be eligible for a replacement housing payment provided:

1. The displaced person(s) is in occupancy at the time the Agency obtains title to the property. The displaced person can be allowed to relocate prior to the Agency taking title to the property if the Agency determines that continued occupancy would be a danger to the health, safety, and welfare of the displaced person or in situations where replacement housing is scarce as determined by the Agency and may not be available at the time the Agency obtains title to the property.

2. The displaced person(s) cannot afford comparable housing without exceeding 30% of his or her gross monthly income.

3. The displaced person(s) purchases and occupies a decent, safe, and sanitary replacement dwelling within one year of the time specified herein.

(k) The Agency shall inform a less than 90-day occupant that it is his or her obligation to provide verification of income. No such displaced person shall be determined to be eligible for a replacement housing payment under Section 14-66.007(6)(j), unless he or she documents income through a verifiable source, such as pay stubs, signed copies of income tax returns, an employer's statement, or a bank statement.

(8) Mobile Homes. In addition to the requirements governing the provision of relocation payments to persons displaced from a mobile home or mobile home site as outlined in 49 C.F.R. Part 24, Subpart F, the following provisions also apply:

(a) Under 49 C.F.R. Part 24, Subpart F, the term "acquired" refers to a mobile home that is either acquired as part of the real property and is included in the Agency's acquisition of the fee parcel or is purchased as personal property and not included in the acquisition of the fee parcel.

(b) If the mobile home is considered personal property, the Agency will determine whether or not the mobile home can be relocated.

(c) If the mobile home can be relocated, the owner is eligible for reimbursement for the cost to move the mobile home.

(d) If the Agency determines that the mobile home cannot be relocated, the mobile home is eligible for purchase and the Agency will make an offer to purchase, based on the fair market value of the mobile home. If the mobile home owner does not agree to sell the mobile home to the Agency and the displaced person is the owner/occupant of the mobile home, the price differential described in 49 C.F.R. Part 24, shall be:

1. The lesser of:

a. The reasonable cost of a comparable replacement dwelling; or

b. The purchase price of the decent, safe, and sanitary replacement dwelling actually purchased and occupied by the displaced person;

2. Minus the higher of:

a. The salvage value, or

b. The trade-in value.

(e) If the Agency determines that it is practical to relocate the mobile home, but the owner-occupant elects not to do so, then, for the purposes of calculating a price differential under 49 C.F.R. Part 24, the cost of a comparable replacement dwelling shall be the sum of:

1. The fair market value of the mobile home;

2. The cost of any necessary modifications or repairs. Necessary modifications or repairs shall mean those needed to reestablish the mobile home to its previous state prior to displacement or to make it decent, safe, and sanitary; and

3. The estimated cost to move the mobile home to a replacement site, not to exceed a distance of 50 miles. The mobile home owner-occupant still owns the mobile home and is responsible for moving it from the acquired site. If the mobile home is abandoned, the Agency may remove it from the site.

(f) If a mobile home owner-occupant retains and re-occupies a mobile home which is not decent, safe, and sanitary, the costs necessary to bring it up to decent, safe, and sanitary standards may be claimed from the available price differential or down payment supplement. The amount claimed may not exceed the amount allowed in the replacement housing payment computation. The Agency will not disburse a payment until the mobile home meets decent, safe, and sanitary standards.

(g) If the Agency acquires or purchases a mobile home as personal property, the mobile home owner shall provide, upon request, a bill of sale and a transfer of the title for the mobile home to the Agency.

(9) Claim Filing and Documentation. Each relocation payment claim shall be accompanied by complete documentation supporting expenses incurred, such as bills, receipts, and appraisals. The Agency shall ensure that each person receives reasonable assistance necessary to complete and file any required claim for payment.

(a) Displaced persons shall provide the Agency with valid copies of the closing statement for the replacement dwelling or other documentation of expenses incurred in order to receive reimbursement for incidental closing expenses. Reimbursable expenses which are incurred by the origination of a new mortgage for the replacement dwelling shall be based upon the lesser of the balance of the mortgage on the acquired dwelling or the balance of the new mortgage on the replacement

dwelling. Eligible expenses are reimbursable regardless of the length of time a mortgage has been in effect on the acquired dwelling.

(b) In order for a displaced person to receive reimbursement for a rent supplement, the displaced person shall provide the Agency with evidence of rent and utility costs at the displacement dwelling, rent and utility costs at the replacement dwelling and gross monthly household income.

(c) In order to receive reimbursement for a down payment supplement the displaced person(s) shall provide the Agency with a copy of the purchase contract and a copy of the closing statement for the replacement dwelling.

(d) The eligible displaced person(s) shall certify that the displacement dwelling is the domicile of the displaced person(s) and the length of time he or she has occupied the displacement dwelling. The displaced person(s) shall also certify the date that the replacement dwelling was occupied and shall state to the best of his or her knowledge, the replacement dwelling meets decent, safe, and sanitary requirements.

(e) Payments shall be made after the move is completed unless a hardship exists.

(f) When advance payments due to hardship are made, displaced persons shall demonstrate the need therefor by providing evidence of low funds, and shall certify in writing that the payment satisfies any further claim for reimbursement of items for which that claim is intended, and that the displaced person will comply with applicable provisions in the move of their personal property.

(g) Displaced persons shall provide written authorization in the application if a replacement housing payment is to be made to other parties on their behalf. If an eligible displaced person wishes the payment for moving costs to be made directly to a vendor, such request must be made in writing.

(h) If a condemnation suit has been filed, prior to receiving a replacement housing payment, the displaced person(s) must agree, in a condemnation clause in the written claim for payment. The condemnation clause requires:

1. Upon final determination of the condemnation proceedings, the replacement housing payment shall be recomputed using the acquisition price established by the court or by stipulated settlement and the lesser of the actual price of the decent, safe, and sanitary replacement dwelling or the cost of a comparable replacement dwelling.

2. If the amount awarded exceeds the actual price of a decent, safe, and sanitary replacement dwelling or comparable replacement dwelling, the displaced person(s) shall refund to the Agency an amount equal to the amount of the excess. The refund will not exceed the full amount of the initial replacement housing payment calculation.

(i) In the event the Department determines that the acquisition of a portion of property will require a displacement, the Department will offer to relocate the affected person. A

displaced person choosing to relocate shall file all claims for reimbursement for eligible expenses within a period not to exceed 18 months from the date of receipt of the Department's written offer of relocation benefits. This time period can be extended when the displaced person is unable to meet this time period through no fault of his or her own. The displaced person is responsible for providing written documentation for the delay and any extension shall be approved by the Department.

(10) Appeal Rights. Any aggrieved person may file a written appeal with the Agency in any case in which the person believes that the Agency has failed to properly consider the person's claim for assistance under this rule. Such assistance may include those provisions outlined in 49 C.F.R. Part 24, and include the person's eligibility for, or the amount of, a payment required under moving and related expenses, or replacement housing payments. The written appeal shall be filed no later than 60 days after the person receives written notification from the Agency of the claim determination. A person may have legal or other representation in connection with his or her appeal, but solely at his or her expense. The Agency shall consider a written appeal regardless of form. If full relief requested is not granted, a notice of denial shall be issued, in accordance with Rule 28-106.111, F.A.C. The aggrieved person may file a request for administrative hearing.

(a) If a request for administrative hearing is not timely filed, the notice of denial shall be conclusive and final Agency action. Requests for administrative hearing must be filed within 21 calendar days of receipt of the notice of the Department's or Agency's denial. A request for administrative hearing is filed when it is received by the Clerk of Agency Proceedings.

(b) All requests for administrative hearings shall conform to the requirements of Rules 28-106.104, 28-106.201, and 28-106.301, F.A.C., and be in accordance with Chapter 120, Florida Statutes. Requests may be for a formal hearing in accordance with Section 120.57(1), Florida Statutes, or an informal hearing pursuant to Section 120.57(2), Florida Statutes. Requests for an administrative hearing on Department projects shall be made in writing and filed with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458. Requests for an administrative hearing for all other Agencies shall be made in writing and filed with the Clerk of Agency Proceedings for the Agency.

Specific Authority ~~20.05, 334.044(2)~~ FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Formerly 14-66.07, Amended 11-24-92, _____.

14-66.008 Moving and Related Expenses.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 8-9-72, Formerly 14-66.08, Amended 11-24-92, Repealed _____.

14-66.009 Replacement Housing Payments.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3), 421.55(3) FS. History--New 8-9-72, Amended 1-12-83, Formerly 14-66.09, Amended 11-24-92, 8-17-93, Repealed _____.

14-66.010 Mobile Homes.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 11-24-92, Repealed.

14-66.011 Claim Filing and Documentation.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 11-24-92, Repealed.

14-66.012 Appeal Rights.

Specific Authority 20.05, 334.044(2) FS. Law Implemented 339.09(2),(3) FS. History--New 11-24-92, Repealed.

DEPARTMENT OF THE LOTTERY

RULE TITLE: Administrative Leave
 RULE NO.: 53-16.009

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend subsection 53-16.009(14)(b) to provide for one and one-half hours of administrative leave for specific family activities, and to add a new subsection to address administrative leave for mentoring and tutoring activities.

SUBJECT AREA TO BE ADDRESSED: Administrative leave for family, mentoring and tutoring activities.

SPECIFIC AUTHORITY: 24.105(10)(j) FS.

LAW IMPLEMENTED: 24.105 (21)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-16.009 Administrative Leave.

- (1) through (13) No change.
- (14) Family Responsibility Requirements.

(a) Initial and continued participation will depend upon the operational requirements of the Lottery, the immediate supervisor's approval, and shall be limited to relationship to a child in the immediate family.

(b) Each employee shall be granted one and one-half (1 1/2) hours ~~one (1) hour~~ of administrative leave per month, including up to thirty minutes of travel time, to participate in the following family activities:

- 1. Involvement in local private and public school activities including preschools and kindergarten through high-school; and
- 2. Involvement with or visitation of children in child care centers.

(c) If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.

(d) An employee will, upon request, be granted family leave without pay for family responsibilities other than family medical leave for a period not to exceed thirty (30) calendar days per fiscal year if workload requirements permit. Whether continuous or intermittent, eligibility for leave without pay shall commence on July 1 and end on June 30 of each fiscal year. Examples of family responsibilities include:

- 1. Caring for aging parents;
- 2. Involvement in settling parents' estates upon their deaths; or
- 3. Relocating dependent children into private or public schools.

(15) Mentoring and Tutoring Activities.

(a) Each employee shall be granted up to one and one-half (1 1/2) hours of administrative leave per week, including up to thirty minutes of travel time, for participation in tutoring and/or mentoring activities in local education programs.

(b) Any employee, including an employee without children and an employee who does not have school-age children, may participate in the mentoring and tutoring activities in local public or private schools, including preschools, kindergarten, and grades one (1) through twelve (12). Mentoring and tutoring activities include the following:

- 1. Tutoring assignments, guest speaking, assisting in career day activities;
- 2. Participation in the Partners for Excellence Program, After-School Homework Center Program or the Take Stock in Children Program; and
- 3. Other mentoring and tutoring activities or programs with local schools in which the employee's participation is pre-approved by the Lottery.

(c) Initial and continued participation in tutoring or mentoring activities will be contingent upon the operational requirements of the Lottery and upon approval from the employee's immediate supervisor.

(d) If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.

~~(16)~~ (15) Accrual and payment of administrative leave. If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.

~~(17)~~ (16) This section applies to employees who are filling authorized and established positions.

~~(18)~~ (17) An employee who is terminated from employment due to abolishment of his or her position can be placed on administrative leave with pay and full benefits for up to thirty (30) calendar days.

~~(19)(48)~~ An employee who is terminated from employment for any reason other than abolishment of his or her position can be placed on administrative leave with pay and full benefits, in lieu of notice, for up to ten (10) consecutive workdays.

~~(20)(49)~~ All requests for leave pursuant to this rule shall be in writing prior to the initial date of leave, when possible.

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(21)(d) FS. History--New 2-25-93, Amended 8-15-93, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of State Health Purchasing

RULE TITLE: Medicaid Certified School Match Program

RULE NO.: 59G-4.035

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Certified School Match Program Coverage and Limitations Handbook, October, 1998. The effect will be to incorporate by reference in the rule the current Florida Medicaid Certified School Match Program Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Medicaid Certified School Match Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 236.0812, 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126 FS.

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

TIME AND DATE: 9:00 a.m., May 17, 1999

PLACE: Ft. Knox Office Complex, 2727 Mahan Drive, Building 3, Conference Room G, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kim Corsmeier, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7318

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.035 Medicaid Certified School Match Program.

(1) This rule applies to all school districts enrolled in the Medicaid certified school match program as described in 409.9071, F.S.

(2) All school district providers enrolled in Medicaid under the certified school match program must be in compliance with the Florida Medicaid Certified School Match Coverage and Limitations Handbook, October, 1998 ~~December, 1997~~, incorporated by reference, and the Florida

Medicaid Provider Reimbursement Handbook, HCFA-1500 and EPSDT 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 236.0812, 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126 FS. History--New 3-20-98, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of State Health Purchasing

RULE TITLE: Prescribed Drug Services

RULE NO.: 59G-4.250

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage and Limitations Handbook, August, 1998. The effect will be to incorporate by reference in the rule the current Florida Medicaid Prescribed Drug Coverage, Limitations and Reimbursement Handbook.

SUBJECT AREA TO BE ADDRESSED: Prescribed Drug Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906 FS.

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

TIME AND DATE: 9:00 a.m., May 17, 1999

PLACE: 2727 Mahan Drive, Bldg. 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jerry F. Wells, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-4441

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.250 Prescribed Drug Services.

(1) This rule applies to all prescribed drug services providers enrolled in the Medicaid program.

(2) All participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Prescribed Drug Services Coverage, Limitations, and Reimbursement Handbook, August 1998 ~~November 1997~~, which is incorporated by reference, and available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906(18) FS. History--New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-11-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-03, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Rights and Responsibilities of Applicants and Recipients	65A-2.022
Application and Determination of Eligibility	65A-2.023
Determination of Continued Eligibility	65A-2.024
Advance Notice: Written Ten Day Advance Notice	65A-2.031
General Eligibility Criteria	65A-2.032
Eligibility Factors Other Than Need	65A-2.033
Definitions of Special Living Arrangement	65A-2.034
Eligibility Factors Of Need	65A-2.035
Amount of Optional State Supplementation Payments	65A-2.036
Amount of Optional State Supplementation Payments	65A-2.036

PURPOSE AND EFFECT: Amendments of these rules will reflect a review of each listed rule to correct deficiencies in rule statements.

SUBJECT AREA TO BE ADDRESSED: The department is reviewing all rules in Chapter 65A-2, FAC, to clarify language and revise out-dated citations of statutes, federal regulations and other administrative rules.

SPECIFIC AUTHORITY: 409.212(5) FS.

LAW IMPLEMENTED: 409.212 FS.

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

TIME AND DATE: 10:00 a.m., May 17, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, Florida 32399-0700

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Purpose	65A-24.010
Implementation	65A-24.011
Legal Base and Authority	65A-24.012
Administrative Responsibilities	65A-24.013
Terms, Definitions, Abbreviations, Acronyms	65A-24.014
General Eligibility	65A-24.015
Eligible Categories	65A-24.016
Time Limitations for Program Administration	65A-24.017
Ineligible Categories of Assistance	65A-24.018
Reconsideration Review and State Fair Hearing	65A-24.019
Fraud, Duplication of Benefits, Grant Misapplication,	65A-24.020
Exemptions from Garnishment Criminal and Civil Penalties	65A-24.021
Applications, Locations, Time Limitation	65A-24.023
Document, Substantiate, Verify	65A-24.024

PURPOSE AND EFFECT: Amendments of these rules will reflect a review of each listed rule to correct deficiencies in rule statements.

SUBJECT AREA TO BE ADDRESSED: The department is reviewing all rules in Chapter 65A-24, FAC, to clarify language and revise out-dated citations of statutes, federal regulations and other administrative rules.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.35 FS.

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

TIME AND DATE: 1:00 p.m., May 17, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, Florida 32399-0700

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Purpose and Legal Base	65A-33.001
Definitions	65A-33.003
Eligibility Factors Other Than Income	65A-33.004
Determination of Eligibility Based on Income	65A-33.005
Income	65A-33.006
Verification	65A-33.007
Program Administration	65A-33.008
Eligible Payments	65A-33.009
Ineligible Payments	65A-33.010
Type and Amount of Assistance	65A-33.011

PURPOSE AND EFFECT: Amendments of these rules will reflect a review of each listed rule to correct deficiencies in rule statements.

SUBJECT AREA TO BE ADDRESSED: The department is reviewing all rules in Chapter 65A-24, FAC, to clarify language and revise out-dated citations of statutes, federal regulations and other administrative rules.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.16 FS.

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

TIME AND DATE: 2:00 p.m., May 17, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, Florida 32399-0700

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLES:	RULE NOS.:
Recruitment, Selection, Appointment, and Nonreappointment	6C-5.910
Compensation	6C-5.915
Benefits and Hours of Work	6C-5.920
Evaluation and Recognition	6C-5.925
Promotion, Change in Assignment, Demotion and Transfer	6C-5.935
Tenure and Permanent Status	6C-5.940

Employee Ethical Obligations and Conflicts of Interest 6C-5.945

Disciplinary Actions, Complaints, and Appeals 6C-5.950

Separations From Employment and Layoff 6C-5.955

PURPOSE AND EFFECT: Rule 6C-5.910 – Clarifies terminology used to describe employee appointments; appointments paid from OPS are for the period of time specified in the employment offer; removes time limitations for visiting appointments; expands use of trainee status for positions with limited applicants; clarifies that time limited positions have the same employment rights as regular appointments except they do not have layoff and recall rights.

Rule 6C-5.915 – Increases flexibility of the chief administrative officer in making pay decisions; provides for special pay increases for sustained superior performance; authorizes Chancellor rather than the Board to approve pay not meeting guidelines when administrators return to faculty appointments with a report to the Board of such approvals.

Rule 6C-5.920 – Clarifies that employees entering the Deferred Retirement Optional Program (DROP) may request payout of annual leave.

Rule 6C-5.925 – Provides university flexibility to establish employee performance reviews on a cycle other than annual, except that employees must be evaluated every two years.

Rule 6C-5.935 – Eliminates requirement that promotions be limited to persons with exemplary performance in their present position.

Rule 6C-5.940 – Requires tenure to be achieved by the end of the sixth year.

Rule 6C-5.945 – Recognizes assigned service under academic freedom and collegial behavior as an academic responsibility.

Rule 6C-5.950 – Clarifies procedures in the employment complaint appeals process; clarifies that employee has obligation to move case toward resolution; when an employee is represented by an organization, the organization must use the grievance procedure in the collective bargaining agreement; requires the arbitrator to send the Board a copy of the decision; clarifies that the employee must choose the process under which he/she pursues employment complaint.

Rule 6C-5.955 – Clarifies that a USPS employee in a time-limited appointment may be separated at any time without requirement of notice or reason and without rights of appeal.

SUMMARY: Rule changes improve the efficiency and effectiveness of personnel administration at the university level.

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

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

SPECIFIC AUTHORITY: 240.209(1), (3)(f) FS.
 LAW IMPLEMENTED: 240.209(1), (2), (3)(f), 240.246, 775.16, 216.011(1)(aa), 240.283, 110.117-110.122, 115.14, 216.011(1)(x), 250.48, 121, 440, 240.2111, 240.245, 240.227 (1), (5), (19), 104.31, 112.313, 112.3145, 240.261, 447.209 FS.
 A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 1:00 p.m., May 27, 1999
 PLACE: Live Oak Pavilion, University Center, Florida Atlantic University, Boca Raton, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, Tallahassee, Florida 32399-1950

THE FULL TEXT OF THE PROPOSED RULES IS:

6C-5.910 Recruitment, Selection, Appointment, and Nonreappointment.

(4) Each University shall use the following appointment ~~status~~ modifiers which defines the conditions of an employee's appointment. Such appointment modifiers apply to the appointment of a qualified employee unless otherwise stated.

(a) Faculty Appointment Modifiers

1. Regular – A continuing appointment or an original temporary appointment ~~which may expected to~~ be followed by a continuing appointment. The appointment modifier is not included in the title.

3. Adjunct – ~~An temporary~~ appointment paid from OPS. ~~Such appointment is for one academic term at a time and is ordinarily paid on a per course basis.~~ Adjunct appointments may not be for more than 50% of the time throughout an academic year or full-time for more than twenty six weeks of a fiscal year, unless approved by the Chief Administrative Officer. Such appointments are for temporary or part-time employment and the term of employment is only for the period specified in the offer.

5. Visiting – An appointment of a person having ~~appropriate~~ professional qualifications, where either the person or the position is ~~but~~ not expected to be available for more than a limited period of time; ~~or to a position which is expected to be available for a limited period. A visiting appointment for in unit faculty may not be provided for more than three consecutive years, unless approved by the Chief Administrative Officer.~~

(b) A&P Appointment ~~Status~~ Modifiers

1. Regular – A continuing appointment or an original temporary appointment ~~which may expected to~~ be followed by a continuing appointment. The appointment modifier is not included in the title.

4. Visiting – An appointment of a person having ~~appropriate~~ professional qualifications, where either the person or the position is ~~but~~ not expected to be available for more than

a limited period of time; ~~or to a position which is expected to be available for a limited period. A visiting appointment may not be provided for more than three consecutive years, unless approved by the Chief Administrative Officer.~~

(c) USPS Appointment ~~Status~~ Modifiers

2. Probationary – An appointment to a position in a class for the designated period, where the employee meets the minimum qualifications for the position. Continuous successful performance in a class ~~while serving with the~~ appointment modifier of temporary or emergency status may be counted toward completion of the required probationary period. The decision to count such time toward completion of the probationary period shall be made at the time the employee is initially appointed with probationary status.

3. Trainee – An appointment to a law enforcement position prior to receiving a Certificate of Compliance, except that the employee must, within 180 consecutive days following such appointment, be actively enrolled in the training program to obtain the certificate. Trainee status is also used when the employee has not passed a required examination; but meets the minimum qualifications for the position; the employee is not fully qualified but is expected to acquire such qualification in a short period of time; qualified applicants are not sufficiently available for the position, the employee does not meet the minimum qualifications for the position, and the appointment meets the requirement of an affirmative action program; or the appointment is under a cooperative education program, a vocational rehabilitation program, approved university training program, or an apprenticeship program.

6. Time-limited – An appointment to a position funded by contract and grant, auxiliaries, or local funds, as appropriate, for a particular project, enterprise, or specified period. Such designation must be made to the position at the time of recruitment. A time-limited position shall have the same rights as a regular appointment modifier, except such position shall not have rights provided for layoff and recall.

Specific Authority 240.209(1),(3)(f) FS. Law Implemented 240.209(1),(3)(f), 240.246, 775.16 FS. History--New 1-24-96, Amended _____.

6C-5.915 Compensation.

(3) Base rate of pay is the pay provided employees not including any additives as provided for in Section (6)(g), below. Regular rate of pay is an employee's base rate of pay plus any other pay which may be necessary to meet the requirements of the Fair Labor Standards Act (FLSA). Hourly pay is computed based on 2088 work hours annually. A factor of 26.1 is used for annualizing biweekly pay.

(c) A retroactive effective date for ~~a any~~ pay action shall ~~not~~ be permitted with the approval of the Chief Administrative Officer; however, such retroactive period shall be the lesser of twelve months except delayed pay increases shall be granted if funds become available within twelve months of the or the date

~~enumerated in the~~ documentation of the intent to increase the pay. ~~The increase may be effective not earlier than the date of such documentation.~~

(d) A pay increase may be provided for a temporary change in assignment on an acting basis and, upon return to original responsibilities, the pay may ~~shall~~ be adjusted.

(4) Pay upon original appointment for A&P and USPS shall be made within the pay range with the following exceptions.

(a) A provisional ~~status~~ appointment for A&P may be ~~made at no more than 10 percent~~ below the minimum of the pay range. The pay shall be increased to at least the minimum of the pay range upon the employee attaining the minimum qualifications for the class.

(b) A trainee ~~status~~ appointment for USPS shall be in accordance with the approved individual training schedule and may ~~shall~~ be below the minimum of the pay range.

(c) An emergency appointment ~~status~~ for USPS may be below the minimum of the pay range, ~~but shall be no more than 10 percent below the minimum.~~

(6) Other pay increases may be provided under the following categories:

(e) Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement including a group incentive program. ~~Such A~~ payment ~~in this category~~ for employees subject to the FLSA shall not exceed the greater of ten percent of the employee's annual base pay or \$3,000 (before taxes). For other employees, ~~such a payment in this category~~ shall not exceed 15 percent of the employee's annual base rate of pay, ~~unless approved by. If the 15 percent would create an inequity in the amount to be paid for an employee not covered by FLSA, the Chief Administrative Officer may submit a recommendation for approval to the Chancellor.~~

(f) Increases to recognize sustained superior performance.

~~(g)(f)~~ Approved career development/apprenticeship programs.

~~(h)(g)~~ Pay additives including those for asbestos-related activities, lead abatement activities, leadworker pay, shift differentials, on-call pay, field training officer activities, and other approved activities.

(7) Other pay adjustments.

(a) An employee who is demoted shall receive pay commensurate with the responsibilities assigned. The demotion may be with or without a reduction in base rate of pay, ~~but shall not exceed the maximum of the pay range to which appointed.~~

(c) When the assignment of Faculty serving in an administrative position such as Vice President, Dean or Director is changed, the pay and appointment period shall be adjusted to reflect the new responsibilities. If the adjusted pay of an administrator, whose appointment is being changed to a ranked Faculty, will be greater than 90 percent of the range of the pay for Faculty in the same rank in the college or school in which the employee is to be appointed, the new pay must be approved by the Chancellor or designee Board. The Chief Administrative Officer shall submit a recommendation for approval to the Chancellor, including a justification for the proposed pay, the employee's experience, qualifications, academic discipline, and other relevant factors. The Chancellor will advise the Board of such approvals.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 216.011(1)(aa), 240.209(1),(3)(f), 240.283 FS. History--New 1-24-96, Amended 2-1-98, _____.

6C-5.920 Benefits and Hours of Work.

(10) Annual leave for full-time employees shall be as follows with proportionate accrual for less than full-time. An academic year (39 weeks) employee, a Developmental Research School employee, and an employee appointed for less than 9 months shall not accrue annual leave. Hours of accrual for USPS is based on years of creditable service and such service shall be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of a University or other State agency or during authorized unpaid leave.

~~(e) Upon separation~~ An employee who separates from employment shall be paid for all up to the year end maximum unused annual leave hours up to the year end maximum allowed for the pay plan. Upon reemployment by the SUS within 100 days or upon recall by the University within one year, all unpaid annual leave shall be restored and any annual leave paid at time of separation shall be restored upon repayment. Upon entering into the Deferred Retirement Optional Program (DROP), employees may elect to be paid up to the year end maximum of their unused annual leave.

Specific Authority 240.291(1), (3)(f)(~~g~~) FS. Law Implemented 110.117-110.122, 115.14, 216.011(1)(x), 240.209(1),(3)(f), 250.48, Chapters 121, 440 FS. History--New 1-24-96, Amended _____.

6C-5.925 Evaluation and Recognition.

(1) The following provisions govern employee evaluations and performance improvement.

(b) Each University shall establish procedures to conduct periodic performance reviews. Each employee shall be evaluated at least once every two years annually on the basis of total performance in fulfilling assigned responsibilities.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(2),(3)(f), 240.211, 240.245 FS. History--New 1-24-96, Amended _____.

6C-5.935 Promotion, Change in Assignment, Demotion and Transfer.

(2) Promotion

(b) Administrative and Professional promotion is the appointment to another position or class with substantially increased responsibilities, or a permanent assignment of substantially increased responsibilities for the existing classification. ~~With the exception of a classification change resulting in a promotion, the criteria for promotion shall include exemplary performance of duties in the employee's present position.~~ An employee must meet the minimum qualifications for the position to which promoted.

(c) USPS promotion is the appointment to a class or position with substantially increased responsibilities. ~~With the exception of a classification change resulting in a promotion, the criteria for promotion shall include exemplary performance of duties in the employee's present position.~~ An employee must meet the minimum qualifications for the position to which promoted. Upon promotion, the employee's appointment modifier shall be determined pursuant to Rule 6C-5.910(4)(c). ~~status shall be probationary, trainee, temporary, or emergency status, however, An employee who has employee's status shall not be probationary or trainee if the employee had previously earned permanent status in the class to which promoted shall be promoted with permanent status.~~

(4) A demotion is an appointment to a class or position having less responsibility. Upon demotion, a USPS employee's appointment modifier status shall be determined pursuant to Rule 6C-5.910(4)(c); however, if the employee previously held permanent status in the class to which demoted, the demotion shall be with permanent status.

Specific Authority 240.209(1),(3)(~~f~~+) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5),(19), 240.245 FS. History--New 1-24-96, Amended _____.

6C-5.940 Tenure and Permanent Status.

(1) Faculty tenure shall be administered consistent with the following provisions.

(b) Tenure is awarded upon demonstration of highly competent performance. Tenure criteria shall address the areas of teaching; research and other scholarly activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status. These criteria shall take into account the mission and needs of the institution and shall place appropriate emphasis upon teaching and teaching-related scholarship. In this regard, the institution shall ensure that teaching is evaluated broadly, including assessments by peers and students, and that teaching performance is prominently considered in the award of tenure.

(d) Appointments to the ranks of assistant professor, associate professor, and professor are tenure-earning when they do not include the appointment ~~status~~ modifier of acting, adjunct, joint, provisional, visiting, research, clinical, courtesy, honorary, or affiliate. Appointments which include the

appointment ~~status~~ modifier of multi-year, joint, provisional, visiting, research, clinical, or affiliate are ordinarily nontenure-earning, however, employees with these appointment ~~status~~ modifiers may earn time toward tenure as determined by the Chief Administrative Officer at the time of appointment. If an employee is initially appointed to the rank of instructor or to a nontenure-earning rank and is subsequently appointed to a tenure-earning position, all or a portion of the prior service in such nontenure-earning position may be counted toward tenure, provided the Chief Administrative Officer agrees to credit such service.

(e) The decision to recommend ~~nominate~~ an employee for tenure shall be made no later than ~~shall ordinarily be made during the sixth fifth~~ year of continuous full-time service or equivalent part-time service in a tenure-earning position. Tenure-earning employees not recommended for tenure by the end of six years of continuous full-time, or equivalent part-time service, shall be given notice that further employment will not be offered. ~~At the employee's option and with the concurrence of the appropriate administrative officials, the employee may elect to be considered for tenure during the sixth year.~~ Full-time service for the purpose of tenure eligibility shall mean employment at 1.0 FTE during at least 39 weeks of any twelve month or nine month ~~contract, period.~~ Part-time service shall mean employment during at least one semester of any twelve month period.

~~(i) A tenure-earning employee shall be recommended for tenure at the end of six years of continuous full time, or equivalent part-time service or given notice that further employment will not be offered. Upon the employee's request, the Chief Administrative Officer shall provide a statement of the reason the employee was not recommended for tenure.~~

~~(j)(+)~~ The recommendation of any employee for tenure shall signify that the Chief Administrative Officer is satisfied the employee will continue to make significant professional contributions to the University and the academic community. Upon recommendation by the Chief Administrative Officer and approval by the Board, tenure shall be awarded.

