

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Claims
RULE NO.: 2A-2.002

PURPOSE AND EFFECT: The Bureau of Victim Compensation has conducted a review of its forms and proposes amendments to the rule to incorporate revised forms into the rule.

SUBJECT AREA TO BE ADDRESSED: Revision of Victim Compensation claim forms.

SPECIFIC AUTHORITY: 960.045(1) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.13(1)(b) 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 26, 1999

PLACE: Room G43, The Collins Building, 107 W. Gaines Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jacquelyn Dupree, Chief, Bureau of Victim Compensation, Division of Victim Services and Criminal Justice Programs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2A-2.002 Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled "Victim Compensation Assistance," BVC-P001 (March 1999), effective (10/96), effective 10-1-96, which is incorporated into these rules by reference. In addition, the following documents are incorporated into this rule by reference:

(1) BVC 100, entitled "Victim Compensation Claim Form," (6/97)(rev. 2/99), effective 9-24-97.

(2) BVC 101, entitled "Confidentiality Request," (4/96), effective 6-25-96.

(2)(3) BVC 102, entitled "Filing Time Explanation" (1/99), effective "Good Cause Statement, Late Filing," (10/96), effective 10-1-96.

(3)(4) BVC 103, entitled "Reporting Time Explanation" (2/99), effective "Good Cause Statement, Late Report," (10/96), effective 10-1-96.

(4)(5) BVC 104, entitled "Non-Cooperation Explanation" (1/99), effective "Good Cause Statement, Noncooperation," (10/96), effective 10-1-96.

(5)(6) BVC 211, entitled "Notice of Rights - Hearing Request," (3/99), effective (2/96), effective 6-25-96.

(6)(7) BVC 405, entitled "Employment Report," (1/99), effective (1/96), effective 6-25-96.

(7)(8) BVC 409, entitled "Treatment Statement," (2/99), effective (1/96), effective 6-25-96.

(8) BVC 410, entitled "Disability Statement," (1/99), effective .

(9) BVC 600, entitled "Property Loss Claim Form," (7/97), (rev. 2/99) effective 9-24-97.

Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.13(1)(b) FS. History-New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: Standard Measures of Value: Real Property
RULE NO.: 12D-51.003

Appraisal Guidelines

PURPOSE AND EFFECT: The purpose of the creation of proposed Rule 12D-51.003, F.A.C., is to adopt, by reference, the Standard Measures of Value: General Real Property Appraisal Guidelines to be developed and which will be part of the Manual of Instructions published under section 195.062, F.S. That statute provides that consistent with section 195.032, F.S., the standard measures of value shall be adopted in general conformity with the procedures set forth in section 120.54, F.S., but shall not have the force or effect of such rules and shall be used only to assist tax officers in the assessment of property as provided by section 195.002, F.S.

SUBJECT AREA TO BE ADDRESSED: Standard Measures of Value: General Real Property Appraisal Guidelines.

SPECIFIC AUTHORITY: 195.027(1), 195.032, 213.06(1) FS.

LAW IMPLEMENTED: 195.032, 195.062, 213.05 FS.

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

TIME AND DATE: 9:30 a.m., May 26, 1999

PLACE: Carlton Building, Room B-12, 501 S. Calhoun St., Tallahassee, Florida

TIME AND DATE: 9:30 a.m., May 27, 1999

PLACE: 5420 Diplomat Circle, Orlando, Florida

Copies of the agenda for the rule development workshop may be obtained from Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office should call (850)488-8026(voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-51.003 Standard Measures of Value: General Real Property Appraisal Guidelines.

Pursuant to section 195.062, F.S., these guidelines are adopted in general conformity with the procedures set forth in section 120.54, F.S., but shall not have the force and effect of rules. These guidelines are to be used only to assist property appraisers in the assessment of real property, other than classified use real property, as provided by section 195.002, F.S. These guidelines supersede any previous real property appraisal guidelines, other than classified use real property guidelines, and are entitled:

Standard Measures of Value:

General Real Property Appraisal Guidelines Rev. XX/99

Copies of these guidelines may be obtained from the Department of Revenue, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000.

Specific Authority 195.027(1), 195.032, 213.06(1) FS. Law Implemented 195.032, 195.062, 213.05 FS. History—New

STATE BOARD OF ADMINISTRATION

RULE TITLE: Reimbursement Contract

RULE NO.: 19-8.010

PURPOSE AND EFFECT: To discuss amendments to the reimbursement contract rule to conform the contract to the legislative amendments enacted by the Legislature during the 1999 session for the Florida Hurricane Catastrophe Fund.

SUBJECT AREA TO BE ADDRESSED: The reimbursement contract for the 1999-2000 contract year for the Florida Hurricane Catastrophe Fund.

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555 FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m. to noon Monday, May 24, 1999

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON MAY 12, 1999.

Copies of the proposed amended rule and the agenda for the workshop may be obtained from: Anne Bert, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1349. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Bert at least 5 calendar days before the workshop.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Force

RULE NO.: 33-3.0066

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow for the provision of chemical agents to designated security staff for use in self-defense or to prevent injury to others.

SUBJECT AREA TO BE ADDRESSED: Use of chemical agents.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 FS.

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

TIME AND DATE: 9:00 a.m., May 27, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-3.0066 Use of Force.

(1) through (12) No change.

(13) Use of Chemical Agents.

(a) through (b) No change.

(c) In controlled situations when time constraints are not an issue, cChemical agents shall be used only by order of the Superintendent or a high ranking employee specifically designated by the superintendent. For purposes of this paragraph, "high ranking" means shift supervisor or higher.

Additionally, in accordance with (k) below, certified correctional staff will be designated by the superintendent to carry chemical agents and will be pre-authorized to administer chemical agents in instances where chemical agents must be used for intervention in self-defense, i.e., when the officer believes that he or she is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers or inmates.

(d) through (j) No change.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until their use is authorized. Shift supervisors, correctional officer sergeants, and other assigned internal security officers shall be issued one dispenser of MK-4 Defense Technologies 10% non-flammable OC pepper spray or equivalent, with marking dye, which shall be securely encased and attached to the officer's belt.

(l) In any case where chemical agents are used, an accurate record shall be maintained as to what type of agent was used, how much was used, method of administration, persons authorized to draw chemical agent when issued from a secure location, person administering and administer the chemical agent, location administered, and reason for use. This information shall be included in section I of the use of force report. Individual chemical agent dispensers carried by staff will be weighed by staff as designated by the superintendent at the beginning and end of each shift. These inspections will be documented on Form DC3-019, Chemical Agent Dispenser Accountability Log, and any discrepancies shall be immediately reported. Form DC3-019 is hereby incorporated by reference. Copies of this form are available from the Office of Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida 32399-1500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is _____.

(m) Procedure for the use of chemical agents on disruptive inmates under controlled conditions:

1. If an inmate becomes disorderly, disruptive, unruly, and attempts by officers at counseling and ordering the cessation of disruptive behavior fails, the shift supervisor or higher shall be contacted for further instructions.