~~(j)(+)~~ With sufficient justification, tenure may also be recommended by the Chief Administrative Officer and approved by the Board at the time of initial appointment or prior to the sixth fifth year of tenure-earning service.

~~(k)(+)~~ Transfer of tenure shall be at the discretion of the University to which the employee is transferring.

Specific Authority 240.209(1),(3)(~~f~~+) FS. Law Implemented 240.209(1),(3)(f), 240.277(1),(5),(19) FS. History--New 1-24-96, Amended 1-30-97, _____.

6C-5.945 Employee Ethical Obligations and Conflicts of Interest.

(6) Academic freedom and responsibility apply to teaching, research, ~~and~~ creative activity, and assigned service.

(b) Faculty shall be responsible to:

3. Contribute to the orderly and effective functioning of the academic unit and/or the University and conduct oneself in a collegial manner in all interactions.

~~4.3-~~ Represent themselves as institutional representatives, only when authorized to do so.

Specific Authority 240.209(1),(3)(f)(~~+~~) FS. Law Implemented 104.31, 112.313, 112.3145, 240.209(1),(3)(f), 240.227(1),(5) FS. History--New 1-24-96, Amended _____.

6C-5.950 Disciplinary Actions, Complaints, and Appeals.

(4) USPS Arbitration Appeal Procedure – Consistent with the procedures set forth below, ~~a~~An employee who has earned permanent status in his/her current classification shall have the right to appeal to an arbitrator any suspension, dismissal, layoff, demotion, job abandonment, transfer, or reduction in pay, provided that the employee has not signed a statement indicating the action was voluntary. An employee whose position is classified to a lower class shall have the right to appeal only the reduction in pay, if any, which has occurred as a result of the demotion appointment.

(a) Request for Processing.

1. If an employee requests an arbitration, the employee shall, within 14 working days after the receipt of notice of the employment action from the University, file with the Board Office a completed Arbitration Request form by either U.S. Mail, return receipt requested, or in person. This form is incorporated by reference and is titled Arbitration Request Pursuant to Rule 6C-5.950(4) dated November 1, 1995, and can be obtained from the University Personnel Director. A copy of the form must also be filed with the Chief Administrative Officer and the employee's immediate supervisor.

5. When an action ~~can be~~ is both appealed ~~appealable~~ under this rule and grieved ~~grievable~~ under a collective bargaining agreement the employee shall have the option of using either procedure. The filing of the arbitration request form constitutes a waiver of any rights to review of the matter under an applicable collective bargaining agreement, Chapter 120, F.S., or other SUS or University review procedures. If the employee and/or representative seeks a review of a matter in an alternative forum after requesting arbitration under this rule or fails to appear at the scheduled arbitration hearing, the Board and the University shall have no obligation to proceed further.

6. An arbitration request on which no action has been taken by the employee for sixty (60) days shall be deemed withdrawn and resolved in accordance with the decision of the University.

(b) Fees and Expenses.

1. All fees and expenses for the arbitrator will be paid by the University. ~~However, w~~When an employee is represented by an employee organization, the organization must use the grievance procedure set forth in the collective bargaining agreement and the arbitrator's fees and expenses shall be paid

by the party who fails to prevail in the arbitration or evenly split if the award sustains the appeal in part and denies it in part.

(e) Hearing.

1. The arbitrator shall hold the hearing at the city where the main campus of the University is located, unless otherwise agreed by the parties. The hearing shall commence within 60 ~~30~~ working days of the arbitrator's acceptance of selection, or as soon thereafter as is practicable. Arbitration proceedings shall be conducted in accordance with this rule, supplemented by the Labor Arbitration Rules published by the American Arbitration Association, in effect on the date of the hearing as Amended and Effective on September 1, 1993.

2. The arbitrator or the attorneys representing either party may subpoena witnesses and compel the production of documents pertinent to the appeal. All requests for subpoenas must be made to the arbitrator no later than 10 working days prior to the arbitration date and each party is responsible for providing its own witnesses and documents which it wishes to present. The parties shall exchange lists of subpoenaed witnesses no fewer than 10 working days before the scheduled date of the hearing.

3. Within 60 calendar days of the hearing, the arbitrator shall issue to the Board, the University and the employee a written order which may affirm, reverse, or alter the decision of the University.

(f) Jurisdiction of Arbitrator.

1. The arbitrator shall neither add to, subtract from, modify, or alter the provisions of these rules, University rules and policies or procedures, or an applicable collective bargaining agreement. Arbitration shall be confined solely to the application and/or interpretation of those provisions and limited to the matters in the Request for Arbitration Form submitted for arbitration. No statements of opinion or conclusions not essential to the determination of the matters submitted shall be permitted. The arbitrator shall not review managerial decisions other than to ensure that such actions are in accordance with the applicable procedures under review. When an administrator has made a judgment involving the exercise of discretion, the arbitrator shall not substitute the arbitrator's judgment for that of the administrator. In the case of suspension, dismissal, and reduction in pay taken as a disciplinary action, the arbitrator shall determine whether there is just cause for such action.

6. The arbitrator shall not convert or transform an arbitration request filed under this rule into a grievance or arbitration under an applicable collective bargaining agreement.

Specific Authority 240.209(1),(3)(f)(~~+~~) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5), 240.261, 447.209 FS. History--New 1-24-96, Amended _____.

6C-5.955 Separations from Employment and Layoff.

(1) Separations from employment shall be administered consistent with the following provisions.

(d) OPS and USPS employees without permanent status in any class ~~or on time limited appointments~~ may be separated from employment at any time without any requirements of notice or reason and without rights of appeal.

(2) Layoff shall be administered consistent with the following provisions.

(g) Employees are to be informed of layoff as soon as practicable. Where circumstances permit, all Faculty and A&P employees are to be provided at least 30 calendar days ~~a one year's notice for employees with three or more years of service and at least six month' notice to those with less service.~~ However, a USPS employee with permanent status shall be given no less than at least 14 calendar days notice of layoff or in lieu thereof, two weeks pay at the employee's current regular hourly rate, or a combination of notice and pay. A notice of layoff shall be sent to the employee by certified mail, return receipt requested, or delivered in person to the employee.

Specific Authority 240.209(1),(3)(f) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5),(19), 447.209 FS. History--New 1-24-96, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Roberta Maddox, Associate Vice Chancellor and Director, Human Resources & Labor Relations, Florida Board of Regents

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 1999

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Tuition, Fee Schedule and Percentage of Cost
 RULE NO.: 6C-7.001

PURPOSE AND EFFECT: To implement the student fees for 1999-2000 as may be required by the Conference Committee Report on Senate Bill (1999-2000 General Appropriations Act).

SUMMARY: Rule 6C-7.001 implements the provisions of Section 240.209(3)(e), Florida Statutes, regarding the establishment of tuition and matriculation fees for students in the public universities. The rule sets the amount to be charged for these fees. A ten percent increase in these fees has been assumed; this increase has not been acted upon by the 1999 Legislature, but is noticed so that if approved by the Legislature, these new fees will be effective and may be collected Fall Semester, 1999.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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 within 21 days of this notice.

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

LAW IMPLEMENTED: 240.209(1),(3)(e) FS., Conference Committee report on Senate Bill (1999-2000 General Appropriations Act).

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

TIME AND DATE: 1:00 p.m., May 27, 1999

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-7.001 Tuition, Fee Schedule and Percentage of Cost.

(4) The following tuition shall be levied and collected effective the fall semester indicated for each student regularly enrolled, unless provided otherwise in this chapter.

(a) Students enrolled in programs other than the Program in Medical Sciences or MD, DMD or and DVM in the University of Florida College of Medicine, College of Dentistry, or and College of Veterinary Medicine, or and in the MD program in the University of South Florida College of Medicine will be assessed the following fees per credit hour:

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$51.68	\$51.68	\$124.33	\$124.33	\$141.30	\$141.30
Non-Resident Student Financial Aid		\$232.43		\$359.92		\$374.89
Aid	\$2.58	\$2.58	\$6.21	\$6.21	\$7.06	\$7.06
Non-Resident Student Financial Aid		\$11.62		\$17.99		\$18.74
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service	Varies by University per Rule 6C-7.003					
Health	Varies by University per Rule 6C-7.003					
Athletic	Varies by University per Rule 6C-7.003					
University Matriculation	Varies by University					
University Non-resident	Varies by University					
Total ^a	\$59.02	\$303.07	\$135.30	\$513.21	\$153.12	\$546.75

^a Excludes fees that vary by university.

	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$46.99	\$46.99	\$113.03	\$113.03	\$128.46	\$128.46
Non-Resident		\$211.30		\$327.20		\$340.81
Student Financial Aid	\$2.34	\$2.34	\$5.65	\$5.65	\$6.42	\$6.42
Non-Resident Student Financial Aid		\$10.56		\$16.36		\$17.04
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service		Varies by University per Rule 6C-7.003				
Health		Varies by University per Rule 6C-7.003				
Athletic University		Varies by University per Rule 6C-7.003				
University Matriculation		Varies by University				
Non-resident						
Total ^a	\$54.09	\$275.95	\$123.44	\$467.00	\$139.64	\$497.49

^a Excludes fees that vary by university.

Fall 1997

	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$43.92	\$43.92	\$105.64	\$105.64	\$120.06	\$120.06
Non-Resident		\$187.83		\$290.85		\$302.95
Student Financial Aid	\$2.19	\$2.19	\$5.28	\$5.28	\$6.00	\$6.00
Non-Resident Student Financial Aid		\$9.39		\$14.54		\$15.14
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service		Varies by University per Rule 6C-7.003				
Health		Varies by University per Rule 6C-7.003				
Athletic University		Varies by University per Rule 6C-7.003				
University Matriculation		Varies by University				
Non-resident						
Total ^a	\$50.87	\$248.09	\$115.68	\$421.07	\$130.82	\$448.91

^a Excludes fees that vary by university.

Fall 1997 (Excess Hours)

For undergraduate students enrolled in credit courses for hours beyond 115% for the degree (exclusive of those credit hours and students exempted by Board policy) a 50% increase in the per credit hour tuition amount will be charged. The following reflects the total per credit hour charge for each excess hour.

	Undergraduate		Graduate ^b		Law ^b	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$65.88	\$65.88	\$158.46	\$158.46	\$180.09	\$180.09
Non-Resident		\$281.74		\$436.27		\$454.42
Student Financial Aid	\$3.29	\$3.29	\$7.92	\$7.92	\$9.00	\$9.00
Non-Resident Student						

Financial Aid	\$14.08	\$21.81	\$22.72			
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service		Varies by University per Rule 6C-7.003				
Health		Varies by University per Rule 6C-7.003				
Athletic University		Varies by University per Rule 6C-7.003				
University Matriculation		Varies by University				
Non-resident						
Total ^a	\$73.93	\$369.75	\$171.14	\$629.22	\$493.85	\$670.99

^a Excludes fees that vary by university.

^b Fees apply only to undergraduate students taking these courses when the student has accumulated hours beyond 115% for the degree.

(b) Students enrolled in the Program in Medical Sciences or MD, DMD or ~~and~~ DVM programs in the University of Florida College of Medicine, College of Dentistry, or ~~and~~ College of Veterinary Medicine, or ~~and~~ in the MD program in the University of South Florida College of Medicine will be assessed the following fees per student for the academic year as defined by each university:

FALL 1999

	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$10,145.12	\$10,145.12	\$8,821.86	\$8,821.86	\$7,410.32	\$7,410.32
Non-Resident		\$18,491.56		\$116,079.62		\$13,506.90
Student Financial Aid	\$507.24	\$507.24	\$441.08	\$441.08	\$370.50	\$370.50
Non-Resident Student Financial Aid		\$924.56		\$802.98		\$675.34
Capital Improvement Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service		Varies by University per Rule 6C-7.003				
Health		Varies by University per Rule 6C-7.003				
Athletic University		Varies by University per Rule 6C-7.003				
University Matriculation		Varies by University				
Non-resident						
Total ^a	\$10,842.76	\$30,258.88	\$9,453.34	\$26,340.94	\$7,971.22	\$22,153.46

^a Excludes fees that vary by university.

FALL 1998

	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$9,222.84	\$9,222.84	\$8,019.88	\$8,019.88	\$6,736.66	\$6,736.66
Non-Resident		\$16,810.52		\$14,617.84		\$12,279.00
Student Financial Aid	\$461.14	\$461.14	\$400.98	\$400.98	\$336.82	\$336.82
Non-Resident Student Financial Aid		\$840.52		\$730.88		\$613.94
Capital Improvement Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60

Building Activity and Service	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Health Athletic University			Varies by University per Rule 6C-7.003			
Matriculation University Non-resident			Varies by University			
Total ^a	\$9,874.38	\$27,525.42	\$8,611.26	\$23,959.98	\$7,263.88	\$20,156.82

^a Excludes fees that vary by university.

Fall 1997

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$8,619.48	\$8,619.48	\$7,495.22	\$7,495.22	\$6,295.96	\$6,295.96
Non-Resident Student		\$14,942.70		\$12,993.64	\$10,914.68	
Financial Aid	\$430.96	\$430.96	\$374.76	\$374.76	\$314.78	\$314.78
Non-Resident Student Financial Aid		\$747.12		\$649.68		\$545.72
Capital Improvement Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic			Varies by University per Rule 6C-7.003			
University			Varies by University			
Matriculation University Non-resident			Varies by University			
Total ^a	\$9,240.84	\$24,930.66	\$8,060.38	\$21,703.70	\$6,801.14	\$18,261.54

^a Excludes fees that vary by university.

(c) Pursuant to Section 240.124, F.S., each student enrolled in the same undergraduate course more than twice, ~~beginning with the Summer 1998 Semester~~, shall be assessed an additional ~~\$ to be determined after Session~~ ~~\$153.06~~ per credit hour charge in addition to the fees outlined above in Rule 6C-7.001(4)(a) for each such course.

(d) Pursuant to Section 240.117, F.S., each FAMU student enrolled in the same college-preparatory class, ~~beginning with the Fall 1997 Semester~~, more than once shall be assessed an additional ~~\$ to be determined after Session~~ ~~\$132.97~~ per credit hour charge in addition to the fees outlined above in Rule 6C-7.001(4)(a) for each such class.

Specific Authority 240.209(1),(3)(e),(r) FS. Law Implemented 240.209(3)(e),(h), 240.235(1), 240.124, 240.117 FS., Conference Committee Report on Senate Bill 2400, 1997. History--Adopted 4-8-79, Renumbered 12-16-74, Amended 6-28-76, 7-4-78, 8-6-79, 9-28-81, 12-14-83, 7-25-84, 10-2-84, 10-7-85, Formerly 6C-7.01, Amended 12-25-86, 11-16-87, 10-19-88, 10-17-89, 10-15-90, 9-15-91, 1-8-92, 11-9-92, 7-22-93, 8-1-94, 11-29-94, 4-16-96, 8-12-96, 9-30-97, 12-15-97, 8-11-98, 9-30-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Judy G. Hamble, Vice Chancellor, Planning and Policy Analysis
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Other Personnel
 RULE NO.: 6D-5.003

PURPOSE AND EFFECT: This rule is amended to clarify and give additional definitions of certain job descriptions and indicates certification requirements needed for various positions at the Florida School for the Deaf and the Blind.

SUMMARY: This rule is amended to include the positions of Speech Language Pathologist/Intake Specialist and Speech Language Pathologist Specialist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 242.331(3) FS.

LAW IMPLEMENTED: 229.053(2)(i)(j), 230.23(4)(m), 242.331(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., Thursday, June 3, 1999

PLACE: The Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-5.003 Other Personnel.

Responsibilities and duties of other members of the staff in the areas of the deaf and the blind shall be listed on job description forms on file in the Human Resource Management and Development Office at the School. Degrees and certification requirements of such personnel are as follows:

(1) through (12) No change.

(13) Specialist – Speech Language Pathologist/Intake Specialist. A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by the American Speech-Language Hearing Association or valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

(14) Specialist – Speech Language Pathologist. A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by the

American Speech-Language Hearing Association or valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

~~(15)(13)~~ Specialist – Coordinator of Early Intervention Services. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and nine (9) semester hours in Early Childhood Education.

~~(16)(14)~~ Specialist – Community Education Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and three (3) years experience directly related with hearing impaired or visually impaired, and nine (9) semester hours in School/Community Relations.

~~(17)(15)~~ Specialist – Technology Resource Specialist. Certification by the State of Florida in Hearing Impaired and nine (9) semester hours in Instructional Technology.

~~(18)(16)~~ Specialist – Educational Data Information Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Computer Science and Technology systems or demonstrated skills via work experience regarding computer programming or computer science.

~~(19)(17)~~ Specialist – Statewide Technology Training Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and nine (9) semester hours in Computer Science or Instructional Technology.

~~(20)(18)~~ Specialist – Specific Learning Disabilities Program Specialist. Certification by the State of Florida in Specific Learning Disabilities and eighteen (18) semester hours in Hearing Impaired or Visually Impaired and eighteen (18) semester hours in Specific Learning Disabilities.

~~(21)(19)~~ Specialist – Coordinator of Computer Resources. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and twelve (12) semester hours in Instructional Technology.

~~(22)(20)~~ Specialist – Assistant Director of Staff and Curriculum Development. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in curriculum development and three (3) years teaching experience.

~~(23)(21)~~ Classroom Teacher – Deaf. Certification by the State of Florida in Hearing Impaired, Elementary Education for Instructional Levels K-6, Middle School, or content area for Instructional Levels 7-12. CED (Council on Education of the Deaf) certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(24)(22)~~ Classroom Teacher – Blind. Certification by the State of Florida in Visually Impaired, Elementary Education for Instructional Levels K-6, Middle School, or content area for Instructional Levels 7-12.

~~(25)(23)~~ Physical Education Teacher – Certification by the State of Florida in Hearing Impaired or Visually Impaired and Physical Education. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(26)(24)~~ Special Needs Teacher. Certification by the State of Florida in Hearing Impaired or Visually Impaired and twelve (12) semester hours in Mentally Handicapped or Specific Learning Disabilities or Emotionally Handicapped, or state certification in Mentally Handicapped or Specific Learning Disabilities or Emotionally Handicapped and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(27)(25)~~ Vocational Teacher. Certification by the State of Florida in Vocational Instructional area and twelve (12) semester hours in Hearing Impaired or Visually Impaired. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(28)(26)~~ Physical Therapist. State of Florida licensure in Physical Therapy.

~~(29)(27)~~ Occupational Therapy Assistant. State of Florida licensure as Occupational Therapist Assistant.

~~(30)(28)~~ Occupational Therapy/Registered. State of Florida licensure as Occupational Therapist.

~~(31)(29)~~ Adaptive Physical Education. Certification by the state of Florida in Hearing Impaired or Visually Impaired, Physical Education, nine (9) semester hours in Adaptive Physical Education. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(32)(30)~~ Work Evaluator. Certification by the State of Florida in Vocational Education and nine (9) semester hours in Testing or Work Evaluations.

~~(33)(31)~~ Speech Teacher. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and twelve (12) semester hours in Speech and Language Impaired, or certification by the State of Florida in Speech and Language Impaired, and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(33)(32)~~ Clinical Social Worker. Licensure by the State Department of Professional Regulation, and certification by the Academy of Certified Social Workers, and nine (9) semester hours in Hearing Impaired or Visually Impaired.

~~(35)(33)~~ Guidance Counselor. Certification by the State of Florida in Guidance and Counseling with twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(36)(34)~~ Librarian. Certification by the State of Florida in Library/Media with twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(37)(35)~~ Specialist – Educational Diagnostician. Certification by the State of Florida in Hearing Impaired or Visually Impaired and twelve (12) semester hours in assessment.

~~(38)~~~~(36)~~ Orientation and Mobility. Certification by the State of Florida in Visually Impaired with specialization in Orientation and Mobility.

~~(39)~~~~(37)~~ Technology Media Specialist. Certification by the State of Florida in Hearing Impaired and twelve (12) semester hours in Media/Technology.

~~(40)~~~~(38)~~ Specialist – Coordinator of Academic Guidance. Certification by the State of Florida in Guidance and Counseling and twelve (12) semester hours in Hearing Impaired or Visually Impaired, or Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Guidance and Counseling.

~~(41)~~~~(39)~~ Specialist – Residential Curriculum Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired or Specific Learning Disabilities or Emotionally Handicapped or Mentally Handicapped and twelve (12) semester hours in Child Development, and/or Child Care.

~~(42)~~~~(40)~~ Specialist – Behavior Specialist. Certification by the State of Florida as School Psychologist or Guidance and Counseling or Emotionally Handicapped, including three (3) counseling related courses, two (2) behavioral management courses, and three (3) courses in Hearing Impaired or Visually Impaired.

~~(43)~~~~(41)~~ Specialist – Social Worker. Certification by the State of Florida in School Social work and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(44)~~~~(42)~~ Clinical Counselor. Licensure by the State of Florida as Clinical Counselor and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(45)~~~~(43)~~ Specialist – Staffing Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired and three (3) years successful teaching, counseling, or school psychologist with sensory impaired students.

~~(46)~~~~(44)~~ Specialist Internet/Website Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Instructional Technology three (3) of which are in HTML program language application, and five (5) years teaching experience with Hearing Impaired or Visually Impaired three (3) of those years in using technology in the classroom.

~~(47)~~~~(45)~~ Assistant Director of Student Life. A Bachelor of Arts or Bachelor of Science Degree in one of the following areas: Physical Education, Recreation, Hearing Impaired or Visually Impaired, Special Education, Learning Disabilities or Emotionally Handicapped, Child Care, Guidance and Counseling or School Psychologist. Certification by the state of Florida in Hearing Impaired or Visually Impaired, as appropriate, and 12 hours in Educational Leadership and three (3) years experience in a residential school setting.

~~(48)~~~~(46)~~ In addition to the requirement of Rule 6D-5.003, FAC, the educational staff will be required to meet the State Board of Education Chapter 6A certification requirements as applicable to the Florida School for the Deaf and the Blind.

Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 12-19-74, Amended 10-9-84, 12-6-92, 10-26-94, 7-10-95, 2-22-97, 2-24-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 1999

DATE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 1999

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE TITLE: Right to Appeal
 RULE NO.: 12E-1.007

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.007, F.A.C., is to comply with the requirements of s. 120.74(1), F.S., that agency rules be deleted if they are obsolete or unnecessary or redundant of statutes. The effect of the repeal of Rule 12E-1.007 is to delete a rule which is obsolete and has been superseded by Chapter 120, F.S., and the Uniform Rules of Procedure.

SUMMARY: Deletes a rule providing a procedure for applicants and recipients of child support enforcement services to seek administrative review of adverse agency decisions affecting them.

STATEMENT OF ESTIMATED REGULATORY COST: Since the deletion of this rule provision does not implement any new administrative program or procedure, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 120.535, 409.026 FS.

LAW IMPLEMENTED: 409.026, 409.2557 FS.

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

TIME AND DATE: 9:00 a.m., May 28, 1999

PLACE: Conference Room, Room 235-Q, 4070 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Department of Revenue should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULE IS:

12E-1.007 Right to Appeal.

Specific Authority 120.535, 409.026 FS. Law Implemented 409.026, 409.2557 FS. History—New 1-11-76, Formerly 10C-25.05, Amended 2-18-86, 7-20-94, Formerly 10C-25.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas J. Mato, Chief Counsel, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9560

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

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE TITLE: Immediate Income Deduction Orders

RULE NO.: 12E-1.010

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.010, F.A.C., is to comply with the requirements of s. 120.74(1), F.S., that agency rules be deleted if they are obsolete or unnecessary or redundant of statutes. The effect of the repeal of Rule 12E-1.010 is to delete a rule which is unnecessary and redundant of portions of section 61.1301, F.S. SUMMARY: Deletes a rule containing procedures for immediate income deduction.

STATEMENT OF ESTIMATED REGULATORY COST: Since the deletion of this rule provision does not implement any new administrative program or procedure, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 409.026 FS.

LAW IMPLEMENTED: 61.1301, 61.181, 409.2574 FS.

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

TIME AND DATE: 9:30 a.m., May 28, 1999

PLACE: Conference Room, Room 235-Q, 4070 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Department of Revenue should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULE IS:

12E-1.010 Immediate Income Deduction Orders

Specific Authority 409.026 FS. Law Implemented 61.1301, 61.181, 409.2574 FS. History—New 6-17-92, Amended 7-20-94, Formerly 10C-25.0071, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas J. Mato, Chief Counsel, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9560

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 990375-TX

RULE TITLE: Rules Incorporated

RULE NO.: 25-24.835

PURPOSE AND EFFECT: The purpose of the rule amendment is to insure that the alternative local exchange companies (ALEC) providers inform the Commission of any company address, phone number, and liaison changes. The effect of the rule amendment will insure that the Commission will have current company address, phone number, and liaison information on file for the ALECs.

SUMMARY: ALECs are currently not required to report company address, phone number, and liaison changes to the Commission. The rule as amended will now address this as a standard requirement for ALECs just as it does for the other telecommunication providers in Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is expected to impose insignificant costs on ALECs and the benefits received would outweigh the insignificant cost. Because no significant additional cost or negative impact is anticipated on the utilities, ratepayers, small business and small cities and counties, a SERC has not been prepared for the proposed rule amendment.

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

SPECIFIC AUTHORITY: 350.127(2), 364.337(2), 427.704(8) FS.

LAW IMPLEMENTED: 364.183, 364.336, 364.337(2) FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.835 Rules Incorporated.

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

Section	Title	Portions <u>Applicable</u>
25-4.0161	Regulatory Assessment Fees	<u>All</u>
25-4.043	Response to Commission Staff Inquiries	<u>All</u>
25-4.036	Design and Construction of Plant	<u>All</u>
25-4.038	Safety	<u>All</u>
25-4.160	Operation of Telecommunications Relay Service	<u>All</u>
<u>25-24.480</u>	<u>Records and Reports: Rules</u> <u>Incorporated</u>	<u>Subsection (2)</u>

Specific Authority 350.127(2), 364.337(2), 427.704(8) FS. Law Implemented 364.183, 364.336, 364.337(2) FS. History--New 12-27-95, Amended 4-8-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McCoy

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 24, No. 51, December 18, 1998

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

RULE CHAPTER TITLE: Schedule of Rates, Fees and Charges
RULE CHAPTER NO.: 31-10

RULE TITLES: Plant Connection Charges and Regional Transmission System Line Charge for Residential and Non-Residential Units
RULE NOS.: 31-10.005
Special Assessments and Rates, Fees and Charges for Sewer Service 31-10.007

PURPOSE AND EFFECT: To revise the schedule of rates, fees and charges for the use of and the services and facilities to be furnished by the Regional Wastewater System.

SUMMARY: This rule revises the schedule of rates, fees and charges for the use of and the services and facilities to be furnished by the Loxahatchee River Environmental Control District Regional Wastewater System for residential and non-residential users to be paid by the owner, tenant or occupant of each lot or parcel of land which may be connected with or used by such system.

SUMMARY STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: Chapter 71-822, Special Acts of Florida, 1971, as amended.

LAW IMPLEMENTED: Chapter 71-822, Special Acts of Florida, 1971, as amended.

IF REQUESTED IN WRITING 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 RULES IS: Richard C. Dent, II, Executive Director, Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458

THE FULL TEXT OF THE PROPOSED RULES IS:

31-10.005 Plant Connection Charges and Regional Transmission System Line Charge for Residential and Non-Residential Units.

(1) Plant Connection Charges and Regional Transmission System Line Charges for Residential and Non-Residential units for the use of and the services and facilities to be furnished by the regional wastewater system of the district shall be paid by the owner, tenant and occupant of each lot or parcel of land which may be connected with or used by such system or systems of the district.

(2) Effective 1 April 1981, all residential and non-residential plant connection charges and regional transmission system line charges shall be based on the schedules in effect at the time of service contractual commitment by the district as listed below:

PLANT CONNECTION CHARGES

~~1 April 98 thru 31 March 99 @ \$906 per E.C.~~

1 April 99 thru 31 March 00 @ \$929 per E.C.

1 April 00 thru 31 March 01 @ \$952 per E.C.

1 April 01 thru 31 March 02 @ \$976 per E.C.

REGIONAL TRANSMISSION SYSTEM LINE CHARGES

~~1 April 98 thru 31 March 99 @ \$384 per E.C.~~

1 April 99 thru 31 March 00 @ ~~\$384~~ 394 per E.C.

1 April 00 thru 31 March 01 @ ~~\$394~~ 404 per E.C.

1 April 01 thru 31 March 02 @ ~~\$404~~ 414 per E.C.

1 April 02 thru 31 March 03 @ \$414 per E.C.

Said commitment of service shall not exceed those total capacity limitations as authorized for commitment by the governing board of the district. The full amount of the line charges shall be due and payable in cash (or by contract to provide capital costs and to construct certain portions of the regional transmission system) at the time commitment of service is made.

(3) Notwithstanding Section 31-10.005(2) above, effective 1 April 1995, those buildings or structures having certificates of occupancy prior to 1 April 1981, shall pay the full plant connection charge established in Section 31-10.005(2) less a subsidy of Five Hundred (\$500.00) Dollars, provided they are paid for and connected to the regional sewer system within six months of the time that lines serving said property are formally declared available by the governing board of the district. Should any structure or building not be paid for and connected to the district's system within six months of the time that the line serving said property is formally declared available by the governing board, it will at the time of connection pay full plant connection charges and regional transmission system line charges as are applicable to new construction at time that connection is made regardless of the date of certificate of occupancy.

(4) Those buildings or structures with existing contracts for service with the district as of the effective date hereof shall pay plant connection charges and, where applicable regional transmission system line charges of the amounts indicated in those contracts that are to be paid for capital improvement charges, and such plant connection charges and, where applicable regional transmission system line charges shall not be subject to increase.

Specific Authority Chapter 71-822, Special Acts of Florida, 1971, as amended. Law Implemented Chapter 71-822, Section 6(8)(11), and Section 8; and Sections 6(9),(12)(27) as amended by Chapter 76-429. History—New 12-9-76, Amended 9-26-78, 12-12-78, 5-21-81, 5-24-82, 4-24-83, 4-25-84, 6-30-85, Formerly 31-10.05, Amended 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-7-92, 5-9-93, 5-9-94, 5-19-96, 7-14-97, 11-1-98,_____.

31-10.007 Special Assessments and Rates, Fees and Charges for Sewer Service.

(1) Special Assessments for residential and non-residential use of and the services and facilities to be furnished by the regional wastewater system of the district shall consist of those special assessments approved, set, and levied by the governing board of the district on the basis of the total cost to the district of construction, reconstruction, labor, materials, acquisition, property rights, surveys, design, engineering, legal, administration, operation, maintenance, and all other expenses necessary or incidental to completion of the specially assessed improvements, and are due and payable with interest at the time of transfer of the underlying real property for consideration as an at-arms-length transaction.

(2) The quarterly service charge of the District for residential users shall be:

~~For the period 1 April 98 thru 31 March 99 — \$32.00 per E.C.~~

For the period 1 April 99 thru 31 March 00 — ~~\$32.00~~ 32.80 per E.C.

For the period 1 April 00 thru 31 March 01 — ~~\$32.80~~ 33.60 per E.C.

For the period 1 April 01 thru 31 March 02 — ~~\$33.60~~ 34.40 per E.C.

~~For the period 1 April 02 thru 31 March 03 — \$34.40 per E.C.~~

Such charges shall be payable commencing in the month the connection charge is paid, or the equivalent connection is connected to the regional wastewater system of the district, whichever occurs first.

(3) The quarterly service charge for non-residential users shall be as follows:

~~For the period 1 April 98 thru 31 March 99 — \$3.64 per thousand gallons of metered water usage~~

For the period 1 April 99 thru 31 March 00 — ~~\$3.64~~ 3.73 per thousand gallons of metered water usage

For the period 1 April 00 thru 31 March 01 — ~~\$3.73~~ 3.82 per thousand gallons of metered water usage

For the period 1 April 01 thru 31 March 02 — ~~\$3.82~~ 3.92 per thousand gallons of metered water usage

~~For the period 1 April 02 thru 31 March 03 — \$3.92 per thousand gallons of metered water usage~~ provided that the minimum quarterly bill for non-residential users shall be as follows:

~~For the period 1 April 98 thru 31 March 99 — \$43.68~~

For the period 1 April 99 thru 31 March 00 — ~~\$43.68~~ 44.76

For the period 1 April 00 thru 31 March 01 — ~~\$44.76~~ 45.84

For the period 1 April 01 thru 31 March 02 — ~~\$45.84~~ 47.04

~~For the period 1 April 02 thru 31 March 03 — \$47.04~~

For non-residential users who do not have a metered water supply, the quarterly service charges shall be a minimum of:

~~For the period 1 April 98 thru 31 March 99 — \$43.68 per E.C.~~

For the period 1 April 99 thru 31 March 00 – \$43.68 44.76 per E.C.

For the period 1 April 00 thru 31 March 01 – \$44.76 45.84 per E.C.

For the period 1 April 01 thru 31 March 02 – \$45.84 47.04 per E.C.

For the period 1 April 01 thru 31 March 02 – \$47.04 per E.C.

Such charges shall be payable commencing in the month the connection charge is paid, or the equivalent connection is connected to the regional wastewater system of the district, whichever occurs first.

(4) The quarterly service availability standby charge is defined as a charge which shall be due and payable for each equivalent connection reserving service availability. The quarterly service availability standby charge shall be due and payable for each equivalent connection reserving service availability. The quarterly service availability standby charge shall be due and payable commencing upon the reserving of service availability and shall continue to be owing for each quarter and paid promptly upon billing in the manner as provided for the quarterly service charge thereafter until payment of the connection charge. The amount of the quarterly service availability standby charge shall be 68% of the quarterly service charge which is set based upon the fixed expenses incurred by the district in operating the plant and the regional wastewater system excluding the variable costs related to the amount of sewerage processed.

(5) A prepayment of twelve (12) months service availability standby charges will be required in addition to the quarterly service availability standby charge prepayable quarterly.

(6) At the time plant connection charges become due and payable the unexpired portion of the quarterly service availability standby charge (12 months initial payment + quarterly payments received) minus the quarterly standby charges for the number of months in effect shall be credited to the plant connection charges on a first paid, first expired basis.

Specific Authority Chapter 71-822, Special Acts of Florida, 1971, as amended. Law Implemented Chapter 71-822, Section 6(8)(11), and Section 8; and Sections 6(9),(12)(27) as amended by Chapter 76-429. History—New 12-9-76, Amended 6-25-78, 9-26-78, 12-12-78, 11-28-79, 5-21-81, 5-24-82, 10-12-82, 4-24-83, 5-24-84, 6-30-85, Formerly 31-10.07, Amended, 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-12-91, 5-7-92, 5-10-93, 5-9-94, 5-7-95, 5-19-96, 7-14-97, 11-1-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard C. Dent, II, Executive Director of the Loxahatchee River Environmental Control District

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Governing Board of the Loxahatchee River Environmental Control District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: The Governing Board has approved the Rule after the Public Hearing at its Regular meeting on March 18, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999, Vol. 25, No. 12

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: _____ RULE NO.: _____

Application and Examination Fees 61G10-12.001

PURPOSE AND EFFECT: Rule 61G10-12.001 is being amended to improve syntax and adjust the fee schedule for examinations.

SUMMARY: The amendments clarify language and the fee schedule within subsection (2).

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: 481.207, 481.307 FS.

LAW IMPLEMENTED: 481.207, 481.307 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: James C. Rimes, Executive Director, Board of Landscape Architecture, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.001 Application and Examination Fees.

(1) No change.

(2) The following is the examination fee schedule for the Landscape Architectural Registration Examination and the Florida Section 8 examination:

(a) ~~If you are a first-time~~ First-time candidates ~~and who elect to take all sections of the examination, your examination fee will be required to pay \$900.00.~~

(b) ~~If you are a~~ For ~~retake candidates or a first time candidates and who elect to only take only certain sections of the examination, your~~ the fee schedule is as follows:

<u>Section A</u>	<u>\$65.00</u>
<u>Section B</u>	<u>\$115.00</u>
<u>Section C</u>	<u>\$230.00</u>
<u>Section D</u>	<u>\$180.00</u>
<u>Section E</u>	<u>\$225.00</u>
<u>Florida Section</u>	<u>\$300.00</u>

Section 1 Legal and Administrative Aspects of Practice \$70.00
 Section 2 Analytical and Technical Aspects of Practice 152.00
 Section 3 Conceptualization and Communication 137.00
 Section 4 Design Synthesis 133.00
 Section 5 Integration of Technical and Design Requirements 148.00
 Section 6 Grading and Drainage 165.00
 Section 7 Plant materials and specialized aspects of practice in Florida, including laws and regulations 300.00

Specific Authority 481.207, 481.307 FS. Law Implemented 481.207, 481.307 FS. History—New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criteria for the Selection of Examiner

RULE NO.:

Consultants 64B2-11.007

PURPOSE AND EFFECT: Rule 64B2-11.007 is being amended within subsection (1)(a) to modify language and improve syntax.

SUMMARY: The amendment clarifies language within subsection (1)(a).

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: 460.405, 455.574 FS.

LAW IMPLEMENTED: 455.574(1)(b) 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.007 Criteria for the Selection of Examiner Consultants.

(1) In order to be eligible to act as an examiner consultant for the licensure examination, the prospective examiner must meet the following criteria:

(a) the prospective examiner must have been actively licensed in the State of Florida as a chiropractor for at least five (5) years ~~five years of continuous practice in the State of Florida as a licensed chiropractor.~~

(b) through (e) No change.

(2) through (3) No change.

Specific Authority 460.405, 455.574 FS. Law Implemented 455.574(1)(b) FS. History—New 5-10-87, Amended 10-12-87, 2-1-88, Formerly 21D-11.007, Amended 3-7-94, Formerly 61F2-11.007, Amended 2-20-95, Formerly 59N-11.007, Amended 4-22-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criminal Background Check Fee

RULE NO.: 64B2-12.020

PURPOSE AND EFFECT: New Rule 64B2-12.020 is being promulgated to establish a fee of forty-three dollars (\$43.00) for criminal background checks.

SUMMARY: The promulgation of a new rule shall establish a fee for criminal background check.

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 FS.

LAW IMPLEMENTED: 460.405 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.020 Criminal Background Check Fee.

The fee for the criminal background check shall be forty-three dollars (\$43.00).

Specific Authority 455.587 FS. Law Implemented 460.405 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Continuing Education

RULE NO.: 64B2-13.004

PURPOSE AND EFFECT: The Board proposes to amend the continuing education rule by adding three options for continuing education credit in the area of risk management.

SUMMARY: The amendment to Rule 64B2-13.004 augments the continuing education options available to chiropractors.

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: 460.408(3) FS.

LAW IMPLEMENTED: 460.408, 455.564(5), 455.711(10) 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) For the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing

chiropractic education, during all bienniums during which the license was inactive, or for purposes of renewal during the past two years, of which at least one (1) ~~five (5)~~ hours concerned risk management and at least two (2) hours concerned the laws and rules of the board and the regulatory agency under which the Board operates. For the purpose of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks. The laws and rules of the Board and the regulatory agency under which the Board operates include Chapters 455, Part II, and 460, Florida Statutes, and Rule Chapter 64B2, Florida Administrative Code.

(2) Only those classroom hours earned at Board approved continuing education programs or under the provisions of this rule will be acceptable.

(3) through (7) No change.

(8) Five hours of continuing chiropractic education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Chiropractic Medicine in compliance with the following:

(a) The licensee must sign in with the Executive Director of the Board before the meeting day begins.

(b) The licensee must remain in continuous attendance.

(c) The licensee must sign out with the Executive Director of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CE credit in risk management for attending the board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose.

(9) A member of the Board of Chiropractic Medicine, or a previous member serving in a probable cause panel, may obtain five (5) hours of continuing chiropractic education in the subject area of risk management or attendance at one Board meeting or probable cause panel. The maximum CE hours allowable per biennium under this paragraph shall be ten (10).

(10) In addition to the continuing chiropractic education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 460 shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium. In this regard, volunteer expert witnesses are encouraged to perform a literature survey in conjunction with a review of cases for the Board.

Specific Authority 460.408(3) FS. Law Implemented 460.408, 455.564(5), 455.711(10) FS. History--New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Solicitation
RULE NO.: 64B2-15.002

PURPOSE AND EFFECT: The Board proposes to amend the existing rule to define "solicit" and amend the way advertisements are disseminated.

SUMMARY: The amendments clarify the term "solicit" and the way advertisements are disseminated.

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: 460.413(1)(m), 460.405 FS.

LAW IMPLEMENTED: 460.413(1)(m) 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-15.002 Solicitation.

(1) No change.

(2) A chiropractor shall not solicit, in person or otherwise, a prospective patient with whom a chiropractor has no family or prior professional relationship, when a significant motive for such solicitation is the chiropractor's pecuniary gain. A chiropractor shall not permit employees or agents of the chiropractor to solicit in the chiropractor's behalf. A chiropractor shall not enter into an agreement for, charge, or collect a fee for professional services obtained in violation of this rule. The term "solicit" includes contact in person, or by telephone, telegraph, or facsimile, or by other communication directed to a specific recipient and includes any written form of communication directed to a specific recipient.

(a) No change.

(b) Written communications to prospective patients for the purpose of obtaining chiropractic services are subject to the following requirements:

1. Each page of such written communication shall be plainly marked "advertisement" in red ink, and the lower, left corner of the face of the envelope containing a written communication likewise shall carry a prominent, red "advertisement" mark. If the written communication is in the form of a self-mailing brochure or pamphlet, the "advertisement" mark in red ink shall appear on the address panel of the brochure or pamphlet. Brochures solicited by patients or prospective patients need not contain the "advertisement" mark.

2. through 3. No change.

(3) No change.

Specific Authority 460.413(1)(m), 460.405 FS. Law Implemented 460.413(1)(m) FS. History--New 1-10-80, Formerly 21D-15.02, Amended 6-24-93, Formerly 21D-15.002, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.002, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Chiropractic Physician Candidate
RULE NO.: 64B2-17.0045

Training Program

PURPOSE AND EFFECT: The amendment of Rule 64B2-17.0045 shall modify the definition of "qualified supervisor" within subsection (3), delete subsection (5) in its entirety, and renumber subsections (6) through (10).

SUMMARY: The Board proposes to amend the existing rule to modify the definition of a supervisor in the candidate training program.

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: 460.405 FS.

LAW IMPLEMENTED: 460.406 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-17.0045 Chiropractic Physician Candidate Training Program.

(1) through (2) No change.

(3) ~~A qualified supervisor is a licensed chiropractic physician approved and certified by the Board who has five (5) years' experience in an established practice in this state and no record of an administrative fine or probation within the past five (5) years, has no record of suspension or revocation of his/her license, nor is currently the subject of any professional disciplinary action in Florida or in any other state.~~ Direct supervision means responsible supervision and control by the supervising physician. For the purpose of this rule the supervising physician must be on the clinic premises for consultation and advice when needed and present at all times when chiropractic adjustment or manipulation is rendered by trainee. The supervising chiropractic physician assumes all legal liability for the services rendered by the trainee.

(4) No change.

~~(5) A licensed Florida Chiropractic physician may not serve as the supervising physician for more than one chiropractic physician candidate at a time.~~

~~(5)(6)~~ No change.

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

~~(7)(8)~~ No change.

~~(8)(9)~~ No change.

~~(9)(10)~~ No change.

Specific Authority 460.405 FS. Law Implemented 460.406 FS. History--New 1-29-90, Amended 7-15-91, 5-19-93, Formerly 21D-17.0045, Amended 1-24-94, Formerly 61F2-17.0045, Amended 7-18-95, 6-11-96, Formerly 59N-17.0045, Amended 6-7-98, 11-4-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Restricted Licensure; Restrictions on Practice RULE NO.: 64B8-4.026

PURPOSE AND EFFECT: The Board intends to delete subsection (2) of the rule since the examination requirements are being incorporated in Rule 64B8-5.002.

SUMMARY: The proposed rule amendment deletes subsection (2) of the rule as it is set forth in rule 64B8-5.002, F.A.C.

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: 458.3115(2)(b),(c),(4) FS.

LAW IMPLEMENTED: 458.3115 FS.

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

TIME AND DATE: 10:00 a.m., May 27, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.026 Restricted Licensure; Restrictions on Practice.

~~(1)~~ A physician who is licensed pursuant to subsection 458.3115 must practice the first year only under direct supervision of one physician, approved by the board, who has an active valid, unencumbered, Florida license. Although change from one physician to another is permitted, the licensee must, prior to termination of the period of restricted practice, submit to the Board a signed statement from each physician who acted as a direct supervisor verifying the time during which said supervision occurred. For the purpose of interpreting the restricted practice requirement the physician must activate the restricted license and begin supervised practice within 12 months of the date of certification by the Board and must successfully complete one year of practice under direct supervision within 18 months of the date of activation of the restricted license.

~~(1)(a)~~ No change.

~~(2)(b)~~ No change.

~~(3)(c)~~ No change.

~~(2) The phrase "successful completion of the licensure examination" is interpreted as requiring a passing score of no less than 75 within the time frame set forth in Section 458.3115, Florida Statutes. Specifically, if the applicant has failed the examination five times within five calendar years, the applicant is no longer eligible for licensure.~~

Specific Authority 458.3115(2)(b),(c),(4) FS. Law Implemented 458.3115 FS. History--New 8-18-98, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 10, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: February 26, 1999

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES:	RULE NOS.:
Notifiable Diseases or Conditions to be Reported, Human	64D-3.002
Notification by Laboratories	64D-3.003
Notifiable Disease Case Report Content Reports, Medical Facilities and Freestanding Radiation Therapy Centers	64D-3.004
Procedures for Control of Specific Communicable Diseases	64D-3.006
Diseases Designated as Sexually Transmissible Diseases	64D-3.013
Reporting Requirements for Physicians for Sexually Transmissible Diseases (STDs), Including HIV and AIDS	64D-3.015
Reporting of Congenital Anomalies	64D-3.016
	64D-3.027

PURPOSE AND EFFECT: The proposed amendments update the list of notifiable diseases/conditions and procedural rules for reporting of communicable diseases and conditions, and incorporate a legislative mandate regarding reporting of congenital anomalies.

SUMMARY: Rule 64D-3 is being amended to: 1) Change the time frame of reporting by providers; 2) Add listeriosis, neurotoxic shellfish poisoning, smallpox, *Staphylococcus aureus* glycopeptide intermediate and resistant, and tularemia to the list of reportable diseases or conditions notifiable by physicians, laboratories, and hospitals to the County Health Department Director or Administrator in the county of the patient's residence; 3) Remove the following reportable diseases or conditions from the list: histoplasmosis, Kawasaki, paralytic shellfish poisoning, Reye syndrome, and typhus (murine and louse); 4) Add language regarding notification by laboratories to include specific requirements for time frame of reporting, patient and provider identifiers, and report forms; 5) Add race and ethnicity to required case report variables; 6) Add language regarding reporting by medical facilities to include specific requirements for time frame of reporting; 7) Require reporting of pregnant women and any infant aged less than 25 months who test positive for the hepatitis B surface antigen; 8) Include hepatitis B in the diseases designated as sexually transmissible; 9) Incorporate by reference procedural guidelines regarding control of rabies and psittacosis; and 10) Add congenital anomalies to the list of reportable diseases

and/or conditions and require notification to the Birth Defects Registry, with authority to request review of any medical or administrative record containing information concerning an anomaly. Technical changes involve corrections to rule references and statute citations.

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 provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011(4),(8),(13), 381.003(2), 381.0031(5), 381.006, 384.23, 384.25, 384.33, 392.53, 392.66 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.0031, 384.23, 384.25, 384.27, 385.202, 392.53 FS.

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

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

PLACE: Bureau of Epidemiology, Department of Health, 1309 Winewood Boulevard, Building 6, Room 331, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Linda M. Baldy, M.P.H., Bureau of Epidemiology, 1309 Winewood Boulevard, Building 6, Room 337, Tallahassee, Florida 32399-0700, whose telephone number is (850)488-2905, Fax (850)922-9299

THE FULL TEXT OF THE PROPOSED RULES IS:

64D-3.002 Notifiable Diseases or Conditions to be Reported, Human.

(1) The following notifiable diseases or conditions are declared as dangerous to the public's health or of public health significance. The occurrence ~~or suspected occurrence~~ of these diseases listed in Rule 64D-3.002, or the suspected occurrence with the exception of cancer, congenital anomalies, and HIV infection carriers of certain diseases listed in Rule 64D-3.013 in any person, including persons who at the time of death were so affected, shall be reported by licensed the attending practitioners as defined in s. 381.0031, F.S., Rule 64D-3.076 to the local county ~~public~~ health department director or administrator or to their designated representative in the county of the patient's residence. Such reports shall be made within 72 48 hours of recognition by telephone, or other electronic means, or in writing, except for certain specified diseases as indicated below by a (T) which shall be reported immediately by telephone. Telephone reports shall be followed by a subsequent written report. Exceptions to the reporting time frames required as defined by this rule are provided for by syphilis, as indicated in 64D-3.016(3), ~~and~~ AIDS, as indicated

in 64D-3.016(1)(a) ~~098(1)(a)1.,2., and congenital anomalies, as indicated in 64D-3.025(4).~~ Cancer cases treated or diagnosed by licensed practitioners as defined in s. 381.0031, F.S., in medical facilities licensed under Chapter 395, F.S., and in each freestanding radiation therapy center as defined in s. 408.07, F.S., shall be reported to the Florida Cancer Data System as required by s. 385.202, F.S., and by 64D-3.006.

- (a) Acquired Immune Deficiency Syndrome (AIDS)
- (b) Amebiasis
- (c) Animal bite to humans ~~only~~ by a potentially rabid animal
- (d) Anthrax (T)
- (e) Botulism (T)
- (f) Brucellosis
- (g) Campylobacteriosis
- (h) Cancer (except non melanoma skin cancer)
- (i) Chancroid
- (j) Chlamydia trachomatis
- (k) Ciguatera
- (l) ~~Congenital anomalies~~ Cryptosporidiosis
- (m) ~~Cryptosporidiosis~~ Cyclosporiasis
- (n) ~~Cyclosporiasis~~ Dengue
- (o) ~~Dengue~~ Diphtheria (T)
- (p) ~~Diphtheria (T)~~ Ehrlichiosis, human
- (q) ~~Ehrlichiosis, human~~ Encephalitis
- (r) ~~Encephalitis~~ Enteric disease due to *Escherichia coli* 0157:H7
- (s) ~~Enteric disease due to Escherichia coli 0157:H7 (T)~~ Enteric disease due to other pathogenic *Escherichia coli* (including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, and enteroaggregative strains)
- (t) ~~Enteric disease due to other pathogenic Escherichia coli (including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, and enteroaggregative strains)~~ Giardiasis (acute)
- (u) ~~Giardiasis (acute)~~ Gonorrhea
- (v) ~~Gonorrhea~~ Granuloma Inguinale
- (w) ~~Granuloma Inguinale~~ Haemophilus Influenzae Type b invasive disease
- (x) ~~Haemophilus influenzae type b invasive disease~~ Hansen's Disease (Leprosy)
- (y) ~~Hansen's Disease (Leprosy)~~ Hantavirus infection
- (z) ~~Hantavirus Infection (T)~~ Hemolytic Uremic Syndrome
- (aa) ~~Hemolytic Uremic Syndrome~~ Hemorrhagic Fever (T)
- (bb) ~~Hemorrhagic Fever (T)~~ Hepatitis
- (cc) ~~Hepatitis, viral A (T), B, C, non-A non-B, and other including unspecified~~ Histoplasmosis
- (dd) ~~Hepatitis, viral, positive B surface antigen in a pregnant woman or in a child <25 months of age~~ Kawasaki
- (ee) ~~Human Immunodeficiency Virus (HIV)~~ Lead Poisoning

- (ff) ~~Lead Poisoning~~ Legionnaire's Disease
- (gg) ~~Legionellosis~~ Leptospirosis
- (hh) ~~Leptospirosis~~ Lyme Disease
- (ii) ~~Listeriosis (T)~~ Lymphogranuloma Venereum
- (jj) ~~Lyme Disease~~ Malaria
- (kk) ~~Lymphogranuloma Venereum~~ Measles (T)
- (ll) ~~Malaria~~ Meningitis
- (mm) ~~Measles (T)~~ Meningococcal Disease
- (nn) ~~Meningitis, bacterial and mycotic~~ Mercury Poisoning
- (oo) ~~Meningococcal Disease (T)~~ Mumps
- (pp) ~~Mercury Poisoning (T)~~ Paralytic Shellfish Poisoning (T)
- (qq) ~~Mumps~~ Pertussis
- (rr) ~~Neurotoxic Shellfish Poisoning (T)~~ Pesticide Poisoning
- (ss) ~~Pertussis~~ Plague (T)
- (tt) ~~Pesticide Poisoning~~ Poliomyelitis (T)
- (uu) ~~Plague (T)~~ Psittacosis
- (vv) ~~Poliomyelitis (T)~~ Rabies
- (ww) ~~Psittacosis~~ Rocky Mountain Spotted Fever ~~R. rickettsia~~
- (xx) ~~Rabies~~ Reye Syndrome
- (yy) ~~Rocky Mountain Spotted Fever, R. rickettsia~~ Rubella, including congenital
- (zz) ~~Rubella, including congenital~~ Salmonellosis
- (aaa) ~~Salmonellosis~~ Shigellosis
- (bbb) ~~Shigellosis~~ Streptococcal Disease, invasive, Grp A
- (ccc) ~~Smallpox (T)~~ Streptococcal Toxic Shock Syndrome
- (ddd) ~~Staphylococcus aureus, glycopeptide (vancomycin) intermediate (GISA/VISA, MIC=8ug/ml)~~ Streptococcus pneumoniae, drug resistant
- (eee) ~~Staphylococcus aureus, glycopeptide (vancomycin) resistant (GRSA/VRSA, MIC= >32mg/ml) (T)~~ Syphilis
- (fff) ~~Streptococcal Disease, invasive, Group A~~ Tetanus
- (ggg) ~~Streptococcus pneumoniae, invasive disease~~ Toxic Shock Syndrome
- (hhh) ~~Syphilis~~ Toxoplasmosis, acute
- (iii) ~~Tetanus~~ Trichinosis
- (jjj) ~~Toxic Shock Syndrome, staphylococcal or streptococcal~~ Tuberculosis
- (kkk) ~~Toxoplasmosis, acute~~ Typhoid Fever
- (lll) ~~Trichinosis~~ Typhus (T)
- (mmm) ~~Tuberculosis~~ Vibrio cholera (T)
- (nnn) ~~Tularemia (T)~~ Vibrio Infections
- (ooo) ~~Typhoid Fever~~ Yellow Fever (T)
- (ppp) ~~Vibrio cholerae (T)~~ Any disease outbreak in a community, a hospital, or other institution, or a foodborne, or waterborne outbreak as defined in Rule 10D-3.064.
- (qqq) ~~Vibrio Infections~~
- (rrr) ~~Yellow Fever (T)~~

(sss) Any disease outbreak in a community, a hospital, or other institution, or a foodborne, or waterborne outbreak (T)

(2) The Department ~~periodically~~ will periodically list additional diseases and conditions on its reporting forms for which reporting is encouraged but not required.

Specific Authority 381.0011(4),(13), 381.003(2), ~~381.0031(5)~~, 384.33, 392.53, 392.66 FS. Law Implemented ~~454.04~~, 381.0011(4), 381.003(1), 381.0031(1),(2),(5) (~~FL. Laws Chap 98-151~~), 384.23, 384.25, 385.202, 392.53 FS. History—New 12-29-77, Amended 6-7-82, 11-6-85, Formerly 10D-3.62, Amended 2-26-92, 9-7-93, 11-1-94, 7-21-96, Formerly 10D-3.062, Amended 11-2-98, _____.

64D-3.003 Notification by Laboratories.

(1) Each laboratory director or designee in charge of a laboratory in which an examination of any specimen derived from a human body, or from an animal in the case of rabies or plague testing, yields evidence suggestive or diagnostic of diseases or conditions listed in 64D-3.002(1), shall report, or cause to be reported, such findings. All laboratories that provide evidence suggestive of any notifiable disease shall be made available upon request to representatives of the county health department director or administrator or the State Health Officer or to either of their designated representatives or to other specifically named representatives, of the county health department director or administrator or the State Health Officer. Exceptions to laboratory reporting as defined by this rule are provided for sexually transmitted diseases including AIDS, as indicated in 64D-3.017.

(2) All reports of cancer identified by laboratories licensed under Chapter 483, F.S., shall be submitted to the Florida Cancer Data System within six (6) months of diagnosis.

(3) The State Health Officer shall periodically, but no less than annually, issue a listing of laboratory test results that are to be reported. The March 1999 "Reportable Laboratory Findings," incorporated by reference in this rule, shall be updated to reflect changes in technology and practice and may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(4) To allow follow-up of laboratory findings by the local county health department director/administrator or their designee, all specimens submitted for laboratory tests or examinations related to a disease or condition listed in 64D-3.002(1) shall be accompanied by certain identifying information. In addition to the name and date of birth of the person from whom the specimen was obtained; the name, address and telephone number of the processing clinical laboratory; and the diagnostic test(s) performed, specimen type and result, the following information shall be provided:

(a) Address, telephone number, race, sex, and ethnicity of the person from whom the specimen was obtained or, if this is not available,

(b) Name, address and telephone number of the submitting physician, health care provider or other authorized person who submitted the specimen.

(5) The practitioner who first authorizes, orders, requests or submits a specimen shall be responsible for obtaining and providing the information required in (4) above at the time the specimen is sent to or received by the laboratory.

(6) Notification of test results shall be submitted by telephone, or other electronic means, or in writing on a form furnished by the laboratory. Reports shall be made within 72 hours of a test result. Any preliminary telephone communication must be followed up by a written report.

(7) If the laboratory that makes the positive finding received the specimen from another laboratory, the laboratory making the positive finding shall be responsible for reporting such results as defined in 64D-3.003(1).

(8) In addition to the reporting requirements pursuant to 64D-3.003(1), each laboratory that obtains a human isolate of Escherichia coli O157:H7, or Neisseria meningitidis or Haemophilus influenzae from a sterile site shall retain a subculture of the isolate on suitable media for at least six months after receipt of the specimen in the laboratory. In lieu of retaining this subculture, the laboratory is permitted to send the subculture to the Florida Department of Health State Central Laboratory, which will maintain a record indicating the date that these subcultures were submitted to the Central Laboratory.

(9) In addition to the reporting requirements pursuant to 64D-3.003(1), each laboratory that makes a finding, or suggestive finding, of malaria or cyclospora parasites in a specimen of a patient shall retain a stained permanent slide for at least six months after receipt of the specimen in the laboratory. In lieu of retaining the slide(s), the laboratory may send such slide(s) to the State of Florida Department of Health Central Laboratory, which will maintain a record indicating the date that these specimens were submitted to the Central Laboratory.

(10) Each laboratory licensed to perform tests for any reportable disease or condition shall make its records for such diseases or conditions available for on-site inspection by the department or its authorized representatives.

Specific Authority 381.0011(13), 381.003(4)(2), 381.0031(5), 384.33 FS. Law Implemented ~~454.04~~, 381.0011, 381.003, 381.0031(4),(5), (~~FL. Laws Chap. 98-151~~), 384.25 FS. History—New 12-29-77, Amended 6-7-82, Formerly 10D-3.66, Amended 2-26-92, 7-21-96, Formerly 10D-3.066, Amended 11-2-98, _____.

64D-3.004 Notifiable Disease Case Report Content.

All notifiable disease case reports required by Sections 64D-3.002 and 64D-3.003 shall contain the diagnosis, name, address, age, sex, and race and ethnicity if known, and age of each case.

Specific Authority 381.0011(4),(13), 381.003(4)(2), 381.0031(4),(5), 384.25 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(4) FS. History—New 12-29-77, Amended 6-7-82, Formerly 10D-3.68, 10D-3.068, Amended _____.

64D-3.006 Reports, Medical Facilities and Freestanding Radiation Therapy Centers.

(1) No change.

(2) Reporting of a case or suspected case of notifiable disease or condition by a facility or center fulfills the requirements of the licensed attending practitioner to report; however, it is the responsibility of the attending practitioner to ensure that the report is made as stipulated in ~~Section~~ 64D-3.002. Reports shall be made within 72 hours of diagnosis. Exceptions to medical facility and center reporting as defined by this rule are provided for sexually transmissible diseases including HIV infection as indicated in 64D-3.016 and for cancer as indicated in 64D-3.006(3).

(3) Reporting of cancer cases by a licensed practitioner, a hospital facility licensed under Chapter 395, F.S., and freestanding radiation therapy centers, as defined in s.408.07, F.S., to the Florida Cancer Data System as required by Section 385.202, F.S., shall be accomplished within six (6) months of the date of each diagnosis and within six (6) months of the date of each treatment.

Specific Authority ~~384~~, 381.0011(13), 381.003(1)(d), (2), 381.0031(5), 384-384.33 FS. Law Implemented 381.0011, 381.003, 381.0031(5) (FL Laws Chap-98-454), 384.25, 385.202, 392.53 FS. History--New 12-29-77, Amended 6-7-82, Formerly 10D-3.77, Amended 2-26-92, 7-21-96, Formerly 10D-3.077, Amended 11-2-98, _____.

64D-3.013 Procedures for Control of Specific Communicable Diseases

(1) Psittacosis (Chlamydiosis)

(a) No change.

(b) Birds suspected of being infected or having been associated with infected birds shall not be removed from any premises until the county health department director or administrator, or the State Health Officer has investigated the situation and issued orders which may include quarantine, laboratory examination, or prescribed treatment according to recommendations of the National Association of State Public Health Veterinarians, Inc., published in the 1999 annual Compendium of Psittacosis (Chlamydiosis) Control, incorporated by reference in this rule. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(2) Rabies

(a) No change.