2. If the shift supervisor's efforts to control the disorderly inmate have failed and the use of chemical agents is the least level of force that can be expected to successfully gain control of the disruptive inmate while minimizing the risk of injuries to all involved, the shift supervisor shall:

a. Ensure that medical staff are contacted when time and circumstances permit, to determine if the inmate has a medical condition that would prevent the use of chemical agents; and

b. Contact the superintendent, if in the institution, or his designee, if superintendent is not available, and request authorization to utilize chemical agents.

3. Prior to using chemical agents, the inmate again shall be ordered by staff to cease his actions.

a. If these efforts fail, the shift supervisor shall order the disorderly inmate to cease his actions and inform him that chemical agents will be administered if he continues his disruptive behavior.

b. Any uninvolved inmates in the cell or immediate area shall be given an opportunity to leave the potentially affected area, if it will not jeopardize the safety of staff or other inmates.

c. Except in cases of emergency, the shift supervisor shall be present during the time of the final counseling period and the administering of chemical agents.

(n)4. Medical Requirements. All ~~The~~ inmates shall be examined by medical staff as soon as possible after the chemical agent has been used but not more than one hour after the first exposure, except in cases of emergency where this may not be possible. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. If an injury is claimed or found to exist, Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In those cases where an injury is claimed but not substantiated by medical examination, the statement shall indicate that, and the documentation shall be sufficient to support that no injury was found upon examination.

(o)(~~n~~) Any part of the body exposed to the chemical agents, especially eyes, shall be flushed with water as soon as possible after exposure.

(14) through (16) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History--New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Administrative Confinement	33-3.0081
Protective Management	33-3.0082
Disciplinary Confinement	33-3.0084
Special Management Meal	33-3.0085

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is as follows: clarifies the process and criteria for placing inmates into each confinement status; specifies how often inmates in confinement must be checked and by whom; provides procedures to be followed when

confinement inmates exhibit self-destructive behavior; provides for issuance of a modesty garment when it is necessary to take an inmate's clothes; and revises language concerning conditions of confinement for consistency throughout.

SUBJECT AREA TO BE ADDRESSED: Confinement.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 FS.

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

TIME AND DATE: 9:00 a.m., June 10, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 33-3.0081 follows. See Florida Administrative Code for present text.)

33-3.0081 Administrative Confinement.

(1) Description of Administrative Confinement. Administrative confinement is the temporary removal of an inmate from the general inmate population in order to provide for security and safety until such time as more permanent inmate management processes can be concluded.

(2) Administrative confinement is a temporary confinement status that may limit conditions and privileges as provided in subsection (8) as a means of promoting the security, order and effective management of the institution. Otherwise the treatment of inmates in administrative confinement shall be as near to that of the general population as assignment to administrative confinement and the administrative confinement housing area will permit. Any deviations shall be fully documented as set forth in the provisions of this rule.

(3) Definitions.

(a) Area housing supervisor – the correctional officer sergeant, or above, who is in charge of the confinement unit for a particular shift.

(b) Clinical health care personnel – physician, clinical associate, nurse, CMTC, psychologist or psychological specialist.

(c) Institutional Special Review Team – a team consisting of the assistant superintendent, the correctional officer chief, the classification supervisor, or alternate staff members as appointed by the superintendent. Alternate staff members must

be at the rank of lieutenant or above for security, or correctional probation officer level or above for classification. This team is responsible for assessing inmate protection issues.

(d) Investigating official – the person in charge of the investigation of the circumstances concerning the inmate's confinement. This person must be a shift supervisor, institutional inspector, or classification supervisor or above. The investigating official is authorized to assign others of lesser rank to conduct the investigation.

(e) Senior correctional officer – a correctional officer lieutenant or above.

(f) Special risk inmate – any inmate who has demonstrated behavior that is or could be harmful to himself or herself.

(4) Procedures for Placement in Administrative Confinement.

(a) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment to include a physical and mental health evaluation that shall be documented in the health care record. When an official places an inmate in administrative confinement, this action shall be documented on a Report of Administrative Confinement, Form DC4-813(a), including the reasons for the action and a summary of the inmate's comments. The heading and Section I shall be completed by the official who placed the inmate in administrative confinement. This section shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement. The reason shall correspond with one of the reasons for placement stated in subsection (5) of this rule. Once Section I has been completed, the official who placed the inmate in administrative confinement shall sign Section I and forward the report to classification prior to the end of his or her shift or workday.

(b) The actions of the official placing the inmate in administrative confinement shall be reviewed within 72 hours by a correctional probation officer (CPO). The CPO shall review the reasons and circumstances surrounding the placement of the inmate in administrative confinement and shall personally interview the inmate. If the review cannot be completed within 72 hours by the CPO due to holiday or weekend, a senior correctional officer, who was not the official who originally placed the inmate in administrative confinement, shall complete the review. The review completed by a senior correctional officer shall be documented on Form DC4-815, Daily Record of Segregation, and the CPO shall complete a review within two working days after the weekend or holiday. The CPO shall either concur with the placement of the inmate in administrative confinement or recommend the release of the inmate. The CPO's action shall be documented in

section II of the Report of Administrative Confinement, Form DC4-813(a). The CPO shall also document that the 72 hour review was completed by a senior correctional officer in section II of Form DC4-813(a), if necessary. If the CPO concurs with the placement of the inmate in administrative confinement, the DC4-813(a) does not need to be forwarded to the superintendent and shall be processed for filing. If the CPO recommends that the inmate be released from confinement, the DC4-813(a) shall be forwarded to the superintendent or assistant superintendent for a final decision. The superintendent's or assistant superintendent's decision shall be documented in section III of Form DC4-813(a). The completed DC4-813(a) shall be forwarded to classification for filing.

(5) Reasons for Placement in Administrative Confinement with time limits. Placement of an inmate in administrative confinement is authorized for the following reasons:

(a) Disciplinary charges have been filed and the inmate needs to be temporarily removed from the general inmate population in order to provide for security or safety until such time as the disciplinary hearing is held. A senior correctional officer or above shall have the authority to place an inmate in administrative confinement for this reason. The length of time spent in administrative confinement for this reason shall not exceed seven working days unless the superintendent authorizes an extension. This extension shall be documented on Form DC4-815.

(b) Outside charges are pending against the inmate and the presence of the inmate in the general population would present a danger to the security or order of the institution. A senior correctional officer or above shall have the authority to place an inmate in administrative confinement for this reason. The length of time spent in administrative confinement for this reason shall not exceed 20 working days. If it appears that an inmate should continue to be segregated from the general population beyond 20 working days, close management procedures can be initiated pursuant to chapter 33-38.

(c) An inmate shall be placed in administrative confinement pending review for resolving an inmate's request for protection from other inmates. (33-3.0082). An inmate shall be placed in administrative confinement by the senior correctional officer when the inmate presents a signed written statement alleging that he fears for his safety in open population from other inmates and that he feels there is no other reasonable alternative open to him. A senior correctional officer shall also place an inmate who may need protection into administrative confinement pending review for protective management based on evidence that such a review is necessary. The senior correctional officer shall encourage the inmate to provide information and otherwise cooperate with efforts by the institution to investigate the matter and eliminate any danger to the inmate. The protection process including the superintendent's action shall be completed within 15 working days from the initial confinement of the inmate.