(b) Prevention in Humans – Persons bitten or otherwise exposed to suspect rabid animals shall be evaluated for post-exposure treatment by the county health department director/medical director or the ~~S~~state ~~H~~health ~~O~~fficer according to recommendations of the Immunization Practices Advisory Committee published in the Centers for Disease Control and Prevention Morbidity and Mortality Weekly ~~R~~eport, No. RR-1, January 8, 1999, incorporated by reference

in this rule. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(c) Rabies Control in Animals

1. No change.

2. Capture, confinement, quarantine, humane euthanization, and laboratory examination of all suspected rabid animals, as well as animals involved in human exposure (bite and non-bite) and animals exposed to rabid animals, and other animals shall be administered by order of the county health department director or administrator or the State Health Officer according to current recommendations of the Florida Rabies Advisory Committee published in the “1999 Rabies Prevention and Control in Florida,” incorporated by reference in this rule National Association of State and Public Health Veterinarians, Inc. (NASPHV) published in the 1999 annual Compendium for Animal Rabies Control by order of the county health department director or administrator or the State Health Officer. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(d) Epizootic Rabies

1. The State health Officer or his designated representative, with the current approval of the Secretary of the Department, or the county health department director or administrator or his designated representatives may declare an area wide quarantine when prevalence of rabies so indicates. The conditions of the quarantine may control the movement, sale, impoundment and required euthanization of animals in the quarantine vaccination area as defined by departmental policy and procedure guidelines, ~~and CDC and NASPPHV recommended actions.~~

(3) Shigella and Salmonella Infections (~~for excluding typhoid fever, see Section 64D-3.013(4) 10D-3.093(5)~~)

(4) No change.

(5) Perinatal Hepatitis B

(a) All pregnant women shall be routinely tested for the hepatitis B surface antigen (HBsAg) during an early prenatal visit in each pregnancy. This test shall be performed at the same time that other routine prenatal screening is ordered and all HBsAg-positive pregnant women shall be reported to the local county health department.

(b) Infants born to HBsAg-positive mothers shall receive hepatitis B immune globulin and hepatitis B vaccine once they are physiologically stable, preferably within 12 hours of birth and shall complete the hepatitis B vaccine series according to the recommended vaccine schedule. Testing infants for HBsAg and antibody to hepatitis B surface antigen (anti-HBs) six (6) months after the completion of the hepatitis B vaccine series is recommended to monitor the success or failure of therapy. A positive HbsAg result in any infant aged under 25 months shall be reported to the local county health department.

(c) through (d) No change.

(6) No change.

Specific Authority ~~420.535~~, 381.0011(4)(13), 381.003(2), 381.006, 384.25(2), 384.33 FS. Law Implemented 381.0011(4)(8), 381.003(1), 381.0031, 384.27, FS. History—New 12-29-77, Amended 6-14-78, 6-7-82, 11-6-85, Formerly 10D-3.91, Amended 7-5-87, 7-19-89, 2-26-92, 10-20-93, 11-1-94, 7-21-96, Formerly 10D-3.091, Amended _____.

64D-3.015 Diseases Designated as Sexually Transmissible Diseases.

(1) The following diseases are designated as sexually transmissible diseases for the purposes of Chapter 384, F.S., and this rule:

- (a) through (e) No change.
- (f) ~~Hepatitis B Human Immunodeficiency Virus Infection~~
- (g) ~~Human Immunodeficiency Virus Infection Lymphogranuloma Venereum~~
- (h) ~~Lymphogranuloma Venereum Syphilis~~
- (i) Syphilis

Specific Authority 381.0011(4)(13), 381.003(1)(b), (c), (d), (2), ~~384.23~~, ~~384.25(2)~~, 384.33 FS. Law Implemented 381.0011(4)(8), (13), 381.003(1), ~~384.24~~, 384.23 FS. History—New 7-5-87, Amended 9-7-93, 5-20-96, 1-1-97, Formerly 10D-3.096, Amended _____.

64D-3.016 Reporting Requirements for Physicians for sexually Transmissible Diseases (STDs), Including HIV and AIDS.

- (1) No change.
- (a) Except for the special reporting requirements for AIDS, HIV infection and early syphilis listed below in 64D-3.015(1)(c), (d), and for hepatitis B as indicated in 64D-3.002(1), 64D-3.004, and 64D-3.006, F.A.C., all reports shall be submitted within three (3) working days from diagnosis.
- (b) Except for AIDS, ~~and HIV, and hepatitis B, Reports~~, all reports of sexually transmissible diseases shall be submitted on the Florida Confidential Report of Sexually Transmitted Diseases, DOH Form 720, effective 7-5-87. The form, incorporated by reference in this rule, will be furnished by the local county health department.
- (c) through (d) No change.
- (2) through (4) No change.

Specific Authority 381.0011(13), 381.003(2), 381.0031(5), 384.25(2), 384.33 FS. Law Implemented 381.0011, 381.003(1), ~~384.25~~, ~~458~~, ~~459~~ FS. History—New 7-5-87, Amended 2-7-90, 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.097, Amended _____.

64D-3.027 Reporting of Congenital Anomalies.

(1) Congenital anomalies include major structural congenital defects, genetic disorders, and other congenital disorders. A complete list of notifiable congenital anomalies can be found in the Florida Birth Defects Registry Data Reporting Manual dated June 1, 1999, incorporated by reference in this rule. This manual is available from the Florida Department of Health, Bureau of Environmental Epidemiology, 2020 Capital Circle, S. E. Bin #A08, Tallahassee, FL 32399-1712.

(2) Notifiable congenital anomalies include all those diagnosed in:

(a) Infants who are born alive and have the anomaly diagnosed before their first birthday, including infants who at the time of death are so diagnosed; or

(b) Fetuses that are not born alive, but completed 19 weeks of gestation. In the absence of a gestational age estimate, a congenital anomaly in a fetus that is not born alive must be reported if the fetus had a weight of at least 500 grams.

(3) The reporting of congenital anomalies shall apply to each infant or fetus born, expelled, or extracted in Florida on June 1, 1999, or later.

(4) A licensed hospital, or licensed practitioner as defined in s. 381.0031(1), F.S., shall report information regarding each notifiable congenital anomaly according to the definitions, coding schemes, instructions, and reporting forms contained in the above referenced Data Reporting Manual.

(a) Each hospital licensed under Chapter 395, F.S., shall report to the Florida Birth Defects Registry each notifiable congenital anomaly occurring in an infant admitted to the hospital. If a hospital reports a congenital anomaly to the Agency for Health Care Administration in its inpatient discharge data report pursuant to Chapter 59E-7, F.A.C., then it need not comply with the reporting requirements of 64D-3.027 for that anomaly.

(b) Each licensed practitioner, as defined in Chapter 381.0031, F.S., who diagnoses a notifiable congenital anomaly shall report it to the Florida Birth Defects Registry, except if the anomaly occurs in an infant admitted to a hospital licensed under chapter 395, F.S.

(c) Physician or hospital reports shall be made no sooner than the date of birth, expulsion, or extraction, and no later than 60 days after the date on which the diagnosis was made, or the date of the birth, expulsion, or extraction, whichever is later, except as indicated in 64F-3.027(4)(a).

Specific Authority 381.0011(13), 381.0031(5) FS. Law Implemented 381.0011(7), 381.0031 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda M. Baldy, Bureau of Epidemiology, Division of Disease Control

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard S. Hopkins, MD Chief, Bureau of Epidemiology

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

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

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-171.003	Reports by Insurers of Professional Liability Claims and Action Required
4-171.005	Annual Claims Report by Liability Insurers
4-171.006	Claims Report by Directors and Officers Liability Insurers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 41, October 9, 1998, issue of the Florida Administrative Weekly:

1. Rule 4-171.003(1) and (2) are changed by replacing "podiatrist" with "podiatric physician", and Part II is changed to Part I of Chapter 641. Subsection (1)(a) is changed after "amount" to read: ~~or~~

2. Rule 4-171.003(4) is changed by deleting "may" after "Department" and inserting "shall". This is in response to a request of the Joint Administrative Procedures Committee.

3. Rule 4-171.005(1) is changed by adding: "The Department shall consider availability of insurance in the market place, any restrictions on availability of coverage, the increased placement of traditional coverages in the surplus lines market, and the affordability of insurance coverages in determining whether to request the reports". This is in response to a request of the Joint Administrative Procedures Committee.

4. The proposed effective date for Rules 4-171.003, 4-171.005 and 4-171.006 is changed to June 30, 1999, reference to all forms are changed to (5/99) and references to Room 238.1 are changed to 238.14.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE NOS.:	RULE TITLES:
59A-23.002	Definitions
59A-23.003	Authorization Procedures
59A-23.004	Quality Assurance
59A-23.005	Medical Records
59A-23.006	Grievance Procedures
59A-23.009	Employee and Provider Education

NOTICE OF CHANGE

The Agency for Health Care Administration, Division of Health Quality Assurance, announces a change in location for the May 5, 1999, Rule Development Workshop published in the April 16, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 15. The location of the May 5, 1999, Rule

Development Workshop has been changed to the Orange County Library System, 101 East Central Boulevard, 3rd Floor Meeting Room, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-20.5083	Renewal Requirements for Continuing Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 11, March 19, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (1)(e) of the rule shall now read as follows:

(1)(e) 4 hours of additional instruction in any area described in subsections (1)(b), (1)(c) or (1)(d) of this rule or in any course or courses directly related to the management or administration of community associations.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Broyles, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-31.003	Design of Structures Utilizing Prefabricated Wood Components

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 1, January 8, 1999, issue of the Florida Administrative Weekly. The change to this rule is in response to comments received from the staff of the Joint Administrative Procedures Committee.

The rule shall now read as follows:

61G15-31.003 Design of Structures Utilizing Prefabricated Wood Components.

Apportionment of responsibilities between Structural Engineer of Record (Building Designer) and Delegated Engineer (Truss Designer) shall be as set forth in Chapter 2 of ANSI/TPI 1-1995.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Florida Engineers Management Corporation, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Athletic Commission

RULE NOS.:	RULE TITLES:
61K1-1.001	Purpose, Applicability and Scope of Rules
61K1-1.002	Definitions
61K1-1.0023	Commission, Commission Employees, Duties and Responsibilities; Deputy Commissioners
61K1-1.0024	Medical Advisory Council, Duties and Responsibilities
61K1-1.0025	Executive Secretary, Assistant Executive Secretary, Duties and Responsibilities
61K1-1.0027	Commission Representatives, Duties and Responsibilities
61K1-1.0028	Chief Inspector, Inspectors, Duties and Responsibilities
61K1-1.003	License, Permits; Requirement, Procedure and Period, Fee
61K1-1.0035	Insurance
61K1-1.004	Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee
61K1-1.0043	Drugs and Foreign Substances; Penalties
61K1-1.005	Promoter and Matchmaker; Licensing and Bond; Duties and Conduct
61K1-1.006	Arena Equipment; Ring Requirements; Floor Plan and Apron Seating; Emergency Medical and Other Equipment and Services
61K1-1.007	Participants' Apparel and Appearance
61K1-1.008	Bandages and Handwraps
61K1-1.009	Gloves and Mouthpieces
61K1-1.010	Physician; License and Duties; Authority
61K1-1.011	Manager; License; Conduct and Other Requirements
61K1-1.012	Participant; License; Conduct and Other Requirements
61K1-1.013	Judge; License and Duties
61K1-1.017	Timekeeper or Knockdown Timekeeper; License and Duties
61K1-1.018	Second; License and Duties
61K1-1.019	Referee; License and Duties
61K1-1.023	Trainer; License and Conduct
61K1-1.030	Rounds

61K1-1.035	Scoring System; Scoring, Criteria; Knockdowns; Fouls; Determination of Win or draw; Decision Final, Exceptions
61K1-1.037	Post-Match Physical Requirements; Suspensions
61K1-1.040	Post-Match Reports Required to be Filed; Penalty for Late Filing
61K1-1.042	Closed Circuit Telecasts; Requirements; Penalty for Late Filing
61K1-1.070	Administrative Complaints
61K1-1.080	Forms

NOTICE OF CANCELLATION OF PUBLIC HEARING

The State Athletic Commission hereby gives notice that the public hearing to be held on the above-referenced rules on May 10, 1999, at 10:00 a.m., at the Collins Building, Room 163, 107 West Gaines Street, Tallahassee, Florida 32301 is CANCELLED. The Notice of Hearing was originally published in Vol. 25, No. 13, of the April 2, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tom Thomas, Chief Attorney, Office of the General Counsel-C, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-0792

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-503	State Revolving Fund Loan Program

NOTICE OF CORRECTION

The Department of Environmental Protection notices the following correction. The Notice of Proposed Rulemaking for Chapter 62-503, F.A.C., was inadvertently advertised in "Section I Notices of Development of Proposed Rules and Negotiated Rulemaking" section of the April 9, 1999, edition of the Florida Administrative Weekly. This Notice should have appeared in "Section II Proposed Rules" as it was a Notice of Proposed Rulemaking.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.:	RULE TITLE:
64B11-5.007	Fee; Certification of Public Record

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 12, March 26, 1999, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64B23-5	Renewal of License, Delinquent License, Reactivation of Inactive Status
RULE NOS.:	RULE TITLES:
64B23-5.001	Procedure for Renewal of Licensure
64B23-5.002	Procedure for Reactivation of Inactive Status to Active Status
64B23-5.003	Delinquent License

NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-5.001 – 64B23-5.003, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee.

The proposed rules were changed to read as follows:

64B23-5.001 Procedure for Renewal of Licensure.

(1) All license renewals for medical physicists shall meet the requirements as set forth in Chapters 483.901 and 455, F.S., these rules, and the rules of the Department of Health. All medical physicists shall renew their licenses on or before January 31 of each biennial year, according to the fee schedule as set forth in Rule 64B23-3.002. 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 4-15-99, Amended.

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 #DH 1276, Reactivation Application, hereby incorporated by reference, effective xx-xx-xx, and provided by the Department, and paying the appropriate fees. If the application and fees arrives 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, as set forth in rule 64B23-3.002. If, however, the application or fees arrives at the Department at any other time, then the licensee must pay the appropriate fees set out in 64B23-3.003, FAC.

64B23-5.003 Delinquent License.

(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 the renewal fee, as set forth in rule 64B23-3.002, FAC, and either the active status or inactive status fee, the delinquency fee, as set forth in rule 64B23-3.004, and if applicable the processing fee; and,

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64B23-6	Discipline
RULE NOS.:	RULE TITLES:
64B23-6.001	Penalties
64B23-6.002	Aggravating and Mitigating Circumstances

NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-6.001 and 64B23-6.002, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee.

The proposed rules were changed to read as follows:

64B23-6.001 Penalties.

(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 revoke the license 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 probation revocation and a fine from \$500 250 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.

(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 an administrative fine of \$1,000 and one year of probation, up to a maximum of revocation or denial of the license ~~reprimand to revocation and a fine from \$250 to \$1,000, depending on the severity of the offense.~~

(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.~~

(w) Fraud, deceit, or misconduct in the practice of medical physics. The Department shall impose a penalty ranging from probation ~~reprimand to revocation and a fine from \$500 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 4-15-99, Amended.

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;~~
- ~~(1)(2) The danger to the public;~~
- ~~(3) The number of repetitions of offenses;~~
- ~~(2)(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;~~
- ~~(3)(6) The length of time licensee has practiced without having any disciplinary action taken;~~
- ~~(4)(7) The damage to the patient caused by the violation;~~
- ~~(5)(8) Any efforts of rehabilitation by the licensee;~~
- ~~(6)(9) The licensee's actual knowledge of the violation;~~
- ~~(7)(10) Attempts by the licensee to correct or stop the violation, or the refusal of the licensee to correct or stop the violation;~~
- ~~(8)(11) Related violations by the licensee in Florida or in another jurisdiction, including findings of guilty or innocence, penalties imposed and penalties service;~~
- ~~(9)(12) The degree to which the licensee was involved in the violation;~~

~~(10)(13) The degree to which the licensee benefited from the violation;~~

~~(11)(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 4-15-99, Amended.

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE TITLE: Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds for El Nino Weather Related Events

RULE NO.: 9BER99-2

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The United States Department of Housing and Urban Development (HUD) has made available \$18,740,000 in supplemental CDBG funds for recovery from the effects of severe floods, high winds, tornadoes and flooding that occurred between December 25, 1997 and April 24, 1998 (FEMA-DR-1195-FL) and \$1,500,000 in supplemental CDBG funds for recovery from the effects of severe storms, high winds, tornadoes, and flooding that occurred in Broward, Dade, and Monroe counties on February 4, 1998 (FEMA-DR-1204-FL), pursuant to Public Law 105-174. The State, through the Department of Community Affairs, is responsible for the administration of the Florida Small Cities CDBG program under Rule Chapter 9B-43, Florida Administrative Code. At this time, it is necessary for the Department to implement this emergency rule to clearly differentiate between these disaster recovery funds and regular Small Cities CDBG administrative requirements.

The expenditure of the CDBG disaster recovery funds in the areas affected by these storms is essential to the health, safety, and welfare of the public affected in these areas. There were millions of dollars worth of homes, drainage systems, roads, bridges, and other critical public facilities damaged or destroyed by winds and flooding which resulted from the above referenced storms. The condition of many of these structures poses an on-going threat to the health, safety and welfare of the residents of the affected jurisdictions. This emergency rule enables the Department of Community Affairs, subsequent to the approval of the Action Plan for Disaster Recovery El Nino Weather Events (FEMA-DR-1195-FL and FEMA-DR-1204-FL) by the U. S. Department of Housing and Urban Development (HUD), to immediately disburse these funds to affected local governments, so that the dire housing and community development needs of the disaster affected citizens of Florida can be promptly addressed.

REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Promulgation of Chapter 9BER99-2, Florida Administrative Code, using emergency rule procedures, is the only mechanism which adequately provides for the expeditious disbursement and use of these Federal funds, protects the public, and adequately addresses the needs of the affected parties, given that these funds must be expended expeditiously. Section 1 (G) of the 1998 HUD DISASTER RECOVERY INITIATIVE (Directive FR-4398-N-01), as published in Federal Register on October 22, 1998, requires that each State must submit an Action Plan for Disaster Recovery to HUD for approval. The Action Plan is required to identify local governments who will receive these funds. This emergency rule will allow the State of Florida to proceed with an expeditious competitive application cycle open to all eligible local governments in the 57 counties identified in these disaster declarations. This emergency rule supports the announcement of awards and activities to be funded so that the Action Plan may be submitted to HUD prior to July 1, 1999 and thus meet Congressional mandates for timely action to address post-emergency needs within 18 months of the disaster(s) associated with El Nino flooding.

SUMMARY: This rule enables the Department of Community Affairs to administer these supplemental CDBG funds in a timely manner as required by Federal law. This emergency rule replaces 9BER99-1 published in the April 16, 1999, Florida Administrative Weekly

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Susan M. Cook, Ph.D., Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 at (850)487-3644

THE FULL TEXT OF THE EMERGENCY RULE IS:

9BER99-2 Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds for El Nino Weather Related Events.

Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds to aid in recovery from El Nino related weather events, (severe storms, high winds, tornadoes, and flooding) that took place from December 25, 1997 through April 24, 1998 (FEMA-DR-1195-FL) and on February 4, 1998 in Broward, Dade and Monroe Counties (FEMA-DR-1204-FL).

(1) An allocation of \$20,240,000 in supplemental Community Development Block Grant (CDBG) funds has been made available to the State of Florida by the United States Department of Housing and Urban Development (HUD) pursuant to Public Law 105-174. Of this allocation, \$18,740,000 is to be used solely for expenses and repairs, including mitigation, specifically related to recovery from the effects of the El Nino weather related events occurring between

December 25, 1997 and April 24, 1998 (FEMA-DR-1195-FL). Of this allocation, \$1,500,000 is to be used solely for expenses and repairs specifically related to recovery from the effects of the February 4, 1998 storms (FEMA-DR-1204-FL). Two percent of each of these allocations will be used to pay State administrative expenses as allowed by federal law. A list of counties included in each of these disaster declarations is attached.

(2) CDBG funds allocated under this emergency rule are subject to Public Law 105-174. It requires a match in non-Federal public matching funds or its equivalent value of not less than 25 percent of the Federal disaster grant amount (other than administrative costs). The State of Florida will provide one half of this required match (50 percent of the required 25 percent match) and the unit of local government or the Indian tribe must provide one half of this required match (50 percent of the required 25 percent match). The local match may be waived under certain circumstances pursuant to the proviso in Specific Appropriation 1230 of the 1998 State of Florida Appropriation Act (House Bill 4201). Funding of applications submitted under this emergency rule is contingent upon the approval of the State of Florida's Action Plan for Disaster Recovery El Nino Weather Events (FEMA-DR-1195-FL and FEMA-DR-1204-FL) by the U. S. Department of Housing and Urban Development.

These funds may be used as the non-Federal share, to meet the requirements of a Federal grant-in-aid program, only in respect to FEMA's Hazard Mitigation Grant Program (HMGP).

All funded activities must meet one of the three national objectives of the Community Development Block Grant (CDBG) program:

(a) they must benefit low and moderate income persons under 24 CFR 570.483(b), or

(b) they must aid in the prevention of slum and blight under 24 CFR 570.483(c), or

(c) they must meet community development needs having a particular urgency as defined in 24 CFR 570.483(d).

Additionally, all grants must meet the primary objective of Title I of the Housing and Community Development Act of 1974, as amended. This requires that 50 percent of the funds in each grant must be used for activities that benefit primarily persons of low and moderate income as determined by criteria under 24 CFR 570.483(b), unless waived.

Each assisted activity must be an eligible activity as defined at Section I (H) of the 1998 HUD DISASTER RECOVERY INITIATIVE (Directive FR-4398-N-01), as published in the Federal register on October 22, 1998.

(3) Communities identified by the Federal Emergency Management Agency (FEMA) as nonparticipating, noncompliant communities under the National Flood Insurance Program are not eligible to apply for these funds.

(4) Eligible applicants for participation under the \$18,740,000 disaster declaration FEMA-DR-1195-FL include all units of local governments and Indian tribes located in counties declared disaster areas. Eligible applicants for participation under the \$1,500,000 disaster declaration FEMA-DR-1204-FL include all units of local governments and Indian tribes located in counties declared disaster areas.

(5) The Secretary shall retain discretionary control for uses of up to 10 percent of the disaster allocation to fund innovative projects or activities, related to the eligible disasters, that support other state initiatives including but not limited to WAGES programs, the Areas of Critical State Concern program and Sustainable Communities. Allocation of all remaining funds will be determined by the Secretary of the Department of Community Affairs based upon the following priorities:

(a) Priority 1.

Voluntary buyouts of owner-occupied residences which have suffered repeated flood damage directly resulting from FEMA-DR-1195-FL or FEMA-DR-1204-FL flooding.

(b) Priority 2

1. Repair and elevation of storm damaged owner-occupied residences, including on-site water and septic systems which have suffered repeated flood damage and repair of such residences which suffered wind damage (including wind retrofit). Damage suffered must have directly resulted from FEMA-DR-1195-FL or FEMA-DR-1204-FL.

2. As an alternative, surface water drainage improvements may be proposed to provide the same protection as repair and elevation under priority 2 (1) above.

3. Any combination of 2 (1) and 2 (2). above.

(c) Priority 3.

Match for the FEMA Section 404 Hazard Mitigation Grant Program (HMGP) directly related to damage resulting from FEMA DR-1195-FL or FEMA-1204-DR-FL.

(d) Priority 4.

Provision of assistance to profit-motivated businesses to carry out economic development recovery activities which directly respond to damage resulting from FEMA-DR-1195-FL or FEMA-DR-1204-FL.

(e) Priority 5.

Replacement, including new construction, of homes destroyed as a result of weather events directly resulting from FEMA-DR-1195-FL or FEMA-DR-1204-FL. This may include down-payment assistance and mortgage finance assistance.

(f) Priority 6.

Critical health and safety repairs and mitigation efforts to eligible public facilities directly resulting from FEMA-DR-1195-FL and FEMA-DR-1204-FL.

(6) Any changes in activities after the signing of these emergency contracts will be limited to alternative activities within the same priority or a higher priority as listed above.

(7) The primary objective of this emergency program is to remove from the threat of future flooding those low and moderate income owners whose homes have been flooded as a result of either of these two disasters. To accomplish this, the Secretary of the Department of Community Affairs will fund applications in the order of the above priorities with the exception of the 10 percent discretionary authority under paragraph (5) above. The Secretary may choose to fund only a portion of a grant or to combine a higher priority activity with a lower priority activity where necessary to award a minimum grant of \$500,000. Should the amounts requested exceed the total available for a particular priority area, the Secretary may consider one or more of the following factors in determining applications to be funded:

(a) Documented frequency of flood damage to the structure over the past five years from January 1, 1994 to the present.

(b) The number of elderly persons, disabled persons and very low income (VLI) households.

(c) Regional balance of final awards according to relative disaster impact on eligible communities.

(d) Leverage of other resources to support the activity in excess of the required program match.

(e) Documented number of jobs to be retained or created.

(8) The Department of Community Affairs will issue application instructions, including the date by which applications are to be received, and other application information. The maximum grant amount shall be limited to \$2,000,000 with a minimum grant amount of \$500,000. Administrative costs chargeable to the program by the unit of general local government and Indian tribes shall not exceed fifteen percent for elevations, eight percent for infrastructure and public facilities including drainage, and ten percent for buyouts.

(9) CDBG eligible small cities, entitlement cities, urban counties, and Indian Tribes within the aforementioned Presidentially declared disaster areas will be required to determine the specific uses of these disaster recovery funds within the parameters allowed by this rule, the Department of Housing and Urban Development (HUD); Title I of the Housing and Community Development Act of 1974, as amended; HUD regulations at 24 CFR 570 and HUD Directive Number FR-4398-N-01, except as they may be waived by HUD and the Florida Department of Community Affairs.

(10) All CDBG grant expenditures must be for expenses and repairs related specifically to recovery and mitigation activities related directly to the storms, severe floods, high winds, and tornadoes included in FEMA-DR-1195-FL and FEMA-DR-1204-FL, and

(a) There must be a clear and compelling need for the CDBG emergency supplemental funds related directly to those disasters for each CDBG funded activity.

(b) Of the supplemental CDBG funds made available, no amounts may be used for activities reimbursable by the Federal Emergency Management Agency (FEMA), to replace FEMA or other Federal funds, or any activities not permitted by the 1998 HUD DISASTER RECOVERY INITIATIVE, Directive Number: FR-4398-N-01.

(c) The activities must be those that would not otherwise be funded through currently available federal, state or local resources.

(11) Administration of all grants issued under this rule will be in accordance with a contract promulgated by the Department of Community Affairs and executed by the Department and each grantee local government.

(12) Funding for projects selected pursuant to this rule is totally dependent upon approval of the State's Action Plan for Disaster Recovery and the subsequent execution of a Grant Agreement between the State of Florida and the U. S. Department of Housing and Urban Development.

Specific Authority 290.046 FS. Law Implemented 290.0401-.049 FS. History--New 4-21-99.

Listed below are the 55 counties declared under FEMA-DR-1195-FL.

<u>ALACHUA</u>	<u>GLADES</u>	<u>OKEECHOBEE</u>
<u>BAKER</u>	<u>GULF</u>	<u>ORANGE</u>
<u>BAY</u>	<u>HAMILTON</u>	<u>OSCEOLA</u>
<u>BRADFORD</u>	<u>HARDEE</u>	<u>PASCO</u>
<u>BREVARD</u>	<u>HERNANDO</u>	<u>PINELLAS</u>
<u>BROWARD</u>	<u>HIGHLANDS</u>	<u>POLK</u>
<u>CALHOUN</u>	<u>HILLSBOROUGH</u>	<u>PUTNAM</u>
<u>CITRUS</u>	<u>HOLMES</u>	<u>SANTA ROSA</u>
<u>CLAY</u>	<u>JACKSON</u>	<u>SARASOTA</u>
<u>COLLIER</u>	<u>LAFAYETTE</u>	<u>SEMINOLE</u>
<u>COLUMBIA</u>	<u>LAKE</u>	<u>ST. JOHNS</u>
<u>DESOTO</u>	<u>LEVY</u>	<u>SUMTER</u>
<u>DIXIE</u>	<u>LIBERTY</u>	<u>SUWANNEE</u>
<u>DUVAL</u>	<u>MADISON</u>	<u>TAYLOR</u>
<u>ESCAMBIA</u>	<u>MANATEE</u>	<u>UNION</u>
<u>FLAGLER</u>	<u>MARION</u>	<u>VOLUSIA</u>
<u>FRANKLIN</u>	<u>NASSAU</u>	<u>WALTON</u>
<u>GADSDEN</u>	<u>OKALOOSA</u>	<u>WASHINGTON</u>
<u>GILCHRIST</u>		

Listed below are the three (3) counties declared under FEMA-DR-1204-FL.

BROWARD MIAMI-DADE MONROE

THIS RULE SHALL TAKE EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: April 21, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Administrative Leave for Family Activities **RULE NO.:** 53ER99-15

SUMMARY OF THE RULE: The emergency rule amends the amount of administrative leave granted to employees for specified family activities.

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:

53ER99-15 Administrative Leave for Family Activities.

(1) Family Responsibility Requirements.

(a) Initial and continued participation will depend upon the operational requirements of the Lottery, the immediate supervisor's approval, and shall be limited to relationship to a child in the immediate family.

(b) Each employee shall be granted one and one-half (1 1/2) hours of administrative leave per month, including up to thirty minutes of travel time, to participate in the following family activities:

1. Involvement in local private and public school activities including preschools and kindergarten through high-school; and

2. Involvement with or visitation of children in child care centers.

(c) If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such unused leave.

(d) An employee will, upon request, be granted family leave without pay for family responsibilities other than family medical leave for a period not to exceed thirty (30) calendar days per fiscal year if workload requirements permit. Whether continuous or intermittent, eligibility for leave without pay shall commence on July 1 and end on June 30 of each fiscal year. Examples of family responsibilities include:

1. Caring for aging parents;

2. Involvement in settling parents' estates upon their deaths; or

3. Relocating dependent children into private or public schools.

(2) This emergency rule supercedes Subsection 53-16.009(14), F.A.C. All other provisions of 53-16.009, F.A.C., shall remain the same.

Specific Authority 24.105(10)(j), 24.109(1) FS. Law Implemented 24.105(20)(d) FS. History--New 4-19-99.

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

EFFECTIVE DATE: April 19, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: FANTASY 5 Drawings
RULE NO.: 53ER99-20

SUMMARY OF THE RULE: The emergency rule replaces 53ER94-2 and 53ER98-53. The rule amends the days of the week on which FANTASY 5 drawings are conducted. The rule also amends the description of the FANTASY 5 draw machines ball display device.

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:

53ER99-20 FANTASY 5 Drawings.

(1) Effective April 24, 1999, FANTASY 5 drawings shall be conducted daily.