1. The institutional special review team shall initiate an investigation to gather information. A member of the special review team shall complete the heading and section IA of the DC4-868, Report of Protective Management. The team member shall utilize the documentation in the DC4-813(a), Report of Administrative Confinement, for the information necessary to complete this portion of the report. The report shall then be forwarded to the investigative official assigned to investigate the reasons for protection. The investigator shall complete Section IB of the report and return it to the special review team.

2. If the inmate submits a request for release in writing at any time during a review for protection process that was initiated by the inmate, a member of the special review team shall interview the inmate as soon as possible and shall release the inmate from administrative confinement if it appears that the inmate does not need protection. If administrative confinement pending review for protection was imposed on the inmate, the process set forth in this rule shall continue until completed.

3. Once the investigation is complete, the institutional special review team shall hold a hearing with the inmate to determine whether the inmate should be released to open population. The team shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. The team shall document its findings and recommendations on the Report of Protective Management, Form DC4-868. The following elements shall be considered in determining whether protective management is necessary:

- a. A record of having been assaulted;
- b. A reputation among the inmate population, attested to in writing by staff, as an informant or trial witness;
- c. Verified threats, verbal abuse, or harassment;
- d. A former criminal justice activity resulting in verified threats, verbal abuse, or harassment;
- e. A conviction of a crime repugnant to the inmate population;
- f. Reliable, confirmed evidence of sexual harassment;
- g. Other factors such as physical size, build and age producing a risk from the general inmate population.

4. The team shall submit its findings and recommendations to the superintendent on the Report of Protective Management, DC4-868. The superintendent shall determine whether protective management or some other alternative measure is necessary based on the facts within 15 working days from the date of initial confinement. If the superintendent determines that protection is necessary, the inmate shall be placed in protective management at that facility or another or shall be recommended for a transfer to resolve the inmate's need for protection. The final action shall be documented on the Report of Protective Management, DC4-868. In the event of transfer or placement into protective

management, the DC4-868 need not be submitted to the regional director. In the event the superintendent determines that protection is not appropriate and recommends that the inmate return to the general population, the DC4-868 shall be forwarded to the regional director.

5. The regional director shall determine within five working days whether protection is necessary based upon the investigation and any follow-up he or she deems appropriate. The regional director shall approve or disapprove placement of the inmate in protective management. The regional director's decision shall also be documented on the Report of Protective Management and this report shall be returned to the institution. If the regional director determines that a need for protection exists, he or she will indicate in the Report of Protective Management that the inmate shall be placed in a protective management unit or transferred, whichever is appropriate. If the regional director determines that protective management is not necessary, the inmate may appeal this decision directly to the Office of the Secretary pursuant to 33-29.007 and 33-29.011. The inmate shall have two days from the date of notification to appeal the decision instead on the normal 15 days for appeal. The notification of the inmate shall be documented on the Report of Protective Management, DC4-868. The inmate shall remain in administrative confinement until the appeal process is complete.

6. Within three working days after an inmate has been approved for protective management, a determination shall be made as to appropriate housing. The inmate shall remain in administrative confinement until this decision is made. If a decision is made to transfer the inmate, the inmate shall be kept in administrative confinement until the transfer is completed. Transfers for protection needs shall be completed within five working days. Regional directors are authorized to make intra-regional transfers.

(d) An investigation, evaluation for change of status or transfer is pending and the presence of the inmate in the general population might interfere with that investigation or present a danger to the inmate, other inmates, or to the security and order of the institution. An investigating officer shall have the authority to request that the senior correctional officer place the inmate in administrative confinement for this reason and the length of time spent in this status shall not exceed 15 working days unless one 10 day extension is granted by the superintendent. This extension shall be documented on the Daily Record of Segregation, DC4-815. If it is necessary to continue the inmate's confinement beyond this first extension, written authorization must be obtained from the regional director for a 30 day extension. This authorization shall be attached to the DC4-815. The regional director shall have the authority to authorize additional 30 day extensions as necessary. Examples of circumstances for placing an inmate in administrative confinement for this reason include:

1. Pending an evaluation for placement in close management.

2. Special review or some type of disciplinary or management transfer. Transfers for this reason shall be given priority.

3. Pending an investigation into allegations that the inmate is in fear of a staff member.

4. Any other reason when the facts indicate that the inmate must be removed from the general inmate population for the safety of any inmate or group of inmates or for the security of the institution.

(e) Mental health reasons. Clinical health care personnel shall have the authority to place an inmate in administrative confinement for this reason and the length of time spent in this status shall not exceed five calendar days.

(f) When an inmate is received on transfer from another institution and there is not sufficient time to review the inmate file and classify the inmate into general population. A senior correctional officer or above has the authority to place an inmate into administrative confinement for this reason. The length of time spent in administrative confinement for this reason shall not exceed two working days. If the initial review suggests that a further investigation is necessary prior to release, the inmate's status can be changed to pending investigation.

(6) Review of Administrative Confinement.

(a) A correctional probation officer shall review inmates in administrative confinement every week. If an inmate is confined for more than 30 days, a formal assessment and evaluation report shall be required. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued confinement and the basis for that decision. The classification supervisor and the superintendent or the assistant superintendent shall approve such reports. The goal of the correctional probation officer shall be toward returning the inmate to open population as soon as the facts of the case suggest that this can be safely accomplished.

(b) Inmates shall be weighed upon admission to the confinement unit. Inmates confined for 30 days or more shall be weighed after 30 days and weekly thereafter. The weight of the inmate shall be recorded on Form DC4-815, Daily Record of Segregation.

(c) Any inmate assigned to administrative confinement for more than 30 days shall be given a psychological assessment by appropriate mental health staff to determine his mental condition. The assessment shall include a personal interview. The psychologist or psychological specialist shall prepare a report to the superintendent with the facts of the case. The superintendent shall then make a final decision regarding continuation of confinement. All such assessments shall be documented in the mental health record. If the decision is to

continue confinement and that confinement extends beyond 90 days, a new psychological assessment shall be completed each 90-day period.

(d) Inmates in administrative confinement shall receive a personal contact a minimum of:

1. Daily by a clinical health care person.

2. As frequently as necessary, but not less than weekly, by a correctional probation officer to ensure that the inmate's welfare is properly provided for, and to determine the time and method of release or any program changes.

3. Weekly by the chaplain. More frequent visits shall be made upon request of the inmate if the chaplain's schedule permits.

(e) A documented visual health and welfare/security check shall be made of all inmates in administrative confinement:

1. Daily by the area housing supervisor.

2. At least every 30 minutes by a correctional officer.

(f) Administrative housing areas will be visited:

1. Daily by the officer-in-charge on duty for all shifts except in case of riot or other institutional emergency.

2. Daily by the correctional officer chief (when on duty at the facility) except in case of riot or other institutional emergency.

(g) Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC4-815 and followed with an Incident Report, Form DC3-301.

(7) Administrative Confinement Facilities.

(a) The number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. Exceptions may be made during an emergency situation as approved by the superintendent, but such exceptions shall not continue for more than 24 hours without the specific authorization of the regional director. Prior to placing inmates in the same cell, a determination shall be made that none of the inmates constitute a threat to any of the others.

(b) All administrative confinement cells shall be equipped with appropriate toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. In such event, the inmate occupant shall be furnished with an adequate supply of

drinking water by other means to prevent dehydration. This action shall be documented on Form DC4-815, Daily Record of Segregation.

(c) Prior to placement of an individual in an administrative confinement cell, it shall be thoroughly inspected to ensure that it is in proper order and the inmate housed in that cell shall then be held responsible for the condition of the cell.

(d) The administrative confinement cells shall be physically separate from disciplinary confinement cells, whenever possible. Whenever such location is not possible, physical barriers shall preclude the cross association of those in disciplinary confinement with those in administrative confinement. Administrative confinement cells shall be built to permit verbal communication and unobstructed observation by the staff.

(8) Conditions and Privileges.

(a) Comfort Items – Inmates in administrative confinement shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses or hearing aids, except when security requirements dictate otherwise. Inmates in administrative confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in administrative confinement are not normally prohibited from possessing are removed, the senior correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on the Daily Record of Segregation, Form DC4-815, which must be reviewed by the correctional officer chief. Property receipts shall be given for any personal property removed. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, internal and external feminine hygiene products for women, and toilet tissue.

(b) Personal Hygiene--Inmates in administrative confinement shall meet the same standards in regard to personal hygiene as required of the general inmate population.

1. At a minimum each inmate in confinement shall shower three times per week and on days that an inmate works.

2. Male inmates shall be required to shave at least three times per week. Hair care shall be the same as that provided to and required of the general population inmates.

(c) Correspondence – Inmates in administrative confinement shall have the same opportunities for correspondence that are available to the general inmate population.

(d) Visiting – All visits for inmates in administrative confinement must be approved in advance by the superintendent or his designee. Requests for inmates in administrative confinement to visit shall be in writing to the superintendent. Those inmates who are a threat to the security of the institution shall be denied visiting privileges. Attorney-client visits shall not be restricted except on evidence that the visit would be a threat to security or order.

(e) Legal Access – Legal materials shall be as accessible to inmates in administrative confinement as to inmates in general population as long as security concerns permit. An inmate in confinement may be required to conduct legal business by correspondence rather than a personal visit to the law library if security requirements prevent a personal visit. However, all steps shall be taken to ensure the inmate is not denied needed access while in confinement. Although the inmate may not be represented by an attorney at any administrative hearing, access shall be granted for legal visits at any reasonable time during normal business hours to the inmate’s attorney or aide to that attorney. Inmates shall be provided paper and writing utensils in order to prepare legal papers. Typewriters or typing services are not considered required items and shall not be permitted in confinement cells.

(f) Reading materials and other privileges shall be permitted on an individual basis for those inmates in administrative confinement. Safety, sanitation and security factors shall be considered when making such decisions.

(g) Library Services – Only one book at a time may be checked out. Books may be checked out once weekly.

(h) Inmates shall be allowed to retain personal property including watches, rings and health and comfort items unless there is a indication of a security problem, in which case removal of any item shall be documented on Form DC4-815 and a property receipt issued.

(i) Diet – All inmates in administrative confinement shall receive normal institutional meals as are available to the general inmate population except that if any item on the normal menu might create a security problem in the confinement area, then another item of comparable quality shall be substituted. Substitutions shall be documented on the Daily Record of Segregation, Form DC4-815.

(j) Counseling Interviews – Inmates in administrative confinement may be removed from their cells to attend any counseling session when there is no security problem involved.

(k) Clothing and Bedding.

1. Inmates in administrative confinement shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are necessary for the welfare of the inmate or the security of the institution. In such cases, the exceptions shall be documented on Form DC4-815 and approved by the correctional officer chief. Shower slides may be substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent the destruction of property or equipment. If an inmate’s clothing is removed, a modesty shroud/garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this

action shall be documented on Form DC4-815. Under no circumstances shall an inmate be left without a means to cover himself or herself.

2. Bedding and linen for those in administrative confinement shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift officer in charge or the confinement lieutenant must approve the action initially. Such exceptions shall be documented on Form DC4-815 and the chief correctional officer shall make the final decision in regard to the appropriateness of the action no later than the next working day following the action.

(l) Telephone – Telephone privileges are allowed for emergency situations and when necessary to ensure the inmate’s access to courts.

(m) Exercise – Those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. However, if confinement extends beyond a 30-day period, an exercise schedule shall be implemented to ensure a minimum of two hours per week of exercise out of doors. Such exercise periods shall be documented on Form DC4-815. The superintendent or assistant superintendent shall restrict exercise for an individual inmate when the inmate continues to pose a serious threat to the safety, security and order of the institution by recent demonstrations of violence; by continuing threats of physical harm, written or spoken, toward staff and other inmates; by involvement in acts which seriously interfere with the staff’s daily security functions; or by actions demonstrating an extreme escape risk. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for the shortest length of time to accomplish the goal of safety, security and order within the institution and shall be documented on Form DC4-814. Medical restrictions can also place limitations on the exercise periods. Recreational equipment may be available for the exercise period provided such equipment does not compromise the safety or security of the institution.

(n) Canteen Items.

1. Inmates in administrative confinement shall be allowed to make canteen purchases once every other week. Items sold to administrative confinement inmates shall be restricted when reasonably necessary for institutional safety and security.

2. Inmates in administrative confinement shall be allowed to purchase a maximum of four canteen food items. In making this determination, it is the number of food items that is counted, not the type of item. For example, three packages of cookies counts as three items, not one item.

3. Inmates in administrative confinement shall be allowed to purchase a maximum of five non-food canteen items. In making this determination, with the exception of stamps and notebook paper, it is the number of non-food items that is

counted, not the type of item. For example, three security pens counts as three items, not one item. Twenty-five stamps or fewer will count as one item and two packages or less of notebook paper will count as one item.

(o) Writing utensils. Inmates in administrative confinement shall possess only security pens, with a possession limit of four pens. Other types of pens shall be confiscated and held until the inmate is released from administrative confinement status. A security pen is a specially designed pen, approved by the Bureau of Security Operations, that is flexible so that it bends under pressure and has a tip that retracts under excessive pressure. If no security pens are available, the inmate shall be allowed to sign out a regular pen from the confinement unit officer. All care shall be taken to ensure that an inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances.

(9) Administrative Confinement Records.

(a) A Report of Administrative Confinement, Form DC4-813(a), shall be kept for each inmate placed in administrative confinement. A photocopy of the DC4-813(a), with section I completed, shall be kept in administrative confinement with the other confinement records for each inmate. Upon completion of the DC4-813(a), the white copy of the form will be mailed to central office to be filed in the central office inmate record and the yellow copy will be filed in the institutional inmate record.

(b) An Inspection of Confinement Record, Form DC4-814, shall be maintained in each administrative confinement area. Each staff person shall sign such record when entering and leaving the confinement area. Prior to leaving the confinement area, each staff member shall indicate any specific problems including any inmate who requires special attention. Upon completion, the DC4-814 will be maintained in the housing area and forwarded to the correctional officer chief on a weekly basis where it will be maintained on file pursuant to the current retention schedule.