(2) The term "display tray", as set forth in 53ER98-53, F.A.C., is changed to a "ball display device." The ball display device shall be either a display tray or display tubes, dependent upon which FANTASY 5 draw machine is selected for the drawing.

(3) All drawings shall continue to be conducted in accordance with the FANTASY 5 draw procedures set forth in subsections 53-29.002(2) through (12), F.A.C., except as amended herein.

(4) This emergency rule replaces 53ER94-2 and 53ER98-53. Subsection (1) above supersedes subsection 53-29.002(1), F.A.C.

Specific Authority 24.105(10)(d), 24.109(1) FS. Law Implemented 24.105(10)(d) FS. History—New 4-19-99. Replaces 53ER94-2, 53ER98-53.

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

EFFECTIVE DATE: April 19, 1999

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN that on April 16, 1999, the Comptroller of the State of Florida, acting in his capacity as the head of the Department of Banking and Finance, issued an ORDER GRANTING PETITION FOR WAIVER filed by East Lake Memorial Gardens, Inc.

On February 25, 1999, the Office of Comptroller, Department of Banking and Finance, Division of Finance, Bureau of Funeral and Cemetery Services, received a petition from East

Lake Memorial Gardens, Inc., seeking the WAIVER of application of Rule 3D-30.0055, Florida Administrative Code, to its pending license application. Rule 3D-30.0055, Florida Administrative Code, provides the methodology used by the Department for the determination of need for a new cemetery in an applicant's proposed 15 mile community. Pursuant to Section 120.542(6), Florida Statutes, a notice of the said petition was published on page 1122 of Vol. 25, No. 11 of the Florida Administrative Weekly on March 19, 1999.

The ORDER GRANTING PETITION FOR WAIVER concluded that East Lake Memorial Gardens, Inc., has demonstrated that it has met the purpose of the underlying statute implemented by Rule 3D-30.0055, Florida Administrative Code, and that the application of Rule 3D-30.0055, Florida Administrative Code, to its pending application would violate principals of fairness.

A copy of the ORDER GRANTING PETITION FOR WAIVER can be obtained by contacting Allen R. Moayad, Assistant General Counsel, Office of the Comptroller, The Fletcher Building, 101 East Gaines Street, Suite 526, Tallahassee, Florida 32399-0350, (850)410-9896.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, has received from Debra Gale, on April 13, 1999, a petition for Waiver of Rule 11B-27.002(4)(2). The Jupiter Inlet Colony Police Department would like to have this Rule waived so they may employ Debra Gale without further training.

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302-1489, Attention: Assistant General Counsel Rick Courtemanche.

A copy of the Petition may be obtained by contacting Assistant General Counsel Rick Courtemanche at the above address, or by calling (850)410-7683.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Anglers Cove West, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981912-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0638-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on

January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that CHC VII, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981913-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0639-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Four Lakes Golf Club, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981914-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0640-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Hidden Cove, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981915-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0641-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on

January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Plantation Landings, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981916-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0642-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that S.V. Utilities, Ltd.'s petition for waiver exemption of Rule 25-30.110(3), Florida Administrative Code, filed December 21, 1998, in Docket No. 981917-WS was approved by the Commission at its March 16, 1999 Agenda Conference. Order No. PSC-99-0643-FOF-WS, issued April 5, 1999, memorialized the decision. The rule provides that utilities subject to the Florida Public Service Commission's jurisdiction, must furnish an annual report on or before March 31 for the preceding year ending December 31. The petition was approved on the basis that principles of fairness would be violated. Notice of the petition was published in the FAW on January 15, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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 on December 28, 1998, for a project known as Palm Beach International Airport and I-95 Interconnect. The variance is being sought pursuant to Section 120.542 of the Florida Statutes. The petition seeks relief from Section 7.4(A),(B),(C),(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 written comments concerning the petition for 14 days from the date of publication of this notice. The comments must be limited to how the proposed variance

will affect water resources or other matters regulated by the SFWMD. 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.

For additional information or a copy of the petition contact Penelope Bell at the above address, or telephone (561)682-6320, or e-mail pbell@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received a Petition for Variance in the matter of Cap'n & The Cowboy, Inc., a Florida Corporation, Petitioner, on March 18, 1999.

The Petitioner requests a variance from Rule 61A-2.014(5) of the Florida Administrative Code. The Rule requires any stockholder with an interest greater than .5 percent in a corporation holding an alcoholic beverage license to file a set of fingerprints either at the time of applying for a beverage license or at the time an interest is created after a license has been issued. Petitioner requests a variance from the Rule to exempt a 5 percent shareholder that is refusing to submit fingerprints. The Petitioner requests that this Rule be waived since strict application of the Rule would unreasonably and unfairly impact the Petitioner and the holders of 95% of the shares and since the information provided by fingerprints can be ascertained by the alternative information Petitioner provided.

A copy of the petition may be received from the Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on March 15, 1999, a petition from the Indian River County Utilities apparently seeking a variance under section 120.542 of the Florida Statutes from the staffing requirements for public drinking water systems under rule 62-699.311(10) of the Florida Administrative Code, for the use of the utility's electronic surveillance system and five days a week coverage by the lead or chief operator in lieu of a lead or chief operator seven days a week at each of its public water systems. The petition has been assigned OGC case number 99-0425. 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.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on March 22, 1999, a petition from Fluor Daniel GTI, seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of a remediation process to clean up sites with contaminated ground water. The petition has been assigned OGC case number 99-0563. 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.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on March 11, 1999, a petition from Palm Beach County seeking a variance under section 120.542 of the Florida Statutes from the requirement for meeting the secondary standard for pH in underground injection through a Class V well for the use of the County's aquifer, storage and recovery well. The rule sections from which the variance is sought are rules 62-528.605(2) and (3), 62-528.610, 62-528.615(1)(b)1., 62-528.635(4) and 62-528.640(1) of the Florida Administrative Code, which incorporate by reference rule 62-550.320(1). The petition has been assigned OGC case number 99-0412. 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.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on March 15, 1999, a petition from ARCADIS Gerahty & Miller, Inc., seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of a remediation product to clean up sites with contaminated ground water. The petition has been assigned OGC case number 99-0440. 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.: Cythia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

The Department announces receipt of a petition filed pursuant to Section 120.542, Florida Statutes, from the Aucilla Area Solid Waste Management Administration to obtain a variance from the Department rule regarding the permitting of the Aucilla Class I and Class III Landfills. Specifically, the petitioner has requested a variance from Rule 62-701.630(4)(b), Florida Administrative Code, which requires the cost estimate for landfill closure financial assurance to include the costs of soil cover from off-site. The Petition for Variance is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Requests for copies or inspection should be made to Mary Jean Yon, Environmental Administrator at the above address.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Department of Health has entered an Order and Notice disposing of a petition for variance from Rule 64E-5.622(1)(a) and (b), Florida Administrative Code, that was filed by August Miale, Jr., M.D., on behalf of FMC Hospital Ltd., d/b/a/ Florida Medical Center. Rule 64E-5.622(1)(a) and (b), Florida Administrative Code, prohibits a licensee from authorizing the release 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. The petition was filed with the Department on January 14, 1999, and was noticed in the Florida Administrative Weekly on February 5, 1999.

The Order which is dated April 15, 1999, provide in summary that:

The Petitioner filed the petition for variance to allow patients treated with Iodine 131 Anti-B1 Antibody to be released from medical confinement under the terms of the patient release regulation adopted by the U.S. Nuclear Regulatory Commission, 10 C.F.R. §35.75. The petition for variance is GRANTED WITH THE STIPULATION that the Petitioner will not be able to implement the variance until it has amended its radioactive materials license to include adequate procedures and record keeping requirements to demonstrate compliance with 10 C.F.R. §35.75(a) and (b), and the Department has approved the amended license.

A copy of the above-referenced Order 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, Telephone (850)414-8012.

NOTICE IS HEREBY GIVEN that the Department of Health has issued an Order and Notice disposing of a petition for waiver from Rules 64E-15.004(5) and 64E-15.010(1)(a), Florida Administrative Code, filed by Mr. Tollyn Twitchell, Owner and Vice President of Pine Shores Investment Corporation. Rule 64E-15.004(5), Florida Administrative Code, requires recreational vehicle parks to have at least one sanitary dump station. Rule 64E-15.010(1)(a), Florida Administrative Code, addresses the permitting requirements of mobile home parks or lodging parks which have 5 or more sites set aside for recreational vehicles. The petition was filed with the Department on January 27, 1999, and noticed in Florida Administrative Weekly on February 26, 1999.

No comments from interested persons were received.

The Order, which is dated April 14, 1999, provides, in summary, that:

The Petitioner has satisfied all the requirements in the Petition. A sanitary dump station is not required, because the Petitioner has provided a means of disposal which will minimize the chance of creating a sanitary nuisance. Specifically, each space has a water and a sewer hook-up. Accordingly, the petition for waiver from Rule 64E-15.004(5), Florida Administrative Code, has been GRANTED WITH THE STIPULATION that the rental agreements between the Petitioner and its occupants include a clause (delineated in the Order) that requires the occupant to remain connected to the sanitary outlet during the tenancy of the space. The request for waiver of Rule 64E-15.010(1)(a), Florida Administrative Code, is DENIED, as it was not addressed by the Petitioner and was not needed under the facts presented. The Order is deemed valid while the property at issue is used as a recreational vehicle park. A copy of the Order may be obtained from: Angela Hall, Agency Clerk, Department of Health, Office of the General Counsel, BIN A02, 2020 Capital Circle, S. E., Tallahassee, FL 32399-1703, (850)414-8012.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Department of Veterans' Affairs
- Information Resource Commission
- Department of Highway Safety and Motor Vehicles

Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: May 11, 1999, 9:00 a.m.

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

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215, F.S. and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members, at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs**, announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: May 27, 1999, 2:00 p.m.

PLACE: All Children’s Hospital Health Systems Office, Third Floor. All Children’s Hospital Health Systems Bldg., St. Petersburg, Florida

PURPOSE: Art in State Buildings Meeting, BR-529, Pediatrics Research Facility

For more information or to obtain a copy of the agenda, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida, Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agenda at least 48 hours before the meeting by contacting: Vincent Ahern, (813)974-4333.

DEPARTMENT OF LEGAL AFFAIRS

The Finance and Budget Committee of the **Florida Commission on the Status of Women** will hold a telephone conference to which all interested parties are invited.

DATE AND TIME: May 19, 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 Executive Committee of the **Florida Commission on the Status of Women** will hold a telephone conference to which all interested parties are invited.

DATE AND TIME: May 20, 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.

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

DATE AND TIME: May 13, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Room 547, Fletcher Bldg., 101 E. Gaines St., Tallahassee, Florida

PURPOSE: Regular Rules Committee business.

To obtain further information and to obtain a copy of the agenda contact: Gladys Hennen, Administrative Assistant II, Division of Finance, 101 East Gaines St., Fletcher Bldg., Room 649B, Tallahassee, FL 32399-0350, telephone number (850)410-9847, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Gladys Hennen, (850)410-9847, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Gladys Hennen via the Florida Relay Service at 1(800)955-8771 (TDD); or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The **Department of Insurance, Division of State Fire Marshall** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 1999, 8:30 a.m.

PLACE: Florida Fire Sprinkler Association, 200 W. College Avenue, Tallahassee, FL 32301, Telephone (850)222-2070

PURPOSE: Florida Fire Code TAC Sub-committee meeting to discuss the Hazard Materials.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

The **Department of Insurance, Division of State Fire Marshall** announces a public meeting to which all persons are invited.

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

PLACE: Florida Fire Sprinkler Association, 200 W. College Avenue, Tallahassee, FL 32301, Telephone (850)222-2070

PURPOSE: Florida Fire Code Advisory Council meeting.
A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Fertilizer Technical Council, to which all persons are invited:

DATE AND TIME: May 19, 1999, 10:00 a.m.
PLACE: Florida Farm Bureau Federation, 5700 Southwest 34th Street, Gainesville, Florida 32608, Phone (362)378-1321
PURPOSE: Fertilizer Technical Council Meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: You may contact Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building ME-1, Tallahassee, Florida 32399-1650, Phone (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center and Horse Park Authority:

DATE AND TIME: May 7, 1999, 4:00 p.m.
PLACE: Florida Agriculture Center and Horse Park Property, 11008 S. Highway 475, Ocala, Florida
PURPOSE: Executive Committee Meeting
A copy of the agenda can be obtained by contacting: Stephen Monroe, Mayo Building, Room 431, Tallahassee, Florida 32399-0800 or by calling (850)488-4132.

If special accommodations are needed to attend this meeting because of a disability, please contact Stephen Monroe.

DEPARTMENT OF EDUCATION

The Florida **Department of Education**, State Advisory Committee for the Education of Exceptional Students, announces a public meeting to which all interested persons are invited.

DATES AND TIMES: Tuesday, May 11, 1999, 1:30 p.m. – 4:30 p.m.; Wednesday, May 12, 1999, 8:30 a.m. – 4:30 p.m.; Thursday, May 13, 1999, 8:30 a.m. – 12:30 p.m.
PLACE: Clarion Capital Hotel, 316 West Tennessee Street, Tallahassee, Florida, Telephone (850)222-9555

PURPOSE: Exceptional student education update and organizational meeting of the State Advisory Committee, which is required under the Individuals with Disabilities Education Act (20 U.S.C. Chapter 33, as amended by Pub. L.

105-17) for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

A copy of the agenda may be obtained by writing: State Advisory Committee, Bureau of Instructional Support and Community Services, Florida Department of Education, 614 Turlington Building, Tallahassee, Florida 32399-0400, or by calling the Bureau, (850)488-1570, Suncom 278-1570.

Any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours in advance by calling the number indicated above.

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: May 14, 1999, 9:00 a.m.
PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida
PURPOSE: To consider: legislative issues and updates; Other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)487-1896 (Voice), (850)921-2413 (TDD), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meetings to which all persons are invited:

THE FLORIDA BUILDING COMMISSION, "the COMMISSION"

DATE AND TIME: May 10, 1999, 9:00 a.m. – 6:00 p.m.; May 11, 1999, 8:00 a.m. – 4:30 p.m.

PLACE: Clarion Hotel, 4000 South Ocean Drive, Hollywood, Florida, (954)458-1900

PURPOSE: Meetings of the Florida Building Commission and its Technical Advisory Committees (TACs) and Task Groups (TGS) to review the status of the Florida Building Code Development and to establish processes and schedules for completion of the code and implementation Recommendations for the Legislature.

Certification of Threshold Building Inspectors
May 10, 1999

1. Plenary Session of the Commission to review what has been accomplished to date and to identify remaining tasks.
2. Meeting of the Building/Structural, Electrical/Alarm, Plumbing/Gas, Code Enforcement, Mechanical, Building Fire, Energy, Accessibility, Special Occupancy, Technical Advisory

Committees, the Education and Product Approval Task Groups to consider processes for completing the tasks or phase three of the Florida Building Code Development.

3. Meeting of the Threshold Building Inspector Certification Committee.

May 11, 1999

Commission Plenary Session to: (1) Hear committee reports; (2) Agree on a uniform process and procedures for the Commission Decision making, Committee recommendations and evaluating public comments and code modifications; (3) Identify code issues that are outstanding and process that should be used to resolve them; (4) Discuss Phase III of the code development process.

5. Public Comments

A copy of the Committee and Commission meeting agendas may be obtained by sending a request in writing: Jean Easom, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Ms. Jean Easom, Department of Community Affairs (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces a change to the meeting originally scheduled for July 15, 1999, has been rescheduled to July 22, 1999. There are no changes for any of the other listed public meetings to which all persons are invited:

DATE AND TIME: May 20, 1999, 8:30 a.m.

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

DATE AND TIME: July 22, 1999, 8:30 a.m.

DATE AND TIME: August 19, 1999, 8:30 a.m.

DATE AND TIME: September 16, 1999, 8:30 a.m.

DATE AND TIME: October 21, 1999, 8:30 a.m.

PLACE: Fifth Floor, Executive Conference Room, 605 Suwannee Street, Burns Building, Tallahassee, Florida

PURPOSE: Regular Meetings of the Executive Committee

A copy of the agenda may be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, Mail Station 57, Tallahassee, Florida 32399-0450.

The **Department of Transportation**, District 4, announces a public hearing to which all persons are invited.

DATE AND TIME: June 10, 1999, 7:30 p.m.

PLACE: Vero Beach High School Cafeteria, 1707 16th Street, Vero Beach, 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 Number 230872 1 21 01, Work Program Item Number 4125354, State Project Number 88000-1512 and Federal Aid Project Number 7284 001 U, otherwise known as 16/17th Street in Indian River County, Florida. Project limits along 16/17th Street are from 150 m (500 ft) west of 14th Avenue, easterly to S.R. 5 (U.S. 1). Anyone needing project or Public Hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the Project Manager at the address given below or call telephone number (954)777-4324 or Toll Free 1(800)930-3368, Extension 4324. 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: Mr. Nicholas Danu, P.E., Project Manager, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Monday, May 3, 1999, 10:00 a.m., or soon thereafter

PLACE: 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308

PURPOSE: To conduct a debriefing meeting of the Large Capitalization Value-Oriented Domestic Equity Investment Manager Request for Proposals, RFP# 99-02.

If any person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the meeting.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990325-EI – Petition of Gulf Power Company to determine need for proposed electrical power plant in Bay County.

DATE AND TIME: May 17, 1999, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 980946-TL – Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC’s First Report and Order, for the Daytona Beach Port Orange Central Office, by BellSouth Telecommunications, Inc.

Docket No. 980947-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC’s First Report and Order, for the Boca Raton Boca Teeca Central Office, by BellSouth Telecommunications, Inc.

Docket No. 980948-TL – Petition for waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC’s First Report and Order, for the Miami Palmetto Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981011-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC’s First Report and Order, for the West Palm Beach Gardens Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981012-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC’s First Report and Order, for the North Dade Golden Glades Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981250-TL – Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC’s First Report and Order, for the Lake Mary Main Central Office, by BellSouth Telecommunications, Inc.

DATE AND TIME: May 17, 1999, 3:30 p.m.

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

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: May 18, 1999, 9:30 a.m.

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

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the Division of Records and Reporting, (850)413-6770, or writing: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.scri.net/psc>, at no charge. If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: Monday, May 18, 1999, immediately following the Commission Conference which commences at 9:30 a.m.

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

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will hold a workshop:

DATE AND TIME: Thursday, May 20, 1999, 10:00 a.m.

PLACE: Embassy Suites Hotel, Miami International Airport, 3974 S. River Drive, Miami, Florida

PURPOSE: The purpose of the workshop is to provide interested persons with the opportunity to discuss the relationship between payphones and public safety. All interested persons are welcome to participate.

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).

For additional information or to obtain an agenda, contact: Clintina Watts, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, or telephone (850)413-6232.

REGIONAL PLANNING COUNCILS

The **North Central Florida Local Emergency Planning Committee** announces the following meetings to which all persons are invited:

MEETING: Plan Review Subcommittee

DATE AND TIME: May 14, 1999, 1:15 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida

PURPOSE: To review and recommend updates to the LEPC Emergency Response Plan.

MEETING: Safety Street Technical Issues Work Group

DATE AND TIME: May 14, 1999, 2:30 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida

PURPOSE: To review facility requests for RMP coordination with the LEPC plan under Section 112(r) of the Clean Air Act.

MEETING: Local Emergency Planning Committee

DATE AND TIME: May 21, 1999, 9:30 a.m.

PLACE: Echelon Business and Technology Park, One Progress Boulevard, Alachua, Florida

PURPOSE: To consider the update of the LEPC emergency response plan and conduct regular business.

Any persons deciding to appeal any decision of the Committees with respect to any matter considered at the meetings, 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.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, May 10, 1999, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, Doubletree Hotel Westshore, 4500 W. Cypress St., Tampa, Florida 33607

PURPOSE: Regular Council Meeting.

SUBJECTS TO BE CONSIDERED: Routine Council Business; DRI Development Order Amendment Reports; Local Government Comprehensive Plan Reviews; Aging Policy Committee; Agency on Bay Management; Local Emergency Planning Committee; Chairman's Report.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 13, 1999, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: Agency on Bay Management Full Agency.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, May 17, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, St. Petersburg, Florida 33702

PURPOSE: Area Agency on Aging.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, May 24, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: IC & R Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council**, District VIII, Tampa Bay Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, May 26, 1999, 10:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Ste. 219, St. Petersburg, FL

PURPOSE: Regular Bi-Monthly District VIII LEPC Meeting.

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 based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, May 10, 1999, 8:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, Doubletree Hotel Westshore, 4500 W. Cypress St., Tampa, FL 33607

PURPOSE: Executive Committee Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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, May 12, 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, May 19, 1999, 10:00 a. m. – 12:00 Noon

PLACE: Division of Worker's Compensation, 2728 Centerview Drive, Forrest Building, Room 301-A, 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 Charleen Evans by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Charleen Evans 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**, Special Disability Trust Fund Privatization Commission, announces a meeting to which the public is invited.

DATE AND TIME: Friday, May 21, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, FL 32399-0001

PURPOSE: The purpose of the meeting is to consider public testimony and discuss further action to be taken by the Commission and consider information relevant to the issues of privatization and conduct any business for the Commission to fulfill their responsibilities.

Interested parties are invited to present oral comments and/or submit written comments at the public meeting. Written comments may also be submitted to the Department of Labor and Employment Security, Special Disability Trust Fund Privatization Commission, 535 John Knox Road, Tallahassee, Florida 32399-4101, no later than May 14, 1999. Any person desiring to present oral comments should appear at the public meeting, however, time will be limited to 10 minutes per person in order to accommodate all persons wishing to speak. For further information regarding the meeting, please contact Anne Mackenzie, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Anne Mackenzie by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Anne Mackenzie 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**, Special Disability Trust Fund Privatization Commission, announces a meeting to which the public is invited.

DATE AND TIME: Friday, June 4, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, FL 32399-0001

PURPOSE: The purpose of the meeting is to consider public testimony and discuss further action to be taken by the Commission and consider information relevant to the issues of privatization and conduct any business for the Commission to fulfill their responsibilities.

Interested parties are invited to present oral comments and/or submit written comments at the public meeting. Written comments may also be submitted to the Department of Labor and Employment Security, Special Disability Trust Fund Privatization Commission, 535 John Knox Road, Tallahassee, Florida 32399-4101, no later than May 28, 1999. Any person desiring to present oral comments should appear at the public meeting, however, time will be limited to 10 minutes per person in order to accommodate all persons wishing to speak. For further information regarding the meeting, please contact Anne Mackenzie, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Anne Mackenzie by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Anne Mackenzie 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**, Special Disability Trust Fund Privatization Commission, announces a meeting to which the public is invited.

DATE AND TIME: Friday, June 18, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, FL 32399-0001

PURPOSE: The purpose of the meeting is to consider public testimony and discuss further action to be taken by the Commission and consider information relevant to the issues of privatization and conduct any business for the Commission to fulfill their responsibilities.

Interested parties are invited to present oral comments and/or submit written comments at the public meeting. Written comments may also be submitted to the Department of Labor and Employment Security, Special Disability Trust Fund Privatization Commission, 535 John Knox Road, Tallahassee, Florida 32399-4101, no later than June 4, 1999. Any person desiring to present oral comments should appear at the public meeting, however, time will be limited to 10 minutes per person in order to accommodate all persons wishing to speak.

For further information regarding the meeting, please contact Anne Mackenzie, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Anne Mackenzie by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Anne Mackenzie using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) or 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: May 13, 1999, 9:00 a.m.

PLACE: Tommy Usher Center, 506 S. W. 4th Avenue, Highway 345, Chiefland, FL

PURPOSE: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

DATES AND TIMES: May 13, 1999, 2:00 p.m.; May 14, 1999, 8:30 a.m.

PLACE: Cedar Cove Marine Lab, 11350 S. W. 153rd Court, Cedar Key, Florida

PURPOSE: Governing Board Workshop on FY 2000 Budget
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.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following public meeting to which all persons are invited:

MEETING: Personnel Committee

DATE AND TIME: Tuesday, May 11, 1999, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion of personnel issues and agenda items followed by committee recommendations for approval by the full Governing Board

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 the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the District at least 48 hours before the meeting by contacting: Ann Freeman, (904)329-4101. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The **Florida Commission for the Transportation Disadvantaged** announces a meeting of the Conference Planning and Awards Committee to which all persons are invited.

DATE AND TIME: Friday, May 14, 1999, 9:30 a.m. – Completion

PLACE: Rhyne Building, 2740 Centerview Drive, Suite 1A, Tallahassee, Florida 32301, (850)488-6036.

PURPOSE: To discuss the 1999 Annual TD Conference.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting, agenda, or directions should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435.

The **Florida Commission for the Transportation Disadvantaged** announces a Public Hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 1999, 6:30 p.m. – Completion

PLACE: Marriott's Casa Marina Resort, 1500 Reynolds Street, Key West, FL 33040, (305)293-6205

PURPOSE: To receive public comments and concerns on transportation disadvantaged services.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting, agenda or directions should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435.

The **Florida Commission for the Transportation Disadvantaged** announces a Full Commission Meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 8:30 a.m. – 1:00 p.m.

PLACE: Marriott's Casa Marina Resort, 1500 Reynolds Street, Key West, FL 33040, (305)293-6205

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, agenda or directions should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces an Advisory Council Meeting to which all persons are invited:

DATE AND TIME: April 29, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTERS TO BE CONSIDERED: Regular meeting of the Department of Elder Affairs Advisory Council. This is a public meeting open to all who wish to attend.

Agenda may be obtained by contacting: Office of the Secretary, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, or by calling (850)414-2000.

The **State Long-Term Care Ombudsman Council** announces a public Quarterly meeting to which all persons are invited: Committee Meetings

DATE AND TIME: Thursday, May 6, 1999, 2:00 p.m. General Session

DATE AND TIME: Friday, May 7, 1999, 8:30 a.m.

PLACE: Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, Florida, Telephone (813)873-8675.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program. You may contact the office of the Long-Term Care Ombudsman at (850)488-6190 for more information.

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited. You may contact the State Long-Term Care Ombudsman Office, (850)488-6190, for further information.

DATE AND TIME: May 27, 1999, 9:00 a.m.

CITY: District One, Pensacola, FL

DATE AND TIME: May 19, 1999, 10:00 a.m.

CITY: District Two, Blountstown, FL

DATE AND TIME: May 20, 1999, 1:00 p.m.

CITY: District Three-A, Gainesville, FL

DATE AND TIME: May 13, 1999, 1:00 p.m.

CITY: District Three-B, Ocala, FL

DATE AND TIME: May 18, 1999, 12:00 noon

CITY: District Four, St. Augustine, FL

DATE AND TIME: May 20, 1999, 1:30 p.m.

CITY: District Five, Largo, FL

DATE AND TIME: May 18, 1999, 10:00 a.m.

CITY: District Six, Tampa, FL

DATE AND TIME: May 6, 1999, 12:30 p.m.

CITY: District Seven, Orlando, FL

DATE AND TIME: May 4, 1999, 11:00 a.m.

CITY: District Eight, Ft. Myers, FL

DATE AND TIME: May 17, 1999, 2:30 p.m.

CITY: District Nine, West Palm Beach, FL

DATE AND TIME: May 11, 1999, 1:30 p.m.

CITY: District Ten, Plantation, FL

DATE AND TIME: May 18, 1999, 1:15 p.m.

CITY: District Eleven-South, S. Miami, FL

DATE AND TIME: May 18, 1999, 10:30 p.m.

CITY: District Eleven-North, N. Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Probable Cause Panel (South), **Board of Medicine**, announces a meeting.

DATE AND TIME: May 5, 1999, 6:00 p.m. or soon thereafter

PLACE: Palm Beach Airport Hilton, 150 Australian Avenue, West Palm Beach, Florida 33406, (561)684-9400

PURPOSE: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted: P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Agency for Health Care Administration** announces a public meeting of the Workgroup for the Study of Medicaid Patient Access to Nursing Homes, which was established by Senate Bill CS/SB 250 and is located within the Agency for Health Care Administration for administrative purposes only.

DATE AND TIME: Thursday, May 13, 1999, 9:30 a.m. – 2:30 p.m.

PLACE: 2727 Mahan Drive, Ft. Knox Office Complex, Building 3, Conference Room I, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup is charged with studying and monitoring developments that can ensure that a sufficient supply of nursing home beds is available to Medicaid recipients, identifying alternative to certificate of need conditions as a means of securing nursing home beds for Medicaid recipients, and recommending to the Medicaid program alternative approaches for obtaining nursing home beds for Medicaid recipients. This meeting will feature a guest speaker from the Department of Elder Affairs who will speak on public guardianship. In addition, preliminary survey results will be discussed.

Persons wishing additional information about this meeting may contact: Laura MacLafferty, Certificate of Need Office, 2727 Mahan Drive, Tallahassee, FL 32308 or call (850)922-7760.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting to be held by public telephone conference call which all persons are invited:

DATE AND TIME: Friday, May 7, 1999, 10:00 a.m. or as soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

CONFERENCE CALL NUMBER: 1(800)720-1643

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Joint Engineer & Architect Committee which all persons are invited:

DATE AND TIME: Tuesday, May 18, 1999, 10:00 a.m. or as soon thereafter

PLACE: Double Tree Hotel, Miami Airport, 1101 N. W. 57th Avenue, Miami, Florida

PURPOSE: General business of the Committee.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committee which all persons are invited:

DATE AND TIME: Monday, May 24, 1999, 10:00 a.m. or as soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the of the Legislative & Rules Committee which all persons are invited:

DATE AND TIME: Monday, May 24, 1999, 1:00 p.m. or as soon thereafter

PLACE: Florida Engineering Society, 125 S. Gadsden Street, Florida Engineering Center, Conference Room, Tallahassee, Florida 32301

PURPOSE: Discussion on proposed legislation, reviews of current rules to amend/clarify and discussion on need for new rule.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, May 25, 1999, 9:00 a.m. or as soon thereafter

PLACE: The offices of Stowell, Anton and Kraemer, 211 East Call Street, Tallahassee, Florida 32301

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers**, Board Operations Committee announces a meeting with the Florida Engineers Management Corporation, Long Range Planning Committee which all persons are invited:

DATE AND TIME: Tuesday, May 25, 1999, 1:00 p.m. or as soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: General business of the Committees.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Board Operations Committee which all persons are invited:

DATE AND TIME: Tuesday, May 25, 1999, 8:30 a.m. or as soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Review of operating procedures within the Board office.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting: Dennis Barton, (850)521-0500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all person are invited:

DATE AND TIME: May 13, 1999, 7:00 p.m.

PLACE: Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, FL 32926

PURPOSE: To accept public comments and provide update of Department review regarding Oleander Power's Air Permit Application to construct five gas and oil-fired combustion turbines in Brevard County.

A copy of the agenda may be obtained by writing: Mr. Michael P. Halpin, Department of Environmental Protection, 2600 Blair Stone Rd, MS#5505, Tallahassee, Florida 32399 or by calling Ms. Kim Tober, (850)921-9533.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, May 13, 1999, 10:00 a.m.; Friday, May 14, 1999, 8:30 a.m.