(c) A Daily Record of Segregation, Form DC4-815, shall be maintained for each inmate as long as he is in administrative confinement. The DC4-815 shall be utilized to document any and all activities, including cell searches, any items removed, showers, recreation, haircuts and shaves. If items that inmates in administrative confinement are not normally prohibited from possessing are denied or removed from the inmate, the shift officer-in-charge or the confinement lieutenant must approve the action initially. The items denied or removed will be documented on Form DC4-815 and the chief correctional officer will make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The supervising officer will make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or

any other special action will also be noted. The DC4-815 shall be maintained in the housing area until the inmate is released from administrative confinement at which time the form will be forwarded to the superintendent for review. Once reviewed, these forms will be forwarded to classification to be filed in the institutional inmate record.

(d) The following forms are hereby incorporated by reference. A copy of any of these forms may be obtained from the Office of Security and Institutional Management, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, a self-addressed stamped envelope must accompany the request.

1. Form DC4-813(a), Report of Administrative Confinement, effective date 7-10-90.

2. Form DC4-814, Inspection of Confinement, effective date 7-10-90.

3. Form DC4-815, Daily Record of Segregation, effective date 7-10-90.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History--New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, _____.

33-3.0082 Protective Management.

Protective management is not disciplinary in nature and inmates in protective management are not being punished and are not in confinement. The treatment of inmates in protective management shall be as near that of the general population as the individual inmate's safety and security concerns permit.

(1) through (2) No change.

(3)(a) The number of inmates housed in a housing unit shall not exceed the number of beds in the housing unit. Exceptions may be made during an emergency situation as approved by the superintendent, but such exceptions shall not continue for more than 24 hours without the specific authorization of the regional director or designee. Prior to placing inmates in the same housing unit, or cell where they are housed together or otherwise in direct contact with each other, an inquiry shall be made as to whether any of the inmates constitutes a threat to any of the others.

(b) through (c) No change.

(d) The protective management housing units shall ~~should~~ be physically separate from disciplinary confinement cells, whenever possible. Whenever such location is not possible, physical barriers shall ~~should~~ preclude the cross association of those on disciplinary confinement with those on protective management. Protective management housing units shall ~~should~~ be built to permit verbal communication and unobstructed observation by the staff.

(e) No change.

(4)(a) Inmates in protective management who do not receive out of cell time shall receive a personal contact a minimum of:

1. At least every hour by a correctional officer.
2. Daily by the officer-in-charge on duty for the day or evening shift, except in case of riot or other institutional emergency.
3. Daily by a clinical health person representative of the medical department or daily sick call opportunity.
4. Weekly by the chaplain. More frequent visits shall ~~should~~ be made upon request of the inmate, if the chaplain's schedule permits.

(b) No change.

(c) The institutional special review team shall cause a formal evaluation report to be prepared every 30 days on each inmate in protective management. ~~The report shall be reviewed by the team~~ shall review the report. Such reports may be in brief paragraph form stating the basis of the assignment, what has transpired since the last report, and any new facts relevant to the decision to continue protective management. Any inmate assigned protective management for more than 30 days shall be given a psychological assessment by appropriate mental health the professional staff to determine his mental condition. The assessment shall include a personal interview. The psychologist or psychological specialist shall prepare a report to the superintendent with the facts of the case. The superintendent shall then make a final decision regarding continuation of protective management. All such assessments shall be documented in the mental health record. If the decision is to continue protective management ~~and~~ that extends beyond 90 days, a new psychological assessment shall be accomplished each 90-day period.

(d) ~~For the purposes of this rule, "special management inmate" refers to~~ Any inmate who has demonstrated behavior that is or may be harmful to himself or herself shall be designated as a special risk inmate, other inmates, or staff, or who has become an extreme security risk. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where ~~continuing observation is provided by~~ a correctional officer or medical staff provide observation. Visual These checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650 until the inmate is no longer considered a special risk management inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC4-815 and followed with preparation of an Incident Report, Form DC3-301. Inmates who are assaultive or attempt to escape, damage property, or otherwise become an extreme security risk shall be placed in a location, either in protective management or another designated area, where more frequent observation and checks can be made.

(5) Work assignments – within 10 days of the protective management determination, work opportunities consistent with medical grades shall be available to inmates in protective management during the day, evening or night hours. All inmates shall be provided the opportunity for work assignments regardless of medical grade except when precluded by doctor's orders for medical reasons. Work shall ~~may~~ be cancelled for an individual inmate or a work squad when staff concludes the work or work assignment would subject the inmate to danger or if adequate staff protection is not available. Each occurrence of work cancellation will be documented with reasons for the action and shall be reviewed by the superintendent or assistant superintendent the following day. Refusal of a work assignment shall result in disciplinary action pursuant to Chapter 33-22. Inmates who refuse work assignments will not be allowed other housing unit activities. Those who accept work assignments shall be subject to awards of gain time pursuant to rule 33-11.0065 in the same manner as general population.

(6) Inmates in protective management who are medically able to work and who work shall be afforded an opportunity for at least an additional 20 hours of out-of-cell time per week for activities. Each protective management unit shall have a dayroom or common area equipped in a similar manner as those for general population. Out-of-cell time includes ~~may consist of any of~~ the following activities:

(a) Exercise – an exercise schedule shall be implemented to ensure a minimum opportunity of two hours per week of exercise out of doors. ~~Exceptions to this requirement may be made when facts document that such exercise periods should not be granted.~~ The superintendent or assistant superintendent is authorized to ~~may~~ restrict exercise for an individual inmate when the inmate continues to pose a serious threat to the safety, security and order of the institution by recent demonstrations of violence, by continuing threats of physical harm, written or ~~and~~ spoken, toward staff and other inmates; by involvement in acts which seriously interfere with the staff's daily security functions; or by actions demonstrating an extreme escape risk. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for the shortest length of time to accomplish the goal of safety, security and order within the institution and shall be documented on Form DC4-867, Record of Protective Management. Medical restrictions may also place limitations on exercise periods. Similar recreational equipment shall be available as is available for general population inmates for the exercise period provided that such equipment does not compromise the safety or security of the institution.

(b) Religious activities – a weekly non-denominational service shall be held for protective management inmates in the chapel. This service shall ~~may~~ be held at the protective management housing unit if security reasons prevent chapel service. The chaplain shall arrange for religious consultations

between inmates and outside volunteers, counsel with clergy and the opportunity to receive religious sacraments similar to that afforded to the general population when requested.

(c) Self-improvement programs or leisure activities shall be available in their housing area, or in separate locations within the institution that conform with the need for security. ~~Self-improvement programs. Such program participation may~~ include academic education, vocational training, correspondence courses or self-directed study activities, religious activities, television, quiet activities or letter writing. Inmates in protective management shall be permitted to make canteen purchases at least once per week either through a personal visit to the canteen or delivery. Inmates in protective management shall be allowed to visit the library and check out books at least once weekly, except as provided in 33-3.0082(7).