PLACE: Conference Room A, FDEP Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

PURPOSE: Meeting of the Everglades Technical Advisory Committee (ETAC). The purpose of the ETAC is to review and comment to the Department on Everglades research and monitoring in support of the process of developing a rule setting forth a numeric phosphorus criterion for the Everglades Protection Area and to identify and discuss resolution of issues related to the process.

A copy of the agenda may be obtained by contacting: Judith Pennington, Water Facilities Division Office, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3500, Tallahassee, Florida 32399-2400, (850)921-2652.

If an accommodation is needed for a disability in order to participate in this activity, please notify Judith Pennington, (850)921-2652, at least 7 days prior to the event.

The **Department of Environmental Protection** announces two days of public meetings for continuing discussions of the Contaminated Soils Forum to which all persons are invited.

DATE AND TIME: June 7-8, 1999, 8:30 a.m. to conclusion but not later than 5:30 p.m.

PLACE: Executive Suite Hotel, 522 Scotty's Lane, Gold Room, Tallahassee, Florida, (850)386-2121 or 1(800)342-0090

GENERAL SUBJECT MATTER TO BE CONSIDERED: Two one-day meetings of the DEP Contaminated Soils Forum will provide opportunities for interested parties to discuss evolving policy, scientific, and application issues associated with contaminated site cleanup and the re-use of a variety of media, including soils, sludges, ash, and recovered screen material, using risk-based management principles. Each day will include presentations and discussions of various focus group topics. The topics include but are not limited to cleanup issues, environmental equity and justice, communications, methodology, ecological risk, peer review, and engineering and institutional controls.

A copy of the agenda and directions to the hotel for the two days may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. 4505, Room 309B, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address: <http://www2.dep.state.fl.us/waste/programs/brwnfld/csf.htm>

If an accommodation is needed for a disability in order 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.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Monday, May 10, 1999, 7:00 p.m. (EDT)

PLACE: Flagler Beach City Council Chambers, City Hall, 105 South 2nd Street, Flagler Beach, Florida 32136

PURPOSE: To receive comments regarding management and land uses of these parks for Gamble Rogers Memorial State Recreation Area at Flagler Beach and North Peninsula State Recreation Area prior to the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting. Any request for special accommodations can be made by writing: Department of Environmental Protection, Division of Recreation and Parks, District 3, Administration, 1800 Wekiwa Circle, Wekiwa Springs, Florida 32712.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Monday, May 11, 1999, 7:00 p.m. (EDT)

PLACE: Homosassa Springs State Wildlife Park, Visitor Center, 4150 South Suncoast Boulevard, Homosassa, Florida 34446

PURPOSE: To present the current management plan for Homosassa Springs State Wildlife Park to the public.

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 Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 1999, 9:00 a.m. (EDT)

PLACE: Homosassa Springs State Wildlife Park, Office Conference Room, 4150 South Suncoast Boulevard, Homosassa, Florida 34446

PURPOSE: To discuss the management plan for Homosassa Springs State Wildlife 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.

DEPARTMENT OF JUVENILE JUSTICE

Meeting of Secretary W. G. "Bill" Bankhead, District Juvenile Justice Board Chairs, and Juvenile Justice Managers

DATE AND TIME: Wednesday, May 19, 1999, 10:00 a.m. – 4:00 p.m. (Tentative)

PLACE: Webster Building, 2nd Floor, Koger Executive Office Center, 2671 W. Executive Center Circle, Tallahassee, FL

PURPOSE: The primary agenda items include a review of the 1999 Legislative Session and a presentation of the district's Legislative Budget Requests for 2000-2001.

For more information contact: Meg Bates, (850)921-5900 or SC 291-5900.

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: May 14, 1999, 8:30 a.m. – 1:30 p.m.

PLACE: Correctional Medical Authority Conference Room, Alexander Building, 2020 Capital Circle, S. E., Tallahassee, Florida 32399-1732, (850)487-3580

PURPOSE: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Linda A. Keen, Executive Director, Correctional Medical Authority, 2020 Capital Circle, S. E., Bin #B-04, Tallahassee, Florida 32399-1732 or calling (850)487-3580.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The Florida **Board of Dentistry** will hold the following meeting to which all persons are invited:

Exam Committee

DATES AND TIME: June 4-14, 1999, 8:00 a.m. each day

PLACE: University of Florida, College of Dentistry, 1600 S. W. Archer Road, Gainesville, FL 32610

PURPOSE: To assist in administration of dental and dental hygiene exams.

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 Dentistry, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. 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 Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Linda Barber 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 Optometry**, Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend:

DATE AND TIME: Wednesday, May 19, 1999, 2:00 p.m.

PLACE: Hillsborough County Health Department, 1105 E. Kennedy Boulevard, Room 301 – Annex (Corner of Kennedy and Nebraska), Tampa, Florida 33602 (813)272-6200.

PURPOSE: For cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please

call the Florida Board of Optometry using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulatory Specialist II, Florida Board of Optometry, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The **Department of Health** and the **Board of Physical Therapy Practice** announces a conference call to which all persons are invited.

DATE AND TIME: May 13, 1999, 8:30 a.m. or soon thereafter

PLACE: Number Nonsuncom (850)921-5551, Suncom 291-5551

PURPOSE: Education Committee Meeting

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 2020 Capital Circle, N. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** and the **Board of Psychology** announces a conference call of the board to which all persons are invited:

DATE AND TIME: May 12, 1999, 8:00 a.m., or soon thereafter

PLACE: Numbers Nonsuncom (850) 488-8295, Suncom 278-8295

PURPOSE: For the certification of applicants and any general business as required.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 15, Alcohol, Drug Abuse and Mental Health Program Office has set a public hearing, which is open to the public.

PUBLIC MEETINGS FOR REDESIGNATION

DATE AND TIME: May 10, 1999, 9:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, FL

PURPOSE: Public input and information is requested regarding the redesignation of New Horizons, Savannahs Hospital, Lawnwood Pavilion and Center for Emotional and Behavioral Health as a public/private Baker Act Receiving facilities. Anyone having information regarding there facilities is invited to attend and provide comments.

For further information please contact: Steve Walsh, 337 North 4th Street, Fort Pierce, Florida 34950, (561)595-1315.

The **Department of Children and Family Services**, District 14, Health and Human Services Board announces the following meetings to which all persons are invited.

Executive Committee meeting.

DATE AND TIME: Monday, May 3, 1999, 11:30 a.m.

PLACE: Children and Family Services, Administration Office, Conference Room B, 4720 Old Highway 37, Lakeland, FL

PURPOSE: To develop board agenda.

Alcohol, Drug Abuse, and Mental Health Council meeting.

DATE AND TIME: Monday, May 10, 1999, 2:00 p.m.

PLACE: Children and Family Services Office, Conference Room 101, 270 Bartow Municipal Airport, Bartow, FL

PURPOSE: To discuss mental health and substance abuse issues.

Family Care Council meeting.

DATE AND TIME: Monday, May 17, 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, May 18, 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 **Department of Children and Family Services**, District Ten, Health and Human Services Board will conduct the following meeting during the month of May:

The Department of Children and Family Services in partnership with the Health and Human Services Board announces a public forum to which you are invited to attend:

DATE AND TIME: May 5, 1999, 2:00 p.m. – 5:00 p.m.

PLACE: Department of Children and Family Services, North Service Center, 1801 W. Sample Road, Second Floor Conference Room, Pompano Beach, FL 33069

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public forum relating to the privatization process.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Scott Silverman) at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

The Health and Human Services Board of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

EXECUTIVE COMMITTEE

DATES AND TIME: May 6, 13, 20 & 27, 1999, 8:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Fort Pierce, 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 chair's office hours (to meet with staff, other Board members, etc.):

DATES AND TIME: May 6, 13, 20 & 27, 1999, 9:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Fort Pierce, 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 public meeting to which all persons are invited:

EXECUTIVE ROUNDTABLE/HHSB OKEECHOBEE COUNTY COMMITTEE

DATE AND TIME: May 14, 1999, 1:30 p.m.

PLACE: Mueller Center, 700 S. W. 2nd Avenue, Okeechobee, FL 34973

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 public meeting to which all persons are invited:

INDIAN RIVER COUNTY COMMITTEE

DATE AND TIME: May 18, 1999, 3:00 p.m.

PLACE: Vero Beach Service Center, 1436-C Old Dixie Highway, Vero Beach, 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 public meeting to which all persons are invited:

HEALTH AND HUMAN SERVICES BOARD MEETING

DATE AND TIME: May 26, 1999, 8:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, FL

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 public meeting to which all persons are invited:

SAINT LUCIE COUNTY COMMITTEE

DATE AND TIME: May 26, 1999, 12:00 p.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, FL 34950

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 public meeting to which all persons are invited:

MARTIN COUNTY COMMITTEE

DATE AND TIME: May 26, 1999, 5:30 p.m.

PLACE: Stuart Service Center, 821 Martin Luther King Blvd., Stuart, FL 34994

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174

The **Department of Children and Family Services**, District 12, announces a function at which members of the Health and Human Services Board may be present.

DATE AND TIME: May 7, 1999, 10:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Room 148, Daytona Beach, Florida

PURPOSE: To recognize volunteers

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Developmental Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 1999, 9:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Community Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 1999, 10:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Foster Care & Adoptions/Volunteer Recruitment Action Group announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 1999, 11:30 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 5, Health and Human Services Board announces the following public meetings to which all persons are invited:

The Health and Human Services Board Organization Committee Working Meeting

DATE AND TIME: May 14, 1999, 10:00 a.m.

PLACE: Mary Grizzle State Office Building, 11351 Ulmerton Road, Room 418C, Largo, FL

PURPOSE: Working meeting to plan annual retreat.

The Health and Human Services Board Public Hearing

DATE AND TIME: May 27, 1999, 5:30 p.m. – 7:00 p.m.

PLACE: Mease Countryside Hospital, Group Rooms 4 and 5, 3231 McMullen Booth Road, Safety Harbor, FL

PURPOSE: Public meeting to gain input on teens and substance abuse.

The **Statewide Health and Human Services Board (SHHSB)** will hold a conference call to which all interested parties are invited.

DATE AND TIME: Thursday, May 13, 1999, 12:00 Noon – 1:00 p.m.

PLACE: The conference call number is (850)414-1711 or SunCom 994-1711

PURPOSE: To discuss legislative issues.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this conference call should contact: Diann Lowery, Department of Children and Families, 1317 Winewood Boulevard, Building

1, Room 205, Tallahassee, FL 32399-0700, Telephone (850)488-4306, SunCom 278-4306 or call via The Florida Relay Service, 1(800)955-8771 (TDD).

The **Statewide Human Rights Advocacy Committee** (SHRAC) would like to announce the Strategic Planning Summit.

DATES AND TIMES: May 21, 1999, 4:00 – 10:00 p.m.; May 22, 1999, 7:00 a.m – 12:00 p.m.

If you have any questions, please feel free to call (850)488-6173 or Suncom 278-6173.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF CANCELLATION – The **Florida Housing Finance Corporation** announces that the Workshop of the Board of Directors is hereby canceled.

DATE AND TIME: May 6, 1999, 9:00 a.m.

PLACE: Bay Point Marriott, Panama City Beach, Florida
 Any questions may be directed to: Gail Cooksey, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

NOTICE OF CANCELLATION – The **Florida Housing Finance Corporation** announces that the special attorney-client closed session meeting of the Board of Directors is hereby canceled.

DATE AND TIME: May 7, 1999, 9:00 a.m.

PLACE: Bay Point Marriott, Panama City Beach, Florida
 Any questions may be directed to: Gail Cooksey, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

NOTICE OF CANCELLATION – The **Florida Housing Finance Corporation** announces that the public meeting of the Board of Directors is hereby canceled.

DATE AND TIME: May 7, 1999, 9:00 a.m.

PLACE: Bay Point Marriott, Panama City Beach, Florida
 Any questions may be directed to: Gail Cooksey, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197.

NOTICE IS HEREBY GIVEN that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Tuesday, May 18, 1999, 10:00 a.m.

PLACE: 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

PURPOSE: To conduct a TEFRA hearing concerning the future issuance of bonds by Florida Housing to finance the acquisition of land and new construction, acquisition and rehabilitation, or refinancing of the following rental properties in the aggregate face amounts, not to exceed the amounts listed below for each property:

Seminole Ridge Apartments, 240 units located at 2750 Renegade Drive, Orange County, Orlando, Florida 32828. The owner of the residential property is PAC Land Development Corporation, 730 Bonnie Brae Street, Winter Park, Florida 32789, or such successor in interest in which PAC Land Development is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$9,000,000.

Woodhill II, 254 units located at the southwest intersection of Balboa Drive and Dorscher Road, Orange County, Orlando, Florida 32828. The owner of the residential property is The Wilson Company, 6200 Courtney Campbell Causeway, Suite 600, Tampa, Florida 33607, or such successor in interest in which The Wilson Company is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$10,135,000.

Park Place Apartments, 232 units located at 2675 Howell Branch Road, Seminole County, Casselberry, Florida 32707. The owner of the residential property is CED Construction, 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which CED Construction is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$9,268,400.

Deer Meadow Apartments, 200 units located at Old Kings Road, south of Baymeadows Road, Duval County, Jacksonville, Florida 32257. The owner of the residential property is Courtelis Company, 701 Brickell Avenue, Suite 1400, Miami, Florida 33131-2822, or such successor in interest in which Courtelis Company is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$8,640,000.

Windsor Park II, 260 units located at the southwest corner of Summit Pines Boulevard and Haverhill Road, Palm Beach County, West Palm Beach, Florida 33415. The Wilson Company, 6200 Courtney Campbell Causeway, Suite 600, Tampa, Florida 33607, or such successor in interest in which The Wilson Company is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$11,570,000.

Mystic Pointe II, 265 units located at County Road 535, Winter Garden-Vineland Road, Orange County, Orlando, Florida 32836. The owner of the residential property is Davis and Sons Construction, 5700 S. W. 34th Street, Suite 1307, Gainesville, Florida 32608, or such successor in interest in which Davis and

Sons Construction is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$12,412,800.

Saddlebrook Apartments, 230 units located at the northwest corner of Belvedere Road, and Benoist Farms Road, Palm Beach County, Palm Beach, Florida 33411. The owner of the residential property is Wendover Housing Partners, 615 Crescent Executive Court, Suite 120, Lake Mary, Florida 33411, or such successor in interest in which Wendover Housing Partners is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$11,490,000.

Sabal Chase Apartments, 340 units located at McNeil Road, north of Okeechobee Road, St. Lucie County, Fort Pierce, Florida 34947. The owner of the residential property is Cornerstone Group, 2121 Ponce de Leon Boulevard, PH 2, Coral Gables, Florida 33134, or such successor in interest in which Cornerstone Group is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$13,575,000.

Waterford East Apartments, 360 units located at east of Woodbury Road and south of the East-West Parkway, Orange County, Orlando, Florida 32828. The owner of the residential property is CED Construction, 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which CED Construction is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$14,382,000.

Sloop Harbor Apartments, 264 units located at the west side of Williamson Road, south of Indigo Lakes Baptist Church, Volusia County, Daytona Beach, FL 32114. The owner of the residential property is Vestcor, 3030 Hartley Road, Suite 100, Jacksonville, FL 32257, or such successor in interest in which Vestcor is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$8,200,000.

Raintree, 313 units located at the east side of U.S. 27, Lake County, Clermont, Florida 34711. The owner of the residential property is Davis and Sons Construction, 5700 S. W. 34th Street, Suite 1307, Gainesville, Florida 32608, or such successor in interest in which Davis and Sons Construction is a managing, general partner and/or controlling stockholder. The bond amount is not to exceed \$14,780,000.

All interested parties are invited to submit written comments and/or present oral comments at the public hearing regarding the bond issuance of the properties being financed. Written comments should be received by Florida Housing on or before Friday, May 14, 1999. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Joyce Martinez, Program Manager, Multifamily Bond Program, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

INDIAN TRAIL IMPROVEMENT DISTRICT

The **Indian Trail Improvement District** announces a public meeting of the L-8 Selection Committee.

DATE AND TIME: May 7, 1999, 9:00 a.m.

PLACE: Offices of Shalloway, Foy, Rayman and Newell, 1201 Belvedere Road, West Palm Beach, FL, Phone (561)655-1151

PURPOSE: To interview short-listed firms and to rank firms.

FLORIDA TELECOMMUNICATIONS RELAY

The **Florida Telecommunications Relay**, Inc. announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, May 10, 1999, 1:00 p.m.

PLACE: 1311A Paul Russell Road, Tallahassee, Florida

PURPOSE: Regular meeting of the Board of Directors

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

PINELLAS COUNTY WAGES COALITION

The **Pinellas WAGES Coalition** announces the following meetings on:

DATE AND TIME: Monday, May 10, 1999, 9:00 a.m.

PLACE: 13770 58th Street, North, Suite 312, Clearwater, Florida 33760

PURPOSE: Sub-Committee meeting of the Hardship Review Commission Steering Committee of the Pinellas WAGES Coalition.

ISSUES TO BE DISCUSSED: Hardship Exemption Review Process.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Steering Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision to be made at this meeting if the right to an appeal does not exist as a matter of law. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (813)507-6197.

The **Pinellas WAGES Coalition** announces the following meetings on:

DATE AND TIME: Monday, May 10, 1999, 10:00 a.m.

PLACE: 13770 58th Street North, Suite 312, Clearwater, Florida 33760

PURPOSE: Regular meeting of the Hardship Review Commission Steering Committee of the Pinellas WAGES Coalition.

ISSUES TO BE DISCUSSED: Hardship Exemptions

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling 727-507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Steering Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision to be made at this meeting if the right to an appeal does not exist as a matter of law. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (813)507-6197.

The **Pinellas WAGES Coalition** announces the following meetings of its Hardship Review Commission on:

DATE AND TIME: Tuesday, May 11, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: 4140 49th Street North, Conference Room, St. Petersburg, Florida

DATE AND TIME: Thursday, May 13, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: 1100 Cleveland Street, 5th Floor Conference Room, Clearwater, Florida

PURPOSE: WAGES Hardship Exemption Hearings.

Members of the public are invited to attend. Interested parties may appear and be heard at the hearings. Hearing schedules can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person who decides to appeal* any decision made by the Pinellas WAGES Coalition's Hardship Review Commission with respect to any matter considered at such hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal the decision to be made at this hearing if the right to an appeal does not exist as a matter of law.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, or telephone (727)507-6197.

* Appeal may be made through a Fair Hearing with the Department of Children and Family Services and/or through the Coalition's policy.

VISIT FLORIDA

NOTICE OF CANCELLATION – The **Florida Tourism Industry Marketing Corporation**, d/b/a. VISIT FLORIDA announces a cancellation of the Finance Committee meeting originally scheduled for:

DATE AND TIME: Tuesday, May 11, 1999, 5:00 – 7:00 p.m.

PLACE: Radisson Resort Coral Springs, 11775 Heron Bay Boulevard, Coral Springs, Florida

All other meetings remain scheduled as previously noticed.

For further information contact: Sandy Stevens, CMP, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 364.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings:

MEETING: Nominating Committee Meeting

DATE AND TIME: Tuesday, May 11, 1999, 1:00 p.m., EDT

PLACE: Vocational Rehabilitation Headquarters, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696

MEETING: Outreach Committee Meeting

DATE AND TIME: Tuesday, May 18, 1999, beginning at 7:00 p.m., EDT

PLACE: Miami Airport Marriott, 1201 N. LeJeune Road, Miami, Florida 33126-2656

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, May 19, 1999, 7:00 p.m., EDT

PLACE: Miami Airport Marriott, 1201 N. LeJeune Road, Miami, Florida 33126-2656

MEETING: Full Council Meeting

DATE AND TIME: Thursday, May 20, 1999, 9:00 a.m., EDT.

PLACE: Miami Airport Marriott, 1201 N. LeJeune Road, Miami, Florida 33126-2656

PURPOSE: To conduct the regular business of the council.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696, telephone (850)487-3431.

Any person who needs an accommodation to participate in this meeting because of a disability should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

WORKERS COMPENSATION APPEALS BOARD

The Florida **Workers Compensation Appeals Board** announces a meeting to which all persons are invited.

DATE AND TIME: May 12, 1999, 8:30 a.m. – 1:45 p.m.

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Blvd., Orlando, Florida 32827, Phone (407)825-1234

PURPOSE: To provide a mechanism by which aggrieved parties may obtain a review of the application of the rules of the workers compensation system to their individual workers compensation policies.

CORRECTIONAL PRIVATIZATION COMMISSION

The **Correctional Privatization Commission** announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, May 13, 1999, 10:00 a.m.

PLACE: Department of Management Services located at 4050 Esplanade Way, Room 301, Tallahassee, Florida 32399-0950.

PURPOSE: Discussion of pertinent Commission business relating to the current and upcoming fiscal years. Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

A copy of the Agenda may be obtained by writing: Correctional Privatization Commission, Office of the Executive Director, 4030 Esplanade Way, Suite 315, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, (850)921-4034, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission issued a Declaratory Statement April 20, 1999, in response to the request received from Edward F. Hubert, P.E. Notice of the request, which was assigned the number DCA99-DEC-046, appeared in the February 26, 1999 edition of the Florida Administrative Weekly. The Commission hereby recognizes WIND DESIGN® Version 1 software as a wind design tool which implements the wind design calculation procedure of section 1606.2 of the Standard Building Code, 1977 edition. WIND DESIGN® may be used as a substitute for the manual calculations under that section.

A copy of the declaratory statement may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Susanne Manning. Petitioner requested an amendment of Florida Administrative Code Rule 33-3.0025 that would set a limit on the amount of time that an inmate's property can be withheld from him or her after a transfer. The Department denied the petition, reasoning that there was no indication that a significant problem in this area existed such that adoption of a rule would be warranted.

A copy of the Order, Case No. DC 99-21, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Susanne Manning. Petitioner requested an amendment of Florida Administrative Code Chapter 33-3 that would set forth specific hours that an inmate may engage in legal research for a non-emergency issue. The Department denied the petition, reasoning that because no two institutions have the same facility designs, staffing patterns, and security levels/requirements, it would be both impractical and inappropriate to establish a uniform scheduling policy.

A copy of the Order, Case No. DC 99-19, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson and Raymond Coleman. Petitioners requested an amendment of Florida Administrative Code Chapter 33-22 that would require Department staff who file disciplinary reports against inmates to swear under oath that the alleged facts in the reports are true. The Department denied the petition, reasoning that there was no need for the proposed amendment because the officer investigating a disciplinary report is required by Rule 33-22.0055 to interview the charging staff member in order to verify the correctness of the report as written.

A copy of the Order, Case No: 99-18, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board, has issued an Order with regard to a Request for Administrative Rulemaking filed on November 13, 1998, by Carl T. Hamilton. The Petition was properly noticed and appeared in Vol. 24, No. 51, of the December 18, 1998 issue of the Florida Administrative Weekly.

Petitioner requested the Board to initiate rulemaking to address the issues of alternatives to classrooms, devise interim rules for accepting alternative continuing education and final rules for such alternatives. On January 6, 1999, an informal proceeding was held and the Petitioner's counsel indicated his client would participate by telephone conference call. Petitioner failed to participate in the telephone conference.

The Board discussed the Petitioner's request and determined that there was no justification to change any of its continuing education rules in response to the petition filed by Petitioner; and, therefore, the Board denied Petitioner's request to initiate rulemaking. The Board issued an Order Denying Petition on February 25, 1999.

A copy of the Order can be obtained by writing: Sara Wachman, Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement, in In Re: Petition for Declaratory Statement, Eagle Point Homeowners, Inc., Petitioner; Docket Number DS99093, by and through Howard Graves, President, Eagle Point Homeowners, Inc. The Petitioner requests the Division's interpretation of whether or not chapter 723, F.S. requires the park convert to a cooperative, a condominium or subdivision form of ownership?

A copy of the Petition for Declaratory Statement, Docket Number DS99093, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

Please refer all comments to: Scott K. Edmonds, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Robert J. Aldrich, Unit Owner,

Tahitian Gardens Condominium Association, Inc., Petitioner. The Petitioner requests an interpretation as to whether the board of administration of the association may charge unit owners a parts and labor fee to replace worn out parts of the exterior doors to the units and worn out parts of the window's metal frame.

A copy of the Petition for Declaratory Statement, Docket Number DS1999083, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

B. J. Skinner, Jr.; WRB Enterprises, Inc, a Florida Corporation; Dan S. Blalock; John Robert Sierra, Jr.; John Robert Sierra, Sr.; G. Robert Blanchard; Martha Sue Logan; Sirman D. Marvil; and Martha King, vs. Department of Environmental Protection and Environmental Regulation Commission; Rule No.: 62-302.700; Case No.: 95-3681RP; Dismissed

Florida Cemetery Association, Inc., vs. Department of Banking and Finance, Board of Funeral and Cemetery Services, and Department of Banking and Finance, Division of Finance, Bureau of Funeral and Cemetery Services; Rule Nos.: 3D-30.0051-.0054; Case No.: 96-4697RP; Dismissed

Florida Cemetery Association, Inc., vs. Department of Banking and Finance, Board of Funeral and Cemetery Services, and Department of Banking and Finance, Division of Finance, Bureau of Funeral and Cemetery Services; Rule No: 3D-30.0055; Case No.: 96-5088RP; Dismissed

Florida Language, Speech and Hearing Association, Inc., d/b/a Florida Association of Speech-Language Pathologists and Audiologists, Inc. vs. Department of Education, State Board of Education; Rule Nos.: 6A-4.006(2)(b),(3)(c) and 6A-4.01761; Case No.: 98-2175RP; Dismissed

Florida Language, Speech and Hearing Association, Inc., d/b/a Florida Association of Speech-Language Pathologists and Audiologists, Inc. vs. Department of Education, State Board of Education; Rule Nos.: 6A-4.006(2)(b),(3)(c), 6A-4.01761 and 6A-6.03012 (5)(6); Case No.: 98-2567RP; 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

Legal Announcement

Request for Applications for Available Funding

The Florida Department of Education, Division of Workforce Development, announces the availability of instructions and forms for preparing applications for funding for fiscal year 1999-2000, effective dates July 1, 1999 to September 30, 2000 for:

Adult Education and Family Literacy Programs
Public Law 105-220

Eligible recipients will be provided direct and equitable access to these funds on the basis of competitive applications. All federally funded projects must comply with the Steven's Amendment of the Department of Defense Appropriation Act (Section 8136).

Application due date – June 30, 1999, 5:00 p.m., EST.

Mail applications to: Division of Workforce Development, Grants Management and Development, 325 West Gaines Street, Room 730, Tallahassee, FL 32399-0400

For application instructions and forms: Internet – <http://www.firn.edu/dae/bin00051/>

Hardcopy or formats for the disabled – telephone 1(800)342-9271

The Board of Regents, on behalf of the State University System, will receive sealed Proposals for the following:

ICOP 99-02 LIBRARY MATERIALS – to be opened June 2, 1999, at 3:00 p.m. (EDT); and

ICOP 99-03 BOOKBINDING – to be opened June 2, 1999, at 2:00 p.m. (EDT).

These proposals will be opened in Room 1652, Turlington Building, 325 W. Gaines St., Tallahassee, Florida 32399-1950.

Proposals may be delivered or mailed to the above address prior to the opening date and time. Proposers must reference the proposal number, title, and opening date and time on the outside of the proposal package to insure proper acceptance. Any questions concerning this proposal should be directed to: Patty McEntire, (850)487-8089.

AMERICANS WITH DISABILITIES ACT OF 1991 – If special accommodations are needed in order to attend the proposal opening, please call the above number at least 5 days prior to the proposal opening date.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline Engineering will be required for the project listed below:

Project No. BR-629 FLORIDA ATLANTIC BOULEVARD IMPROVEMENTS

Location: Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431

The project consists of approximately 4,000 linear feet improving Florida Atlantic Boulevard from two (2) lanes to four (4) lanes from Glades Road to Lee Street on the Florida Atlantic University Campus in Boca Raton, FL. The construction budget is \$1,812,763.

The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$250,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated 09/15/97. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 5 copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Linda Cassese, Florida Atlantic University, Facilities Planning Department, (561)297-3141. Submittals must be received in the Facilities Planning Department, Florida Atlantic University, 777 Glades Road, Bldg. T-10, Room 9, Boca Raton, FL 33431, by 3:00 p.m. local time, on May 28, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida International University, on behalf of the FIU Foundation, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project and Location: MULTIFUNCTION SUPPORT COMPLEX, Florida International University, University Park, Miami, Florida 33199.

The project consists of construction of a four-story multi-user facility which would include four specific programs; English Language Institute, Research Support Offices, Information Resource Management and Conference/Classroom/Meeting. The total building area is estimated to be 60,000 GSF. The facility will contain classroom, meeting, and conference spaces, private faculty and staff offices, multiple occupant offices with landscape furnishing, and support spaces. The total project budget is limited to \$10,000,000. Future additional funding may increase the project to approximately \$12,000,000 and an estimated total building area of 75,000 GSF. The selected firm will provide design, construction documents, and administration for the referenced project. Blanket professional liability insurance will be required in the amount of \$1,000,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," form SUSPQS:02/99. 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 six (6) 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: Facilities Management, Room 450, ECS Building, Florida International University, University Park, Miami, Florida 33199, Phone (305)348-4000 or by faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms questions may be directed to Mary V. Witham of Facilities Management.

Submittals must be received in the Office of Facilities Management, Florida International University, University Park, ECS 450, Miami, Florida 33199, by 2:00 p.m. local time, on June 1, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submittals shall be disqualified.

For information regarding meeting dates, times, and locations (Shortlist, Interview, Deliberations, etc.) contact Facilities Management, (305)348-4000, or logon the web at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF REVENUE

REQUEST FOR INFORMATION TAX COMPLIANCE AUDITS

The Florida Department of Revenue (Department) anticipates continuing to expand its audit coverage of Florida taxpayers by contracting with Certified Public Accountants for tax compliance audits. The enabling law for this program is s. 213.28, Florida Statutes.

This Request For Information provides all necessary guidelines for developing a fee proposal and a contract application. Fee proposals are required by the enabling statute.

Relevant facts for firms to evaluate in making the business decision on if to apply include:

1. Performance of the contract will require travel. Travel expenses will be reimbursed within the limits imposed by s. 112.061, F.S. It is recommended that firms review s. 112.061, F.S. prior to applying. It is anticipated that audit assignments for \$100,000 contracts will include both in state and out of state audits. Travel for \$25,000 contracts will normally be limited to in state. To the extent allowed by the available assignment inventory, audits will be assigned within contractor's immediate geographical area, except for out of state assignments. This allows the State of Florida to minimize travel expenses. Audits will be assigned after individual contracts are signed.
2. Subcontracting the work will not be an option.
3. Each contract for the fiscal year ending June 30, 2000 will be either for \$25,000 or \$100,000. The Department anticipates there will be approximately 15 \$25,000 and 15 \$100,000 contracts, contingent on funding. Applicants must elect one amount or the other by stating an election on page one of the filed application. Applicants must select one contract size, and their decision is irrevocable for fiscal year ending June 30, 2000.
4. There will be an imposed audit hours budget for each assigned audit. This budget will be determined solely at the judgement of the Department. It will be based on the Department's history in performing similar audits.
5. Professional fees will be based on a single blended hourly rate multiplied by the actual professional staff hours incurred, up to the hours budgeted for each individual audit. The single

blended hourly rate for a subject firm will be based on that firm's submitted fee proposal. Please do not submit fees for individual team members or a range of fees.