(d) Legal Access – inmates in protective management shall have access to the law library during evening or other hours when general population inmates are not present. If security reasons prevent a visit, access shall be provided through correspondence or visits from the inmate law clerk. All steps shall be taken to ensure the inmate is not denied needed legal access while in protective management. Inmates shall be provided ~~appropriate~~ paper and writing utensils in order to prepare legal papers. Typewriters or typing services are not considered required items and will not be permitted in protective management housing units.

(e) No change.

(f) Visiting – A visiting schedule shall be implemented to ensure a minimum of two hours a week for inmates to receive visits. A visiting time for protective management inmates shall be set aside in the visiting park either before or after visiting hours for general population inmates, during visiting hours if separate facilities for visitation are available, or on different days from the general population. Visiting ~~shall may~~ be limited by the superintendent or his or her designee when it is concluded that a threat to the inmate exists by allowing visitation in the visiting area or when supervision ~~is may~~ be limited. ~~The superintendent is authorized to make e~~Exceptions ~~may be made~~ for visitors who have traveled a great distance. Attorney-client visits shall be in accordance with 33-5.011 and shall not be restricted except on evidence that the visit would be a threat to security and order. ~~All visits must be approved in advance, by T~~the superintendent or designee must approve all visits in advance.

(g) Telephone – Inmates in protective management shall be allowed to make one call per week of at least 10 minutes, except at Florida State Prison. However, if telephones are available in the dayroom, protective management inmates shall be allowed to make calls in the same manner as general population inmates. Calls shall be allowed at Florida State Prison and all other institutions; in emergency situations; and

when necessary to ensure the inmate's access to courts; ~~or in any other circumstance when a call is authorized by the superintendent or assistant superintendent.~~

(h) Meals – Inmates in protective management shall be fed in the dining room unless individual circumstances adversely affecting the safety of a particular inmate preclude dining room feeding for the inmate. If particular security reasons as determined by institution staff prevent dining room feeding, the inmate's meal ~~shall may~~ be served in the day room or the inmate's housing unit, ~~otherwise the inmate shall be expected to eat in the designated dining room.~~ Inmates in protective management shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu might create a security problem for a particular inmate, then another item of comparable quality ~~shall may~~ be substituted. ~~Other S~~substitutions shall be documented on the Record of Protective Management, Form DC4-867.

(i) No change.

(7) No change.

(8) Conditions and Privileges.

(a) Comfort Items – Inmates in protective management shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses; and hearing aids; ~~etc.~~, except when security requirements dictate otherwise. In the event that comfort items are taken from inmates in protective management, the senior correctional officer on duty shall be notified and must approve or disapprove the action taken. Action taken shall be documented recorded on the Record of Protective Management Form, DC4-867, which must be reviewed by the correctional officer chief. Property receipts shall be given for any personal property removed. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, toilet tissue, and internal and external feminine hygiene products sanitary napkins for women. Comfort items shall be the same as those provided general population inmates.

(b) No change.

(c) Inmates shall be allowed to retain personal property including a watch, a radio, a ring, authorized self-improvement and reading materials and similar health and comfort items as general population inmates unless there is an indication of a security problem, in which case removal or denial of any item shall be documented on Form DC4-867 and a property receipt shall be issued. All property retained by inmates must fit into the storage area provided, which shall be the same size as provided for general population inmates.

(d) Clothing – Inmates may wear shower slides or personal canvas shoes while in their housing units, but regulation shoes ~~shall may~~ be required ~~by staff~~ for work assignments. Otherwise the clothing for inmates in protective management shall be the same as that issued and exchanged to the general inmate population except when there is an indication of a security or

health problem or when additional clothing is required for a work assignment. In such cases, when clothing is denied to an inmate it shall be noted on Form DC4-867, stating the reasons for such denial.

(e) No change.

(f) Other privileges ~~will~~ ~~may~~ be restricted on a daily case-by-case basis when such restrictions are necessary for the security, order or effective management of the institution. All such restrictions shall be documented on Form DC4-868 and reported to the superintendent. The superintendent ~~is authorized to~~ ~~may~~ restrict privileges on a continuing basis after a determination that such restrictions are necessary for the security, order, or effective management of the institution. The superintendent's decision for continuing restriction shall also be documented on Form DC4-867.

(g) Protective management inmates ~~shall~~ ~~may~~ be handcuffed or otherwise restrained when individual security concerns associated with that inmate require such action.

(h) No change.

(9) Whenever the inmate requests in writing, or the institutional special review team ~~determines~~ ~~feel~~ that the inmate could be returned to the open population or that a transfer could resolve the need for protection, the team shall document its findings and recommendations on a progress report. The team shall submit the progress report, along with the inmate's written statement, to the superintendent. The superintendent shall determine whether the inmate is to be released to open population or transferred. In cases where the regional director initially approved the protection needs, the progress report, with the superintendent's comments will be forwarded to the regional director. In such cases, the regional director shall review the release recommendation. If the regional director approves the inmate shall be released from protective management.

(10) Protective Management Records.

(a) No change.

(b) An Inspection of Confinement Record, Form DC4-814, shall be maintained in each protective management area. ~~Each Such record shall be signed by the staff person~~ shall sign the record when entering and leaving the protective management area. ~~each~~ the staff member will indicate any specific problems including any inmate who requires medical attention.

(c) A Record of Protective Management, Form DC4-867, shall be maintained for each inmate as long as the inmate is in protective management. Once the inmate is released from protective management, Form DC4-867 will be forwarded to the superintendent for review. Once reviewed, these forms will be forwarded to classification to be filed in the institutional inmate record. This form shall be used to record any action, remarks or disposition made on a specific inmate. Notations shall be made by medical staff, the special review team, or other staff dealing directly with the inmate. If items are denied

or removed from the inmate, the senior correctional officer on duty must approve the action. The items denied or removed will be ~~documented~~ ~~noted~~ on the Form DC4-867 and the chief correctional officer will make the final decision in regard to the appropriateness of that action no later than the next working day following this action. The supervising officer will ~~document~~ ~~make a notation of~~ any unusual occurrences or changes in the inmate's behavior and any action taken, if necessary. Changes in housing location or any other special action will also be ~~documented~~ ~~noted~~.

(11) ~~The following forms Form DC4-867 and DC4-868 are hereby incorporated by reference. The effective date of these forms is December 4, 1990.~~ A copy of the forms may be obtained from the ~~Adult Services Program Office of Security and Institutional Management,~~ Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If the form is to be mailed, a self-addressed envelope must accompany the request ~~must be accompanied by a self-addressed stamped envelope.~~

(a) Form DC4-867, Record of Protective Management, effective date December 4, 1990.

(b) Form DC4-868, Report of Protective Management, effective date December 4, 1990.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History—New 6-23-83, Formerly 33-3.082, Amended 3-12-84, 7-10-90, 12-4-90, 4-26-98, _____.

33-3.0084 Disciplinary Confinement.

(1) Confinement Facilities and Conditions.

(a) Cells. Inmates placed in disciplinary confinement should normally be placed in single cells. The confinement cells should be approximately the same square footage as utilized for general population inmates. Inmates will not be housed in disciplinary confinement cells in greater number than there are bunks in the cells. The only exception to this policy would be during an emergency situation as approved by the superintendent. However, if this exception exists in excess of twenty-four (24) hours, ~~then~~ the ~~s~~Superintendent must get specific authorization from the ~~r~~Regional ~~d~~Director to continue to house inmates in this manner.

1. All disciplinary confinement cells ~~shall~~ ~~will normally~~ be equipped with appropriate toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary ~~The master control for the running water may be placed outside the cell in the event it becomes necessary to cut off running water in a cell~~ due to misbehavior. In such event, the inmate occupant will be furnished an adequate supply of drinking water by other means to prevent dehydration. This action shall be documented on Form DC4-815, Daily Record of Segregation.

2. Prior to placement of an individual in a disciplinary confinement cell, it will be thoroughly inspected to ensure that it is in proper order and the inmate housed in that cell will then be held responsible for the condition of the cell.

3. Disciplinary confinement cells shall be physically separate located separately from administrative confinement and protective management cells, whenever possible. Whenever such location is not possible, physical barriers shall preclude the cross association of those in disciplinary confinement with those in administrative confinement and protective management. Disciplinary confinement units shall be built the general inmate population, but in a common area to permit verbal communication and to allow for unobstructed observation by staff. Additionally, whenever possible, disciplinary confinement cells should be located separately from administrative and protective confinement cells and close management cells.

4. Each confinement cell shall provide for a minimum of twenty foot-candles of light, including natural lighting, unless the behavior of the occupant is such that removal of such light is necessary in order to control behavior. In such cases, approval of the senior correctional officer is required and such approval will be documented on the Daily Record of Segregation, DC4-815. Such light restriction will be for the shortest period necessary to gain control of the inmate. Once the inmate is removed from the light restricted status, such removal will also be noted on the DC4-815. The removal decision will also be made by the senior correctional officer.

5. Care shall be exercised to maintain noise levels in confinement units at a reasonable level so as not to interfere with normal human activities.

(b) Clothing and Bedding.

1. Inmates in disciplinary confinement shall be provided the same clothing and clothing exchange as the general inmate population unless there are clear facts to suggest that on an individual basis exceptions shall be made for the welfare of the inmate or the security of the institution. In such cases, the exceptions should be noted on the DC4-815 Form and approved by the correctional officer chief Superintendent. Shower slides may be substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty shroud/garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC4-815. Under no circumstances shall an inmate be left without a means to cover himself or herself.

2. Bedding and linen for those in disciplinary confinement shall be issued and exchanged the same as is provided to the general inmate population. Again, Any exceptions shall be based on potential harm to individuals or a clear threat to the security of the institution. Such exceptions shall be documented reflected on the DC4-815.

(c) Diet and Meals. Inmates in disciplinary confinement shall receive a meals representative of the food served the general population, but not necessarily a choice of every item. Any food item that might create a security problem in the confinement area shall may be substituted for by another item of comparable quality and quantity.

(d) Comfort Items. Inmates in confinement will be afforded the following comfort items as a minimum: toothbrush, toothpaste, bar of soap, towel (or paper towels), internal and external feminine hygiene products sanitary napkins for women, and toilet tissue.

(e) No change.

(f) Weighing. Inmates shall will be weighed upon entering disciplinary confinement, at least once a week while in confinement, and upon leaving confinement and a record made thereof. The weight of the inmate shall be documented on Form DC4-815, Daily Record of Segregation.

(g) No change.

(h) Correspondence.

1. Inmates in disciplinary confinement shall be allowed routine correspondence privileges unless restricted as provided in rule 33-22.008, Disciplinary Action. Inmates shall be encouraged to write their family to advise them of their anticipated visiting status.

2. Grievance forms will also be made available to the inmate at any time regardless of his confinement status. Such forms will be immediately transmitted to the addressee without delay.

(i) Legal Access.

1. Inmates An inmate in disciplinary confinement shall be permitted to have access to their personal legal papers and law books, to correspond with the may be required to conduct legal business by correspondence rather than a personal visit to the law library, to have the law library deliver research materials to their cells, and to if security requirements prevent a personal visit with certified inmate law clerks. However, all Steps shall must be taken to ensure that the inmates are is not denied needed access while in disciplinary confinement.

2. Written inmate requests for legal assistance shall be directed to the librarian and shall be responded to within 2 working days of receipt, not including the day of receipt. For purposes of this rule, "working day" shall mean any weekday not including holidays or weekends. Specific requests for cases, statutes or other reference materials, or requests for legal supplies or forms shall be responded to by means of correspondence. However, written inmate requests for legal assistance that are broad in scope, contain incorrect references to research materials, or where the styling or content of the request indicates that the inmate lacks an understanding of the law or legal research, that the inmate is functionally illiterate, or that the inmate may be impaired, shall be responded to by personal interview with an inmate law clerk or the librarian.

~~3.2.~~ Legal visits shall be allowed as provided in rule 33-5.011, Legal Visitors.

~~4.3.~~ Inmates will be provided ~~appropriate~~ paper and writing utensils in order to prepare legal papers. Typewriters or typing services are not considered required items and will not be permitted in confinement cells.

(j) Telephone. Inmates in disciplinary confinement ~~shall~~ ~~are not~~ ~~be~~ ~~normally~~ allowed telephone privileges except in cases of emergency or when necessary to ensure the inmate's access to attorneys or the courts and only when alternative means of access are not feasible. Calls to ~~courts~~ or attorneys shall not be monitored.

(k) Visiting Privileges.

1. Inmates in disciplinary confinement will be allowed visits only under unusual circumstances when specifically authorized by the ~~s~~Superintendent or his designated representative.

2. When an inmate is denied visiting privileges or has special visiting restrictions, it is the responsibility of the inmate to inform the visitors of such restrictions. Staff ~~shall~~ ~~should~~ specifically point out this responsibility to the inmate at such time as the restrictions become effective. If sufficient time has lapsed so that visitors could have been informed, then the visiting restrictions ~~shall~~ ~~may~~ be imposed even though visitors arrive and request visits. However, if insufficient time precluded notification of the visitors of the restrictions imposed, consideration ~~shall~~ ~~should~~ be given for a special visitors pass. Such special consideration may be for a shorter period than the full visiting day.

(l) Personal Property. Inmates are allowed to retain eyeglasses, hearing aids, personal watches, and rings in confinement unless their actions require removal of such. ~~Superintendents may approve additional items on an individual basis.~~

(m) No change.

(n) Exercise. Those inmates confined on a twenty-four hour basis (excluding showers and clinic trips) may exercise in their cells. However, if confinement extends beyond a thirty-day period an exercise schedule ~~shall~~ ~~should~~ be implemented to ensure a minimum of two hours per week of exercise outside of the cell. Such exercise periods ~~shall~~ ~~should~~ be documented on Form DC4-815 ~~the confinement records~~. Exceptions to this requirement may be made only when ~~clear~~ ~~and compelling~~ facts show that such exercise periods should not be granted. Restrictions may also be placed on the exercise periods by professional medical staff. The reasons for any exercise restrictions shall be documented.