6. Florida tax law, Department audit procedures and audit software training will be required for firms receiving a contract. It is anticipated the courses will consist of a combination of a self-study course and approximately 6 days of instructor-led courses. The self-study course focuses on Florida Sales and Use Tax Law. All assigned staff and the engagement partner will be required to take the self-study course and pass the examination.

It is further anticipated that the instructor-led training courses will be offered at several central locations in Florida. Approximately 6 days of instructor-led training will be required. All team members must attend 2 of those days. Only 1 team representative must attend the remaining 4 days. The last 4 days provide training on the Department's audit software. The required audit software is now in a Windows environment and it is anticipated that all firms, including ones who had previous contracts, will be required to send one representative to the new software training course.

All costs related to training will be borne by the contract firm. Failure to complete the training courses and pass the examination on a timely basis is grounds for the Department to void the subject contract.

7. If awarded a contract, the firm must be willing to certify that they will not perform accounting, auditing, management consulting, system design or tax services for any taxpayer or person that is a subsidiary, parent, sister, or other affiliate of the taxpayer on which a tax compliance audit or special audit project has been conducted pursuant to a contract with the Department, for a period of thirty-six consecutive calendar months from the date the Department's assessment of tax due, denial of refund, issuance of a refund, or a "no change" becomes final.

8. The contract will require that audit site supervision be provided by a senior-level employee who is a permanent member of the contract firm's staff. Senior-level is defined as having at least three years of full-time public accounting experience. Public accounting experience is defined as performing tax, audit, management consulting, or accounting work. Clerical and office administration work does not qualify. The contract firm is responsible for the professional quality of all contract work performed.

9. It is anticipated the majority of the audit work for the contracted audits must be performed during the period of November 1, 1999 to June 15, 2000.

10. It is anticipated that the assignments will be Sales & Use Tax compliance audits.

If you have an interest in contracting with the Department for tax compliance audits, please mail an application by the deadline established in this R.F.I. with the information requested below. The ranking process will be based exclusively

on information submitted in the applicant's response, except for applicants who previously had s. 213.28, F.S. contracts. For those firms, Performance Evaluations and Efficiency Calculations will be considered. Information received via telephone will not be considered in the ranking process. Due to the interest in the program and a limited staff which restricts the ability to timely respond to telephone and written inquiries, THE DEPARTMENT REQUESTS THAT INQUIRIES BE KEPT TO A MINIMUM.

There is no required application form to be completed. Applicants may provide information on the requested topics in any concise written format. Applications are limited to 10 pages or less. Attachments required by this R.F.I. do not count toward the 10 pages. Eight complete copies of the information and supporting documents must be furnished. This is an express requirement. The Department reserves the right to confirm the information submitted.

Applicants must furnish information on the following topics:

1. ELECTION. The firm's contract size election, either \$25,000 or \$100,000;

2. TEAM INFORMATION. The information provided must include the name and social security numbers of the engagement partner and the professional staff members who would work on the audits. Work is defined as performing hands-on audit work, providing on-site supervision and performing the review of the work papers.

(a) The names and Florida license numbers of each team member. Also, the Florida license number of the practice unit, if applicable.

(b) Firm's telephone number, fax number, mailing, location, and e-mail addresses and federal identification number or social security number.

(c) The results of any Board of Accountancy disciplinary actions within the last three calendar years.

(d) Any complaints against the applicant filed either with Consumer Affairs, Department of Agriculture, or a Better Business Bureau, within the last three calendar years.

(e) The geographical location of the applicant's main office (headquarters) and any branch offices.

RANKING CRITERIA INFORMATION

Please clearly identify in your application the firm member(s) who would work on the awarded contract. An awarded contract will require the participation of the named individuals. A firm receiving a contract will be allowed reasonable equivalent substitutions in justifiable, unavoidable circumstances.

Where applicable, please present the requested ranking criteria information both for the individual team members and in cumulative total for the team. For example, for the Advanced Degrees in Taxation Criteria, John Smith-1 Advanced Degree in Taxation, Ron West-0 and Sally Jones-1, with a cumulative team total of 2 Advanced Degrees in Taxation.

A summary of information, by team member, in table format is requested.

CRITERIA

(a) Experience in Florida tax law. Defined as working directly with Florida tax law, rules and interpretative decisions. Please categorize experience as either “audit” – performing tax compliance audits for the Department; or “preparation” – preparing Florida tax returns or representing clients in protests. Please include years and months of experience for each team member. For firms with previous contracts, firm members included on the current application who worked on the previous contract receive 1 year audit experience for each contract. This criteria will be weighted 15 percent in the weighted ranking equation;

(b) Knowledge of Florida tax law for Florida Sales and Use Tax. Defined as academic knowledge of the application, concepts and issues concerning Florida Sales and Use Tax. It is the combined knowledge (i.e., courses attended and successfully passed) of the firm members named in the application. The methods by which the applicant may have gained this knowledge are:

(a) Attended and successfully passed a course of the Florida Institute of Certified Public Accountants which is approved by the Department and which is designed specifically to teach audit applications for the Florida revenue law.

(b) Successfully completed a Department course in the Florida revenue laws (the Department’s contract audit program one-day “update” or “review” courses meet this criteria). Weighted 5 percent;

(c) Experience in Federal tax law. Same definitions as 3(a), except for Federal experience. Weighted 5 percent;

(d) If applicable, the most recent on-site quality review report or peer review report, Letter of Comments, if any, and Letter of Response, if any. If inapplicable to your firm, there is no subtraction of points. Do not provide off-site quality review reports. Weighted 5 percent;

(e) Any graduate or doctoral degrees in taxation possessed by the named team members. Advanced business, accounting, or law degrees with a stated major in taxation qualify. Weighted 5 percent;

(f) Whether or not the applicant has formally applied for and been granted a Certified Minority Business Enterprise certification with the State of Florida pursuant to s. 287.0943, F.S. at the date of the filed application. The Department of Revenue is not involved in the minority business certification process. Please see s. 287.0943, F.S., for information. Weighted 5 percent;

(g) Any other relevant experience or skills, including computer capabilities. Weighted 5 percent;

(h) A fee proposal based on a single, blended hourly rate. All available information relevant to developing the fee proposal is in this Request for Information. To ensure fairness in the application process, no additional information can be provided in response to inquiries. This item will be weighted 25 percent.

The remaining 30% of the weighted equation, adding to 100 percent, addresses the performance of firms who have had s. 213.28, F.S. contracts in the past.

Only applications filed within 30 calendar days of the date of publication of this Request for Information in the Florida Administrative Weekly will be included in the applicants ranking process for Fiscal Year 1999/00. Responses postmarked up to the 30th day will be accepted. Facsimile information will not be accepted. Incomplete applications will not be ranked.

If the number of applicants requires it, the Department reserves the right to use statistical sampling to select the applications to be ranked. It is anticipated the ranking process will be completed 90 days from the application deadline.

Once the ranking process is complete, the contract process will begin. Applicants will be contacted in ranked order and will be given an opportunity to enter into a contract. Applicants not receiving an opportunity will be informed by letter by October 1, 1999. Please do not telephone prior to that date.

Applications are to be mailed to: Ron Webster, C.P.A., Contract Manager, Department of Revenue, Contract Audit, Compliance Support Process, Southwood Complex, 3rd Floor, P. O. Box 5139, Tallahassee, Fl. 32314-5139. It is suggested that the proposals be mailed certified mail.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation, District 7 is soliciting Letters of Interest for the Design-Build project identified below.

This is a re-advertisement. Firms that have already submitted a Letter of Interest do not need to resubmit unless there is a change. The requirement in the original advertisement for specific FDOT experience has been removed.

PROJECT NAME: I-275 Dynamic Message Sign System, Pinellas County, Florida

FINANCIAL PROJECT ID: 403266 1 52 01

FEDERAL AID PROJECT NUMBER: FL37 001 R

ESTIMATED DESIGN AND CONSTRUCTION COSTS: \$1,500,000.00

PROJECT DESCRIPTION: The project consists of design and construction of equipment for the I-275 Dynamic Message Sign System (DMSS), Dynamic Message sign structures and foundations, Closed Circuit TV (CCTV) cameras, CCTV camera mounting, communications design and control center design (primary and secondary).

DESIGN/BUILD: The work shall also include, but not be limited to, the equipment procurement, installation, system integration, acceptance testing, training, and documentation for a fully operational traffic management system in the City of St. Petersburg, Florida.

PREQUALIFICATION REQUIREMENTS: The contractor team members must be prequalified under Rule Chapter 14-22, Florida Administrative Code, by the Contracts Administration Office, on or before the due date for Letters of Interest in the following type of work:

Computerized Traffic Control Systems

Service Provider team members involved in construction services must have two years of experience in the following specific categories of work and should be indicated in the Letter of Interest:

Changeable Message Sign Installation

Closed Circuit Television Equipment Installation

T-1 Digital Communication System Installation

Team members involved in professional services, as identified under Section 287.055, Florida Statutes, must be prequalified under Rule Chapter 14-75, Florida Administrative Code, on or before the due date for Letters of Interest, in the following types of work:

6.3.1 Traffic Systems Analysis and Design

6.3.3 Traffic Engineering Systems Communications

6.3.4 Traffic Engineering Systems Software Development

BONDING: A 5% bid bond will be required from any firm submitting a proposal. A 100% performance bond will be required from the firm awarded the project.

RESPONSE PROCEDURE: Any prequalified firm interested in being considered for the project should submit four copies of a letter of interest, not to exceed five pages in length, including the following information:

1. Project name/Financial Project ID
2. Firm's name, address, phone number and contact person
3. Names of companies proposed as team members and key personnel with titles and/or classifications (do not include resumes)
4. Statement regarding prequalification of contractor and consultant firms in advertised types of work
5. Other information relative to the team's qualifications for this project

SELECTION PROCEDURE: The Department shall determine the relative ability of each firm to perform the services required for this project based on prequalification information, past performance with the Department, and the Letter of Interest. Criteria to be considered include staff training and experience, past performance and current, and projected work load. At least three firms shall be short listed from the responses to this solicitation. The short listed firms will be provided a scope of services and requested to provide a technical proposal and bid for the project. The award of the project will be based on an adjusted score using a combination of both the price and technical proposal. A value of time factor may also be considered.

LETTER OF INTEREST RESPONSE DUE DATE: 5:00 p.m., May 7, 1999

POSTING DATE: The names of firms short listed for the project will be posted on or before 2:30 p.m. on May 14, 1999 at the address below.

RESPOND TO: John D. Ellis, District Contracts Administrator, MS #7-830, 11201 N. McKinley Dr., Tampa, FL 33612, (813)975-6036

QUESTIONS REGARDING PROJECT: Call Jamal S. Nagamia, P.E., Project Manager, Phone (813)975-6164

REGIONAL PLANNING COUNCILS

LEGAL NOTICE

REQUEST FOR PROPOSALS FOR MANAGEMENT COMPANY TO PERFORM SERVICES UNDER CONTRACT TO THE COMMUNITY TRANSPORTATION COORDINATOR FOR THE COLLIER COUNTY TRANSPORTATION DISADVANTAGED PROGRAM

The Collier County Metropolitan Planning Organization will accept proposals from qualified agencies or firms to provide management services under contract to the designated community transportation coordinator for the transportation disadvantaged program in Collier County, Florida. Proposals will be received until the deadline of 3:00 p.m. on Friday, May 28, 1999 at the Purchasing Department, General Services Building, Collier County Government Complex, Naples, Florida 34112.

The selected contractor will perform management services under contract to Collier County, in its role as the designated Community Transportation Coordinator for the Transportation Disadvantaged, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. In this RFP, the designated Community Transportation Coordinator seeks a management company to carry out the coordination of transportation services for the transportation disadvantaged population within Collier County.

PRE-PROPOSAL MEETING: In order to review requirements of this Request for Proposals and provide answers to questions from interested agencies/firms, a non-mandatory pre-proposal meeting will be held on May 10, 1999, 2:00 p.m. in the Purchasing Department's Conference Room, General Services Building, 3301 E. Tamiami Trail, Naples, Florida 34112. Firms and agencies represented will have an opportunity to clarify any information contained in the request for proposals. Questions can be submitted in writing prior to the pre-proposal meeting. No statements made during the conference will be considered binding changes to this solicitation unless they are subsequently issued as a written addendum to this proposal package.

Copies of the document may be obtained by appearing in person or contacting: Collier County Metropolitan Planning Organization, c/o Collier County Purchasing Department, General Services Building, 3301 East Tamiami Trail, Naples,

Florida 34112, Telephone (941)774-8425, Fax (941)793-3795. There may be a cost to obtain a copy of the complete document.

BOARD OF COUNTY COMMISSIONERS, COLLIER COUNTY, FLORIDA

Stephen Y. Carnell, Purchasing, General Services Director

GAME AND FRESH WATER FISH COMMISSION

INVITATION TO BID

Competitive sealed invitation to bid will be received by the Purchasing Office until the time and date shown for the following:

DATE: May 28, 1999, 11:00 a.m.

BID NO.: GFC 98-93

BID TITLE: REPAIR & IMPROVEMENTS LAKE JACKSON WATER CONTROL STRUCTURE OSCEOLA COUNTY FLORIDA

MANDATORY PRE-BID CONFERENCE: May 12, 1999, 10:00 a.m.

Directions: From St. Cloud, Florida - travel south on Canoe Creek Road (State Road 523) approximately twenty-seven (27) miles. Turn right (west) into Prairie Lakes Management Unit of Three Lakes Management Area onto Road 16. Travel approximately four (4) miles to Road 18 and turn right. At the end of Road 18 you will find the Lake Jackson Structure and the meeting site for the Pre-Bid Conference.

From Kenansville – go north on Canoe Creek Road approximately seven (7) miles and turn left (west) into Prairie Lakes Management Unit of Three Lake Management Area onto Road 16. Travel approximately four (4) miles to Road 18 and turn right. At the end of Road 18 you will find the Lake Jackson Structure and the meeting site for the Pre-Bid Conference.

PROPOSAL: Proposals must be submitted in full accordance with requirements of the Bidding and Contractual Conditions. Bid specifications may be obtained from the Florida Game and Fresh Water Fish Commission, 620 South Meridian Street, Purchasing Room 364, Bryant Building, Tallahassee, Florida 32399-1600.

A copy of the ITB maybe obtained from the above address or by calling (904)488-3427. The Commission reserves the right to reject any and all bid/proposals.

(CMBE Only)

INVITATION TO BID

Competitive sealed invitation to bid will be received by the Purchasing Office until the time and date shown for the following:

DATE AND TIME: June 9, 1999, 2:00 p.m. EDT

BID NO.: GFC 98-82

BID TITLE: HATCHBEND BOAT RAMP

LOCATION: The Site is located South of Branford on the Suwannee River in Lafayette County. From intersection of US 27 and SR 349 just west of Branford, travel south on SR 349 for 5.0 miles. Turn left on SR 138 and follow signs to ramp. Ramp is 3/4 mile north of junction of Suwannee and Santa Fe Rivers.

WORK: Work of this proposed Contract comprises the major renovation of the existing boat ramp at this location. Replacement of ramp and construction of a 17'x45' handicapped parking area.

PRE-BID CONFERENCE: A non-mandatory pre-bid conference will be held Wednesday, May 26, 1999, 11:00 a.m. EDT, at the Boat ramp.

BID DOCUMENTS: May be examined and obtained from: Fishing and Boating Access Office, Room 302 n, Florida Game and Fresh Water Fish Commission, 620 S. Meridian St., Tallahassee Florida 32399-1600, Telephone (850)488-5460, upon payment of \$20, non-refundable, for one set.

BIDS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions. Sealed bids will be received, publicly opened and read aloud on June 9, 1999, 2:00 p.m., Purchasing Office, 620 S Meridian St., Tallahassee FL

REQUIRED BONDS: a 5% Security Deposit/Bid Guarantee is required with Bid submission. After award of Contract, a 100% Performance Bond and a 100% labor and Material Payment Bond will be required.

INVITATION TO BID

Competitive sealed invitation to bid will be received by the Purchasing Office until the time and date shown for the following:

DATE AND TIME: May 21, 1999, 11:00 a.m.

BID NO.: GFC 98-97

BID TITLE: FLORIDA BLACK BEAR ANALYSIS HABITAT MGT. PRACTICES

The selected vendor will be required to perform two literature reviews, synthesize the information, and draft two documents. The first literature review will be a comprehensive search of the literature on black bear habitat needs and use. The second review will be of all literature pertinent to vegetational changes associated with timber harvest regimes, burning regimes, and other common land management practices for habitats important to bears in Florida. The synthesis will combine information from the literature reviews to describe cause and expected effect of land management practices on bears and bear habitat values in Florida. The first document will be a technical report merging the two literature reviews and synthesis into a coherent and comprehensive catalogue of habitat needs of black bears in Florida and expected impacts of common vegetation management practices and land cover conversions on bear habitat. The second document will be a

manuscript describing bear habitat management guidelines that the Commission could publish for use by land managers and land-use planners in Florida.

PROPOSAL: Proposals must be submitted in full accordance with requirements of the Bidding and Contractual Conditions. Bid specifications may be obtained from: Florida Game and Fresh Water Fish Commission, 620 South Meridian Street, Purchasing Room 364, Bryant Building, Tallahassee, Florida 32399-1600.

A copy of the ITB maybe obtained from the above address or by calling (850)488-3427. The Commission reserves the right to reject any and all bid/proposals.

SPACEPORT FLORIDA AUTHORITY

Spaceport Florida Authority is seeking the services of a Certified Public Accounting Firm to prepare the Authority’s year-end financial statements and compliance reports. These statements and reports will be for the fiscal year 10-1-98 through 9-30-99. Firms interested in bidding should contact Philip R. Thompson, (407)730-5301, Ext. 1142, for a bid package. Bids will be accepted until 5-30-99.

AGENCY FOR HEALTH CARE ADMINISTRATION

INVITATION TO BID

MEDICAID FINANCIAL INSTITUTION SERVICES

The State of Florida, Agency for Health Care Administration, is soliciting bids for Medicaid financial institution services from July 1, 1999 through June 30, 2004. This ITB is issued to solicit bids to provide banking, accounting and Medicaid provider payment services. This ITB replaces the previously issued RFP M901 which all bids were rejected. The financial institution selected must have deposits greater than \$300 million and must maintain a full time home or branch office located in Leon County, Florida. This is a public funds account and the financial institution must conform and comply with the provisions of Chapter 280, Florida Statutes. It is the intent of the state that this ITB permit fair, impartial and free competition among all proposers. The financial institution will perform all banking responsibilities defined in the ITB throughout the duration of the contract. Copies of the ITB are expected to be available on or about April 26, 1999.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR USE OR

ACQUISITION OF THE ADAM PAINE ACADEMY

PROJECT NUMBER: MSFM 97049000

PROJECT NAME: ADAM PAINE ACADEMY

PROJECT LOCATION: SUN CITY, FLORIDA

HILLSBOROUGH COUNTY

The State of Florida, Department of Management Services (DMS), Building Construction invites proposals from State, local and federal agencies and private entities for the acquisition of this facility and its related assets. Information may be obtained from Harold V. Branch, Project Director, State of Florida, Department of Management Services, Building Construction, 4050 Esplanade Way, Tallahassee, FL 32399-0950, (850)487-9923. Additional information may be found at <http://fcn.state.fl.us/dms/dbc/ap.html>. DMS will receive proposals from public agencies and private entities to acquire all or a portion of the facility. These proposals will be reviewed and evaluated by DMS for recommendation. Interested parties should prepare a written proposal describing the proposed use and acquisition of the property.

A. Proposals for the acquisition of the facility shall include:

1. Description of how the facility will be used.
2. The portion of the facility or assets being sought.
3. The purchase price or other consideration to be paid and conditions of purchase.
4. Proposed steps to be taken to complete, stabilize or demolish the existing structures on site.

B. Proposals for the use of the facility shall include:

1. Proposed use of the property.
2. Description of program and services to be provided.
3. Experience, capability and role of proposing party.
4. Private entities proposing to operate the facility for a public purpose using public funds must develop a partnership with a public agency to serve as custodian of the property and/or fiscal agent for public funds to be used for the proposed use. This partnership must be described and endorsed by the public agency involved.
5. Private entities proposing to use the site/facility for a private purpose should describe the anticipated economic benefit to the Ruskin/Sun City community area.

Submit ten (10) copies of each proposal, to be received no later than 5:00 p.m., June 1, 1999, to: Harold V. Branch, Project Director, State of Florida, Department of Management Services, Building Construction, 4050 Esplanade Way, Tallahassee, FL 32399-0950.

All inquiries concerning details of the facility, including site visits, should be directed to: Tom Berley, Manager, South Florida Projects Development, State of Florida, Department of Management Services, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610, (813)744-6284.

DEPARTMENT OF HEALTH

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR
ARCHITECTURE-ENGINEERING**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services are required for the project listed below. Applications being sent via the U. S. Mail or via overnight express service shall be sent to: Mr. Jack Durré, Senior Architect, Florida Department of Health, Office of Design and Construction, 2020 Capital Circle, S. E., BIN #B06, Alexander Building, Tallahassee, Florida 32399-1734, Phone (850)410-1424, Facsimile (850)410-1474.

PROJECT NUMBER: DOH 98177600

PROJECT NAME: Escambia County Health Department – Pensacola Northside Clinic – Project consists of new facility and includes site work and construction of clinic and office space.

SERVICES TO BE PROVIDED: Architectural-Engineering
ESTIMATED CONSTRUCTION BUDGET: \$1,660,000.00. Design funding is in place. Construction funds availability is subject to future appropriation.

SAMAS NO: 64-30-1-000314-64200000-00-084093-99

RESPONSE DUE DATE: Friday, May 14, 1999, 5:00 p.m. Local Time

INSTRUCTIONS: Submit three (3) bound copies of the following information: *

1. Table of Content
2. Letter of interest.
3. A copy of the current Professional Qualifications Supplement (PQS):
Form DBC5112 / Revised 10/97. Section 5a to include DOH and DMS fees.
List only related projects designed, under construction, and/or completed within the past five (5) years.
4. A copy of the firm’s current Florida Professional License registration.
5. A copy of the firm’s current Corporate Certification (Corporations only).
6. Completed current Standard Form 254 for the Architect and the major consultants.
7. Completed current Standard Form 255 for the Architect.

In Article eight (8), Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

8. A copy of the applicant’s currently dated State of Florida Minority Re-certification or Certification Letter for those applicants desiring “selection credit” as State Certified Minority Business Enterprises, either as a Prime Consultant or a Sub-consultant.

9. A stamped self-addressed if the applicant would like a Notice of Selection result.

* All applicants are urged to limit their submittals to fifty (50) pages, excluding front & back covers and all section dividers. This is not a mandatory requirement.

All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. Any proposals that do not comply with the above instructions as set forth and/or do not include the required qualification data will be considered improper and disqualify the applicant. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

INVITATION TO BID

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS AND/OR BUILDING CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: 96209300

SAMAS CODE: 64-30-1-00314-64200000-00-084009-97

PROJECT NAME AND LOCATION: Leon County Health Department, New Southside Clinic, Tallahassee, FL

FOR: State of Florida, Department of Health

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850) 488-6233 for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 “Bidders Qualification Requirements and Procedures”.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.

- 2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
- 3. May not submit bids on leases of real property to a public entity.
- 4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
- 5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: This project consists of a new one-story health clinic building located on the west side of the street across from the existing health clinic, which is located at 801 Southwest Smith Street, Madison, Florida 32340. The building construction consists of brick and concrete block foundation walls, exterior wood stud walls with brick veneer, and interior metal stud partitions. The mechanical system is in the attic space. There is a gabled wood roof truss system with shingle finish, aluminum windows, aluminum entrance storefront design, site parking and holding pond development, and handicapped ramp entrance. The building size is approximately 15,500 gross square feet, which shall comply with the construction drawings and specifications as prepared by the Architect/Engineer firm for the Madison County Health Department. The project includes the construction of the building and all related site work. The building is a one-story building, Type V construction, unprotected and unsprinklered. The general contractor and/or building contractor shall be licensed in the State of Florida, and bonded for bid, performance, and labor and material payment bonds.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required. If the construction contract award amount is more than \$100,000.00, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: In accordance with Florida Statutes, Chapter 287.042(4)(f) 1., the Department of Health is encouraged to spend, as a "goal," twenty-one (21) percent of the monies actually expended for construction contractors with certified minority business enterprises. In the department's effort to see that this is accomplished, the Department of Health encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida

Minority Business Advocacy & Assistance Office, 2012 Capital Circle SE, Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, Telephone (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, May 25, 1999, 2:00 p.m. local time

PLACE: Leon County Health Department, 1515 Old Bainbridge Road, Conference Room, Tallahassee, Florida 32304-3800, Leon CHD Telephone (850)487-3146, Leon CHD Facsimile (850)487-7954

PRE-BID MEETING: A pre-bid meeting will be held Tuesday, May 13, 1999, 1:00 p.m., local time. The place will be the Leon County Health Department, 1515 Old Bainbridge Road, Conference Room, Tallahassee, Florida 32304-3800

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following:

ARCHITECT-ENGINEER: Johnson/Peterson, Inc., 313 North Monroe Street, Tallahassee, Florida 32301, Telephone (850)224-9700, Facsimile (850)224-9797

DEPOSITS: The cost per set of bid documents is \$200.00. The General Contractor can receive two (2) sets refundable. The Mechanical, Plumbing, and Electrical sub-contractors can receive one (1) set refundable. All other sub-contractors, vendors, manufacturers, etc. must purchase all documents requested.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 P. M., local time, on Wednesday, May 26, 1999, at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**NOTICE TO PROFESSIONAL CONSULTANTS
RE-ADVERTISEMENT
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR
ARCHITECTURE – ENGINEERING**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that they are re-advertising for professional services for the project listed below. Applications are to be sent to Mr. David Lee Nelson, R.A., Senior Architect, Florida Department of Health, Office of Design and Construction, Alexander Bldg., 2020 Capital Circle, S. E., Bin #B06, Tallahassee, Florida 32399-1734, Phone (850)921-8910.

PROJECT NUMBER: DOH 96209200
 PROJECT NAME: Palm Beach County Health Department.
 SERVICES TO BE PROVIDED: Architectural-Engineering
 ESTIMATED CONSTRUCTION BUDGET: \$7,000,000.00
 SAMAS NO: 30-1-000314-64200000-00-084009-97
 RESPONSE DUE DATE: Thursday, May 20, 1999, 5:00 p.m.
 INSTRUCTIONS: Submit three (3) copies of the following*:
 1. Letter of interest.
 2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)413-8415.
 3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
 4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
 5. Completed Standard Form 254.
 6. Completed Standard Form 255.

* In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.

8. A stamped self-addressed envelope if you desire notice of selection results.

*Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

Consultants that previously applied in October 1998, need only submit 3 copies of an updated letter of interest, and their current work load calculations. In addition, please indicate if there are any changes in your project team personnel.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID NUMBER ESS-99-05-18
 FOR
 UNARMED GUARD SERVICES

The State of Florida, Department of Children and Family Services, District 7, is soliciting bids for Unarmed Guard Services in Orange County for offices located at 2140 W. Washington Street, and 5730 Lake Underhill Drive in Orlando. Copies of the bid package are available from Shirley Edge, 400 W. Robinson Street, Suite S1009, Orlando, Florida 32801. The Economic Self Sufficiency Program Office must receive all completed bid packages by May 18, 1999, 2:00 p.m. (EST). The Department reserves the right to reject any and all bids, or accept minor irregularities in the best intent of the State. Certified Minority Business Enterprises are encouraged to participate.

Request for Proposals

The Federal Emergency Shelter Grants Program
 for the Homeless State of Florida

The Florida Department of Children and Family Services is requesting proposals for Federal Emergency Shelter Grants for the Homeless. A total of \$2,151,750 is available statewide. The maximum amount of funds that any one grantee can receive will be \$250,000. The grants are for one year. General units of local government and non-profit agencies are eligible to apply. Federal grant funds can be used for: (1) structural improvements to existing shelters or conversion of buildings for use as shelters; (2) shelter operation, including rent, leases, utilities, fuel, insurance, food, maintenance, minor repairs, furnishings, equipment, appliances, supplies, security, and staff to help operate shelters and supervise shelter residents; and (3) essential support services, including clothing, personal care items, counseling, health care, alcohol, drug abuse and mental health treatment, assistance in locating housing, assistance in obtaining employment, assistance in securing government benefits, information and referral, case management, transportation, child care, vocational education and training, legal aid, life skills training, and staff to carry out these functions. Case management to arrange for the delivery of these services is mandatory. Expenditures for essential support services are limited to 30 percent of total grant awards. Expenditures for staff to help operate shelters and supervise shelter residents are limited to 10 percent of the grant award. Recipients of emergency shelter grants are required to match federal funds with an equal amount of funds from other sources. In-kind match is permissible. Federal funds may not be expended for the purchase or construction of a shelter, or for structural improvements to church owned property. Primarily religious organizations may receive federal funds for shelter operating expenses and essential support services, but only if

the program is free from religious influence. Grant funds may not be expended for administrative purposes or indirect costs. Grant recipients must be able to comply with all federal environmental protection requirements.

Departmental priorities for awarding Federal Emergency Shelter Grants are as follows: (1) The applicant has not previously received a Federal Emergency Shelter Grant from the Department of Children and Families; (2) The applicant presents compelling justification for a Federal Emergency Shelter Grant; (3) The applicant adds a significant number of new emergency shelter beds for the homeless; (4) The applicant generates maximum direct service benefits to the homeless within shelter grant funds requested; (5) The applicant requests funds for non-recurring expenditures such as structural improvements to homeless shelters, furnishings, equipment and supplies; (6) The applicant demonstrates a reasonable capability for continued operation of the homeless shelter beyond the termination of the federal grant; and (7) The applicant is a certified minority enterprise.

Copies of the Request for Proposal may be obtained from the Department of Children and Families on or after Friday, April 30, 1999. Written notices of intent to submit proposals should be received by the department by Wednesday, May 26, 1999. A prospective offerors conference will be held on Wednesday, May 26, 1999, 10:00 a.m., Building 3, Room 414, Department of Children and Family Services, Winewood Office Complex, 1317 Winewood Boulevard, (off of Blairstone Road), Tallahassee, Florida. All proposals for Federal Emergency Shelter Grants must be received by the department no later than Friday, June 25, 1999, 5:00 p.m. (EST). Proposals received after that time will not be considered. Notification of grant awards will be issued on Friday, July 30, 1999.

Certified minority business enterprises are encouraged to participate in any conferences, presolicitation or prebid meetings which are scheduled. The department reserves the right to reject any and all bids or accept minor irregularities in the best interest of the state.

All requests for proposals, inquiries, notices of intent to respond to the Request for Proposals, and submission of proposals for emergency shelter grants are to be directed in writing to the following: Ms. Marieli Castro, Economic Self-Sufficiency Services Program, Special Programs, Department of Children and Family Services, 1317 Winewood Boulevard, Building 3, Room 412, Tallahassee, Florida 32399-0700, (850)488-5503.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center (HLMCC) Board of Directors announces that Professional Services in the discipline of General Contractor will be required for the project listed below.

Project and Location:

Research Center Expansion, 2nd Floor Build-Out, NCI Grant No. 1 C06 CA81699-01 for the H. Lee Moffitt Cancer Center & Research Institute at the University of South Florida, Tampa, Florida.

Project Description and Background:

The H. Lee Moffitt Cancer Center and Research Institute (HLMCC), a not-for-profit institution, is a research-oriented specialty cancer center with full service outpatient and inpatient facilities. In March of 1999 the Cancer Center will complete a four story, 48,000+ sq. ft. research laboratory addition with the second floor left open as approximately 10,800 sq. ft. of shell space. This project encompasses build-out of the shell to match the research laboratories, research support spaces, and faculty offices on the 3rd and 4th floor of the expansion.

Location:

The facility will be on the HLMCC sublease, which is located on the northwestern section of the University of South Florida Tampa Campus. The build-out is to occur in the Moffitt Research Center at 13131 Magnolia Drive, directly across the street from the Moffitt Cancer Center.

Architect:

The architecture firm of Morris/Switzer and Associates is responsible for the design of the building with Earl Walls and Associates serving as laboratory consultants.

The Estimated Cost of Project:

The HLMCC Board of Directors has estimated approximately a \$1.8 million project cost which includes, but is not limited to, design consultants, construction cost, permits and fees, Group 1&2 equipment, and furnishings.

Completion Date:

The targeted substantial completion date is October 15, 1999.

Bid Period:

Sealed bids will be received by the Owner at the Research Center Auditorium, 13131 Magnolia Drive, 2nd Floor, Tampa, Florida 33612 until 3:00 p.m. local time on June 1, 1999 at which time they will be opened.

Bids received after this time will not be accepted.

Bids will be opened publicly and read aloud after time specified for bids due. The Owner reserves the right to wave informalities and reject any or all bids.

Interested firms are urged to attend a pre-bid meeting at the Research Center Auditorium on May 19, 1999, 2:30 p.m. The NCI Cancer Construction Program – Program Guidelines and other reference material will be made available to attendees of the pre-bid meeting. Please call to confirm your attendance at (813)972-8437.

Bid Documents:

Bidding documents may be examined at the office the H. Lee Moffitt Cancer Center and Research Institute, Facilities Department, 12902 Magnolia Drive, Room G135, Tampa, Florida 33612.

Bidding documents may be obtained from the local representative for the Architect. The firm is: Heery International, Inc., 1 Metro Center, Suite 375, 4010 Boy Scout Road, Tampa, Fl 33607

A deposit of one hundred dollars (\$100.00) is required for each set. Checks shall be made out to the H. Lee Moffitt Cancer Center. This deposit will be refunded upon return of the full set of bidding documents in good condition within thirty days after receipt of bids. Only full sets will be issued.

Bidding documents may be examined at the following plan rooms:

1. F.W. Dodge, Tampa
2. Construction Market Data, Tampa
3. Dodge Scan (available through F. W. Dodge)
4. Tampa Builders Exchange

Qualification Requirements:

In addition to the sealed bid, firms shall submit a letter of interest on company stationary highlighting their qualifications and the following material listed below:

- All material shall be submitted on 8 -1/2 x 11 pages in portrait orientation, two copies are to be submitted.
- Firm must provide proof of current Florida License from the appropriate agency. All bidders must be properly registered at the time of application to practice as a Class A Certified General Contractor in the State of Florida. If the applicant is a corporation, it must be authorized by the Florida Department of State to operate in Florida. Firms must have an office and active presence in the Tampa Bay area.
- Firm must be actively engaged in construction of health care facilities and/or research laboratories of similar scope or complexity over the past five (5) years. A list of three such projects, including project name, location, construction cost, and Owner's contact shall be submitted.
- Identify any litigation, arbitration, and/or other method of dispute resolution to which the firm has been a party within the past five (5) years.
- The successful firm will be required to provide a payment bond and a performance bond, each in the full amount of the contract price. Additionally, they will be required to carry a project umbrella liability insurance policy in the amount of the \$3,000,000 with coverage extending two years beyond substantial completion.

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 consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sales Tax Savings and NCI Program:

The General Contractor will be required to assist the owner in direct purchase of construction materials and equipment to take advantage of the owner's tax-exempt status. Additionally, the General Contractor will assist the Owner with the forms, documentation and submittals required by the NCI for construction payment applications, work verifications and close-out. The NCI Cancer Construction Program – Program Guidelines and other reference material will be made available at the pre-bid meeting.

MBE Participation:

At least fifteen percent (15%) of the project construction contract amount will be expended with certified minority businesses. Agencies providing MBE certification shall be a Florida-based municipality or government entity. If 15% is not attainable, evidence of a Good Faith Effort by the Bidder must accompany the bid for consideration by the Owner.

Subcontractors and MBE List:

A list of subcontractors and MBE participants must accompany the bid.

Bid Security:

Each bid shall be accompanied by bid security payable to Owner in an amount equal to at least 5% of the highest total amount including Add Alternates. The bid security may be in the form of a certified check, a cashiers check or a bid bond executed by corporations authorized to contract as surety in the state of Florida. The bid bond shall be executed by the bidder on AIA Bond Document A310, February 1970 Edition. The bid security shall be in a separate envelope with the sealed bid and shall be forfeited to Owner as liquidated damages in the event the bidder fails to enter into a contract and furnish a bond within ten (10) days after his notice or award. Bidders that do not comply with the above instructions may be disqualified, at the sole discretion of HLMCC. Material will not be returned. Submittals will become the property of H. Lee Moffitt Cancer Center and Research Institute.

Request For Information:

Requests by firms for individual meetings will not be granted. It shall be noted that no verbal communication shall take place between applicants and HLMCC staff during the bid period, except for the confirmation of attendance at the pre-construction meeting and during the meeting. Written requests for any project information must be to the address below:

Morris/Switzer & Associates, Attention: William Repichwskyj, AIA, 185 Talcott Road, Suite 100, Williston, Vermont 05495, Fax (802)878-9350, E-Mail: bill@msanda.com

Responses to inquires will also be posted on the Owner's WEB page at moffitt.usf.edu under the category Moffitt Requests for Proposals. No questions will be accepted after 5:00 p.m. on May 24, 1999.

DESOTO COUNTY SCHOOL BOARD

INVITATION TO BID
THE
HEARTLAND FOOD PURCHASING CONSORTIUM
COORDINATED BY THE
SCHOOL DISTRICT OF DESOTO COUNTY
530 LASOLONA AVE.
ARCADIA, FL 34266

Competitive sealed bids will be received by the Purchasing Office until the time and date shown for the following.

DATE AND TIME: May 17, 1999, 2:00 p.m.

BID NUMBER: SBDC-9899-5

BID TITLE: "FROZEN DESERTS"

Bid blanks, conditions and specifications may be obtained from: School District of DeSoto County, Purchasing Office, 530 LaSolona Ave., Arcadia, Florida 34266, Telephone (941)494-4222, Ext. 122. We reserve the right to reject any or all bids. No facsimile or telegraphic submissions will be accepted.

INVITATION TO BID

THE
HEARTLAND FOOD PURCHASING CONSORTIUM
COORDINATED BY THE
SCHOOL DISTRICT OF DESOTO COUNTY
530 LASOLONA AVE.
ARCADIA, FL 34266

Competitive sealed bids will be received by the Purchasing Office until the time and date shown for the following.

DATE AND TIME: May 18, 1999-2:00 p.m.

BID NUMBER: SBDC-9899-6

BID TITLE: "BAKERY PRODUCTS"

Bid blanks, conditions and specifications may be obtained from: School District of DeSoto County, Purchasing Office, 530 LaSolona Ave., Arcadia, Florida 34266, Telephone (941)494-4222, Ext. 122. We reserve the right to reject any or all bids. No facsimile or telegraphic submissions will be accepted.

BROWARD COUNTY SCHOOL BOARD

INVITATION TO BID

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-100X

BID TITLE: Produce

DUE DATE AND TIME: May 26, 1999, on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

CONTRACT TERM: August 15, 1999 – August 14, 2002

ESTIMATED DOLLAR VALUE OF THE BID: \$1,250,000.00

CONTACT PERSON: George Toman, Buyer

TELEPHONE NUMBER: (954)765-6209

FAX NUMBER: (954)767-8417

E-MAIL: gtoman @browardschools.com

WEBSITE: <http://www.browardschools.com>

Department – Purchasing

INVITATION TO BID

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-102X

BID TITLE: Fresh Delivered Pizza For Cafeterias

DUE DATE AND TIME: May 27, 1999, on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

CONTRACT TERM: August 15, 1999 through August 14, 2001

ESTIMATED DOLLAR VALUE OF THE BID: \$1,500,000.00

PURCHASING AGENT/BUYER: George Toman, Buyer

TELEPHONE NUMBER: (954)765-6209

FAX NUMBER: (954)767-8417

E-MAIL: gtoman @browardschools.com

WEBSITE: <http://www.browardschools.com>

Department – Purchasing

INVITATION TO BID

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-103X

BID TITLE: Fresh Submarine Sandwiches For Cafeteria

DUE DATE AND TIME: May 27, 1999, on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

CONTRACT TERM: August 15, 1999 through August 14, 2001

ESTIMATED DOLLAR VALUE OF THE BID: \$550,000.00

PURCHASING AGENT/BUYER: George Toman, Buyer

TELEPHONE NUMBER: (954)765-6209

FAX NUMBER: (954)767-8417

E-MAIL: gtoman @browardschools.com

WEBSITE: <http://www.browardschools.com>
Department – Purchasing

**Section XII
Miscellaneous**

INVITATION TO BID

The School Board of Broward County, Florida
Competitive sealed bids will be received by the Purchasing
Department until the date and time shown for the following:

BID NUMBER: 20-104X

BID TITLE: Frozen Desserts (Low Fat Ice Cream, Ice Cream,
Etc.)

DUE DATE AND TIME: May 26, 1999, on or before 2:00
p.m.

LOCATION OF BID OPENING: Purchasing Department,
7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida
33351-6704

CONTRACT TERM: August 15, 1999 through August 14,
2000

ESTIMATED DOLLAR VALUE OF THE BID: \$1,000,000.00

PURCHASING AGENT/BUYER: George Toman, Buyer

TELEPHONE NUMBER: (954)765-6209

FAX NUMBER: (954)767-8417

E-MAIL: gtoman@browardschools.com

WEBSITE: <http://www.browardschools.com>
Department – Purchasing

INVITATION TO BID

The School Board of Broward County, Florida
Competitive sealed bids will be received by the Purchasing
Department until the date and time shown for the following:

BID NUMBER: 20-107X

BID TITLE: Beverages For Cafeterias

DUE DATE AND TIME: May 26, 1999, on or before 2:00
p.m.

LOCATION OF BID OPENING: Purchasing Department,
7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida
33351-6704

CONTRACT TERM: August 15, 1999 through August 14,
2000

ESTIMATED DOLLAR VALUE OF THE BID: \$110,000.00

PURCHASING AGENT/BUYER: George Toman, Buyer

TELEPHONE NUMBER: (954)765-6209

E-MAIL: gtoman@browardschools.com

WEBSITE: <http://www.browardschools.com>
Department – Purchasing

DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs, Bureau of Advocacy and
Grants Management announces that the review team
orientations, site visits, oral presentations and deliberation
meetings for the 1999/2000 Victims of Crime Act (VOCA)
Grant process will be held throughout each judicial circuit in
the State of Florida, between May 6 and June 11, 1999. The
site visits, presentations, and deliberation meetings are public
meetings, and as such, all persons are invited to attend. For
information on specific dates, times and locations you may call
(850)414-3325.

DEPARTMENT OF BANKING AND FINANCE

**NOTICE OF FILINGS OF APPLICATIONS
FOR LICENSES AND MERGERS**

Notice is hereby given that the Department of Banking and
Finance, Division of Banking, has received the following
applications. Comments may be submitted to the Director,
Division of Banking, 101 East Gaines Street, Suite 636,
Fletcher Building, Tallahassee, Florida 32399-0350, for
inclusion in the official record without requesting a hearing;
however, any person may request a public hearing by filing a
petition with the Clerk, Legal Division, Department of
Banking and Finance, 101 East Gaines Street, Suite 526,
Fletcher Building, Tallahassee, Florida 32399-0350, pursuant
to provisions specified in Chapter 3C-105.100, Florida
Administrative Code. Petition must be received by the Clerk
within twenty-one (21) days of publication of this notice (by
5:00 p.m., May 21, 1999):

APPLICATION TO MERGE

Constituent Institutions: C & L Bank of Bristol, Bristol,
Florida and C & L Bank of Blountstown, Blountstown, Florida
Resulting Institution: C & L Bank of Bristol

With Title: C & L Bank

Received: April 19, 1999

**APPLICATION AND PLAN FOR THE PURCHASE OF
ASSETS AND ASSUMPTION OF LIABILITIES
PURSUANT TO SECTION 655.414, F.S.**

Acquiring Entity: Republic Security Bank, West Palm Beach,
Florida

Selling Entity: First National Bank of Central Florida,
Longwood, Florida

Received: April 19, 1999

DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 99-1345

In Re: The Receivership of FIDELITY NATIONAL INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH FIDELITY NATIONAL INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 15th day of March, 1999, the Department of Insurance of the State of Florida was appointed as Receiver of FIDELITY NATIONAL INSURANCE COMPANY, and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of FIDELITY NATIONAL INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., March 14, 2000, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for FIDELITY NATIONAL INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

DEPARTMENT OF COMMUNITY AFFAIRS

FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
ECONOMIC DEVELOPMENT CATEGORY
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 PM on 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, at 850-922-1892, for more information.

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-1099-014

DATE RECEIVED: 4/16/99

DEVELOPMENT NAME: Pointe West

DEVELOPER/AGENT: Charles R. Mechling

DEVELOPMENT TYPE: 28-24.023, 28-24.020, 28-24.031, F.A.C.

COUNTY LOCATION: Indian River

LOCAL GOVERNMENT: Indian River County

The Department of Community Affairs announces the availability of Federal Fiscal Year 1999 Drug Control and System Improvement Grant Program (Edward Byrne Memorial State and Local Assistance Program) funds. Program specifics are included in the following program announcement:

Introduction

The State of Florida, Department of Community Affairs (DCA), has available from the United States Department of Justice \$14,670,332 in local share Drug Control and System Improvement Formula Block Grant funds. Local governments applying for these federal funds must use them to implement local drug control and system improvement projects designed to reduce the production, transfer and use of controlled substances, reduce the incidence of drug-related violent crime, and make improvements to the criminal justice system.

Applicants must supply no less than 25 percent of a project's cost in cash from non-federal funds; however, Indian Tribes are exempt from this matching requirement. These matching funds must be funds that would not have been available for drug control and system improvement efforts in the absence of federal funds; that is, they must represent an additional local effort in addressing the drug abuse problem.

Rule Chapter 9B-61, Florida Administrative Code (F.A.C.), governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subgrant funds.

Program Strategy and Purposes

This program uses a balanced strategy of prevention, education, rehabilitation, treatment, law enforcement and criminal justice subgrant funded projects in its effort to reduce human suffering associated with drug abuse and drug-related violent crime. Projects must comply with federally authorized program areas identified in state rule and may provide personnel, equipment, training, technical assistance and information systems (See Chapter 9B-61.007, F.A.C.).

Program Development

Federal and state funds cannot meet all local drug control and system improvement needs. Therefore, this program requires maximum coordination among all units of government. For these reasons, the DCA allocates by rule a sum of money to each county for the use of all local governments within the county. The department requests a county board of commissioners to coordinate all local governments within the county to:

- Define local drug problems and drug-related violence, and describe current efforts to control them (including prevention, education, rehabilitation, treatment, law enforcement, and criminal justice activities);
- Identify additional resources needed to address drug control and system improvement issues;
- Develop subgrant funded projects to provide additional resources;
- Identify local government agencies and service providers

to implement projects; and,

- Ensure that local governments within a county agree on projects receiving subgrant funds.

To accomplish these tasks, the department encourages each county to appoint a substance abuse policy advisory board. Board members represent all components of the criminal justice system (law enforcement officers, prosecutors, public defenders, judges, and corrections officials), the education system, and the treatment system [See Rule 9B-61.008(2)(a), F.A.C.]. Each county is also encouraged to designate an office of substance abuse policy to:

- Develop a countywide drug control and drug-related violent crime strategy (including short-range and long-range plans);
- Coordinate local government agencies in implementing the strategy;
- Prepare and submit subgrant project applications agreed upon by at least 51 percent of local units of government representing at least 51 percent of the county population; and,
- Administer subgrant funds and monitor project activities.

The department strongly discourages local subgrant funding of projects of less than \$25,000. Local governments should not submit subgrant applications for amounts less than this figure. The costs of any small project may outweigh anticipated long-term benefits that would be derived from it, especially if local project funding is in doubt in future years. Economies of scale also play an important role in whether a project can achieve its targeted objectives. In addition, if the project is a new one and not an enhancement of an existing program, the initial start-up costs may substantially limit a project's program effectiveness. Finally, all projects, regardless of the amount of subgrant funding, must meet federal and state financial and program compliance requirements which represent a significant fixed administrative cost of "doing business" under the federal Act.

Special Subgrant Award Conditions

Your application is not complete unless you comply with the following special conditions. An incomplete application cannot be considered for subgrant funding.

Eight (8) special conditions apply when submitting an application to the DCA for approval and subgrant funding:

- Any state agency, county or city submitting an application must enclose a completed Application Review Checklist.
- Units of local government within a county must enclose signed Letters of Approval accompanied with an application. These letters must represent agreement among at least 51 percent of all units of local government representing at least 51 percent of the county population as to the allocation of dollars to each project.
- If equipment or services costing \$100,000 or more will be purchased from a sole source, a Sole Source Justification Form must be submitted with the application.

- If automated data processing (ADP) hardware or software will be purchased, an ADP Equipment Form must be submitted with the application.
- Each unit of government (subgrant recipient) and each criminal justice agency that is the implementing agency of the subgrant, whether or not it is required to have a written Equal Employment Opportunity (EEO) Program according to provisions of the Federal Omnibus Crime Control and Safe Streets Act of 1968 as amended, must enclose signed EEO Program Certification Letters with a subgrant application (See EEO Program criteria in Subgrant Application Instructions under Special Requirements, sample letters, and 28 Code of Federal Regulations (CFR) Part 42, Subparts C, D, E, F, G and H.
- Any state agency, county or city receiving \$500,000 or more in federal program funds must provide a copy of their EEO Program Plan, and/or the most recent update, with their application, for submittal to the U.S. Department of Justice, Bureau of Justice Assistance, for approval.
- If a project will receive subgrant funds for the principal purpose of operating a criminal intelligence system, contact the department at the address below. Such a system must be in compliance with the Federal Omnibus Crime Control and Safe Streets Act of 1968 as amended and provisions of 28 CFR Part 23 – Criminal Intelligence Systems Operating Policies before subgrant funds will be awarded.
- A Drug Court Project funded by the Byrne Formula Grant Program must contain the 10 key elements outlined in the U.S. Department of Justice, Office of Justice Programs, Drug Courts Program Office, program guidelines “Defining Drug Courts: The Key Components”, January 1997. This document can be accessed on the Office of Justice Programs World Wide Web Homepage: <http://www.ojp.usdoj.job>.

Applications

Once the Certificate of Participation is returned to the Bureau of Community Assistance, a hard copy of the application package will be mailed to the County Coordinator. Additionally, if (1) you work in a Windows environment and have Corel WordPerfect 8.0 for Windows; and (2) submit a diskette with the Certificate of Participation, we will copy the application and required forms to the diskette and mail it with the hard copy to the County Coordinator.

A total of two (2) copies of each application for funding (both with original signatures) must be received by the department no later than 5:00 p.m., Tuesday, June 15, 1999. A separate application must be submitted for each proposed project. Applications should be mailed or hand delivered to the following:

Mr. Clayton H. Wilder, Community Program Administrator, Bureau of Community Assistance, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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, General Motors Corporation, intends to allow the establishment of Schumacher Pontiac, Inc. d/b/a Schumacher Pontiac, as a dealership for the sale of Pontiac vehicles, at 3031 Okeechobee Boulevard, West Palm Beach, (Palm Beach County), Florida 33409. This is a result of a buy/sell agreement pursuant to Section 320.643, Florida Statutes between Stewart Pontiac Company. The dealership will engage business on or after March 26, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Schumacher Pontiac, Inc. d/b/a Schumacher Pontiac is Mr. Charles Schumacher, 3031 Okeechobee Boulevard, West Palm Beach, Florida 33409.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Cathy-Bryan-Rotta, SE Regional Proposal Processing Manager, General Motors Corporation, 100 Renaissance Center, P. O. Box 100, Detroit, MI 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
NOTICE OF WITHDRAWALS**

County: Orange Service District: 7
CON #: 9173 Decision Date: 4/14/99 Decision: W
Facility/Project: Sand Lake Hospital
Applicant: Orlando Reg. Health Care Syst., Inc.
Project Description: Add up to 32 acute care medical/surgical beds through the conversion of up to 32 psychiatric beds

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900E0099.

**CERTIFICATE OF NEED
DECISION ON EXPEDITED APPLICATION**

The Agency for Health Care Administration made the following decision on Certificate of need application for expedited review:

County: Brevard Service District: 7
CON #: 9065 Decision Date: 4/9/99 Decision: A
Facility/Project: National HealthCare - Merritt Island
Applicant: National HealthCorp, L.P.

Project Description: Add 60 community nursing home beds to the existing 120 bed community nursing home
Approved Cost: \$4,432,763

County: Hernando/Citrus Service District: 3
CON #: 9146 Decision Date: 4/12/99 Decision: A
Facility/Project: Visiting Nurse Association of Florida
Applicant: Visiting Nurse Association of Florida, Inc.
Project Description: Establish a Medicare certified home health agency

Approved Cost: \$116,427
County: Pasco Service District: 5
CON #: 9147 Decision Date: 4/1/99 Decision: A
Facility/Project: Beverly Health and Rehabilitation Center of Pasco County

Applicant: Petersen Health Care, Inc.
Project Description: Transfer 57 beds (CON #8496) to be combined with 56 CON approved beds (CON #8813) to construct a new freestanding 113 bed community nursing home
Approved Cost: \$3,920,298

County: Hillsborough Service District: 6
CON #: 9148 Decision Date: 4/13/99 Decision: D
Facility/Project: Plaza West
Applicant: Freedom Village of Sun City Center
Project Description: Addition of 71 sheltered skilled nursing home beds

Approved Cost:

County: Broward Service District: 10
CON #: 9149 Decision Date: 4/8/99 Decision: A

Facility/Project: Florida Medical Center

Applicant: Florida Hospital, Ltd.

Project Description: The division of CON #8550 into two components. The applicant will retain 10 beds, the other four beds will be available for transfer to North Ridge Medical Center

Approved Cost: \$89,336

County: Broward Service District: 10
CON #: 9150 Decision Date: 4/8/99 Decision: A

Facility/Project: North Ridge Medical Center

Applicant: AMISUB (North Ridge Hospital), Inc.

Project Description: To transfer four HBSNU beds from Florida Hospital, Ltd. d/b/a Florida Medical Center to AMISUB (North Ridge Hospital), Inc. d/b/a North Ridge Medical Center

Approved Cost: \$89,336

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900E0099.

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Escambia Service District: 1
CON #: 9154 Application Receipt Date: 2/22/99

Facility/Project: Haven of Our Lady of Peace

Applicant: Sacred Heart Hospital of Pensacola

Project Description: Replace the Haven of Our Lady of Peace within a one mile radius of the existing site.

County: St. Lucie Service District: 9
CON #: 9155 Application Receipt Date: 3/16/99

Facility/Project: St. Lucie Medical Center

Applicant: HCA Health Services of Florida

Project Description: Cost overrun on CON #8767

County: Palm Beach Service District: 9
CON #: 9188 Application Receipt Date: 3/22/99

Facility/Project: Palm Garden of West Palm Beach Applicant: Florida Convalescent Centers, Inc.

Project Description: Transfer six community nursing home beds to Palm Garden of West Palm Beach to Heritage Park of West Delray, Ltd. (CON #8850)

County: Palm Beach Service District: 9

CON #: 9189 Application Receipt Date: 3/23/99
 Facility/Project: Liberty Inn
 Applicant: Heritage Park of West Delray, Ltd.
 Project Description: Division of CON #8850 into 11 beds to Heritage Park, Ltd. and six beds to Florida Convalescent Center

County: Dade Service District: 11
 CON #: 9190 Application Receipt Date: 4/8/99
 Facility/Project: Victoria Nursing & Rehabilitation Center
 Applicant: Victoria Nursing and Rehabilitation Center, Inc.
 Project Description: Transfer 25 beds under CON 8162 from FL Convalescent Associates to Victoria N&R Ctr.

County: Lee Service District: 8
 CON #: 9191 Application Receipt Date: 4/9/99
 Facility/Project: HealthPark Care Center
 Applicant: HealthPark Care Center, Inc.
 Project Description: Cost overrun for CON # 8529, for the addition of 22 SNF beds at HealthPark

County: Pinellas Service District: 5
 CON #: 9192 Application Receipt Date: 4/15/99
 Facility/Project: Oak Bluffs Nursing Center
 Applicant: BEF, Inc.

Project Description: Replacement facility for 56 of Oak Bluff's 60 beds, less than one mile away & combine with 56 beds at Oak Cove creating 112 beds
 AHCA Purchase Order Number S5900E0099.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
 NICEVILLE, FLORIDA
 EFFLUENT PUMP STATION REHABILITATION

The Florida Department of Environmental Protection has determined that proposed Rehabilitation of Effluent Pump Station for Niceville, Valparaiso, Okaloosa County Regional Wastewater Facility Project will not have a significant adverse impact on the environment. The total project cost is estimated at \$660,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

**NOTICE OF FLORIDA CATEGORICAL
EXCLUSION NOTIFICATION**

The Florida Department of Environmental Protection has determined that the proposed construction for the improvements of the City of Naples existing water system (DWFP1102 – City of Naples Water Facilities Plan) will not adversely affect the environment. The total cost of the proposed facilities is estimated at \$5,355,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Jun Tabanguil, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

DEPARTMENT OF HEALTH

On April 15, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Timothy D. Eastburn, license number PA 0003438. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8), and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF CHILDREN AND FAMILY
SERVICES**

NOTICE OF CORRECTION – The following is a correction to the publication in Vol. 25, No. 14, April 9, 1999, Florida Administrative Weekly.

Pursuant to section 397.427, Florida Statutes, and administrative rules adopted thereunder, the Department of Children and Family Services has conducted a survey to determine the need for new medication (methadone) treatment service providers. The survey results are provided by the Department of Children and Family Services as follows:

Districts 7 and 11

The need for one additional outpatient methadone maintenance program has been established in each of these districts. Prospective applicants for a license to operate an outpatient methadone maintenance program in Districts 7 and 11 may direct requests for an application to the following:

District 7 – Department of Children and Family Services, Alcohol, Drug Abuse, and Mental Health Program Office, 400 West Robinson Street, Hurston Bldg., South Tower, Suite S-430, Orlando, Florida 32801, Attention: Glen Casel, District 11 – Department of Children and Family Services, Adult Care Division, 401 N. W. 2nd Avenue, Room 812, North Tower, Miami, Florida 33128, Attention: David Raymond

The deadline for submitting applications is May 14, 1999.

Districts 1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, and 15

The need for additional medication (methadone) maintenance services has not been established in these districts.

Copies of the assessment report may be obtained from: Department of Children and Family Services, Substance Abuse Program Office, 1317 Winewood Boulevard, Building 3, Room 105-I, Tallahassee, Florida 32399-0700.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 13, 1999
and April 19, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
State Board of Education

6A-1.04512	4/13/99	5/3/99	25/7	
6A-1.09412	4/13/99	5/3/99	25/7	
6A-1.09441	4/13/99	5/3/99	25/7	

PUBLIC SERVICE COMMISSION

25-17.015	4/14/99	5/4/99	25/7	
25-22.001	4/13/99	5/3/99	25/9	
25-22.002	4/13/99	5/3/99	25/9	
25-22.003	4/13/99	5/3/99	25/9	
25-22.004	4/13/99	5/3/99	25/9	
25-22.005	4/13/99	5/3/99	25/9	
25-22.008	4/13/99	5/3/99	25/9	
25-22.012	4/13/99	5/3/99	25/9	
25-22.013	4/13/99	5/3/99	25/9	
25-22.014	4/13/99	5/3/99	25/9	
25-22.015	4/13/99	5/3/99	25/9	
25-22.016	4/13/99	5/3/99	25/9	
25-22.017	4/13/99	5/3/99	25/9	
25-22.018	4/13/99	5/3/99	25/9	
25-22.020	4/13/99	5/3/99	25/9	
25-22.021	4/13/99	5/3/99	25/9	
25-22.022	4/13/99	5/3/99	25/9	
25-22.025	4/13/99	5/3/99	25/9	
25-22.026	4/13/99	5/3/99	25/9	
25-22.028	4/13/99	5/3/99	25/9	
25-22.029	4/13/99	5/3/99	25/9	
25-22.034	4/13/99	5/3/99	25/9	
25-22.035	4/13/99	5/3/99	25/9	
25-22.0355	4/13/99	5/3/99	25/9	
25-22.036	4/13/99	5/3/99	25/9	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
25-22.037	4/13/99	5/3/99	25/9	
25-22.0375	4/13/99	5/3/99	25/9	
25-22.038	4/13/99	5/3/99	25/9	
25-22.0405	4/13/99	5/3/99	25/9	
25-22.0406	4/13/99	5/3/99	25/9	
25-22.0407	4/13/99	5/3/99	25/9	
25-22.041	4/13/99	5/3/99	25/9	
25-22.042	4/13/99	5/3/99	25/9	
25-22.045	4/13/99	5/3/99	25/9	
25-22.046	4/13/99	5/3/99	25/9	
25-22.048	4/13/99	5/3/99	25/9	
25-22.049	4/13/99	5/3/99	25/9	
25-22.056	4/13/99	5/3/99	25/9	
25-22.059	4/13/99	5/3/99	25/9	

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY
Division of Employment Security

38B-2.022	4/13/99	5/3/99	25/9	
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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-4.200	4/19/99	5/9/99	25/5	
59G-5.110	4/19/99	5/9/99	25/7	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

61G2-3.003	4/13/99	5/3/99	25/8	
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Electrical Contractors' Licensing Board

61G6-9.006	4/16/99	5/6/99	25/10	
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Board of Landscape Architecture

61G10-12.002	4/13/99	5/3/99	24/24	24/53
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DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-10.0055	4/13/99	5/3/99	24/37	25/8
64B23-1.001	4/13/99	5/3/99	25/5	