(o) Canteen Items. Inmates in disciplinary confinement shall be allowed to purchase canteen items once every other week with the following restrictions:

1. Inmates in disciplinary confinement are prohibited from possessing or purchasing any canteen food items.

2. Inmates in disciplinary confinement shall be allowed to purchase a maximum of five non-food canteen items. In making this determination, with the exception of stamps and notebook paper, it is the number of non-food items that is counted, not the type of item. For example, three security pens counts as three items, not one item. Twenty-five stamps or fewer will count as one item and two packages or less of notebook paper will count as one item. Non-food items shall be limited to security pens, paper, stamps, soap, roll-on or stick deodorant, toothbrush, shampoo and shower slides.

(p) Writing utensils. Inmates in disciplinary confinement shall possess only security pens, with a possession limit of four pens. Other types of pens shall be confiscated and held until the inmate is released from disciplinary confinement status. A security pen is a specially designed pen, approved by the Bureau of Security Operations, that is flexible so that it bends under pressure and has a tip that retracts under excessive pressure. If no security pens are available, the inmate shall be allowed to sign out a regular pen from the confinement unit officer. All care shall be taken to ensure that an inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances.

~~(q)(e)~~ Restrictions.

1. Any privilege listed within this section, except essential health items; ~~(including prescribed medication);~~ and receiving and sending legal mail or grievance forms shall be subject to restriction ~~may be restricted~~ when an inmate's conduct and behavior become unmanageable.

~~2. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or others or to prevent the destruction of property or equipment.~~

~~2.3.~~ When any privilege is restricted or any item is removed from an inmate's cell ~~in accordance with paragraphs 1. and 2. above,~~ the action taken must be approved by the senior correctional officer. The action taken and the reason for it shall be documented ~~recorded~~ on the Daily Record of Segregation, Form DC-815. A receipt shall be given for any property taken. This action must be reviewed and approved by the correctional officer chief no later than the next working day following this action.

(2) Release From Disciplinary Confinement.

(a) A correctional probation officer ~~Disciplinary Team members~~ will frequently review the case of each inmate in disciplinary confinement, determine the inmate's attitude and return the inmate to the regular inmate population when; ~~in the Team's opinion;~~ he may reasonably be expected to adequately adjust and conform to the rules and regulations. Disciplinary confinement ~~shall~~ ~~should~~ always be for the shortest period of time that accomplishes the desired results of favorable

adjustment. ~~The CPO is authorized to shorten t~~Time in disciplinary confinement ~~may be shortened~~ for good behavior and attitude.

(b) No inmate will be held in disciplinary confinement to exceed the maximum penalty for the rule violation. Any inmate assigned to disciplinary confinement for 30 days ~~shall is to~~ be given a psychological assessment by appropriate mental health the professional staff to determine his mental condition. The assessment shall include a personal interview. The psychologist shall prepare a report to the Superintendent with the facts of the case. The ~~s~~Superintendent will then make a final decision regarding continuation of confinement. All such assessments ~~shall are to~~ be documented in the mental health record. If the decision is to continue confinement and that confinement extends beyond 90 days, a new psychological assessment will be completed ~~accomplished~~ each 90-day period. If ~~no there is not~~ psychological staff are available at the institution or facility, the ~~s~~Superintendent shall make the decision whether to continue the disciplinary confinement.

(3) Visits to Disciplinary Confinement.

(a) Disciplinary confinement areas housing inmates shall require a physical visit to each cell at least:

1. Hourly by a correctional officer.

2. Daily by the Officer in Charge on duty for the day or evening shift, except in the case of riot or other institutional emergency.

~~1.3-~~ Daily by a clinical health care person representative of the Medical Department except at Road Prisons and Community Facilities where full time medical staff is not available. At such facilities the correctional officer assigned to the confinement area will check inmates in confinement at least every two hours to see whether any inmate has any obvious medical abnormalities, whether there is a need for immediate health care, and whether there is a need to bring anything to the attention of the contract physician. The contract physician must see all inmates in disciplinary confinement at least weekly.

~~2.4-~~ As frequently as necessary by a correctional probation officer Disciplinary Team members to ensure that the inmate's welfare is properly provided for and to determine the time and method of release.

~~3.5-~~ Weekly by the Chaplain ~~if possible. The Chaplain is also authorized to He may also~~ provide spiritual guidance and counsel to inmates in confinement and may distribute religious materials.

(b) A documented visual health and welfare/security check shall be made of all inmates in disciplinary confinement:

1. Daily by the housing area supervisor.

2. At least every 30 minutes by a correctional officer. An Inspection of Confinement Record, DC4-814, will be maintained in each disciplinary confinement housing area in the institution. All persons making visits to confinement will sign this form at the time of each visit. By signing the form, the officer is certifying that he has checked the confinement area.

(c) Disciplinary confinement housing areas will be visited:

1. Daily by the officer-in-charge on duty for all shifts except in the case of riot or other institutional emergency.

2. Daily by the correctional officer chief (when on duty at the facility) except in cases of riot or other institutional emergency.

~~(d)(e)~~ For the purposes of this rule, "special management inmate" means Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate exhibits bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures should be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or medical staff provide observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650 until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be noted on Form DC4-815 and shall be followed with an incident report, Form DC3-301 could place himself, other inmates, or staff in a situation where grievous harm may be inflicted or who has become an extreme security risk. An inmate who, in the opinion of staff, has become a special management inmate while in disciplinary confinement should be placed in a location, either in confinement or another designated area, where more frequent observation can be given and checks made by the correctional officer or medical staff at least every 30 minutes until the inmate is no longer considered a special management inmate.

(4) Daily Record of Segregation.

(a) A Daily Record of Segregation, Form DC4-815, will be maintained on each inmate in disciplinary confinement. ~~Inmates placed in confinement shall be weighed. Inmates confined for 30 days or more shall be weighed after 30 days and weekly thereafter. The weight of the inmate shall be recorded on Form DC4-815, Daily Record of Segregation. The supervising officer of the day and the evening shift, health care representatives of the medical staff, and a disciplinary team member will sign the DC4-815 form whenever they make a visit to a specific inmate. Full and complete remarks are to be made in the following situations:~~

~~1.(a)~~ Security ~~Custodial~~ Department – Supervising Officer.

~~a.1-~~ Whenever a check of inmates is made on routine or special basis.

~~b.2-~~ When there is an unusual occurrence in the inmate's behavior.

~~c.3-~~ When it becomes necessary to notify the ~~m~~Medical ~~d~~Department.

~~d.4-~~ When it becomes necessary to restrict any privilege or remove any clothing, bedding or comfort item for the inmate's own protection or to prevent destruction.

~~e.5.~~ If the inmate refuses food.

~~f.6.~~ Cell changes.

~~g.7.~~ Release to population.

~~h.8.~~ To further explain a notation made under the "Physical Appearances" or "Attitude" sections of the Daily Record of Segregation.

~~i.9.~~ When medication is issued by the ~~s~~Security ~~s~~Staff upon medical instructions.

~~2.(b)~~ Medical Department.

~~a.1.~~ When the inmate is ordered removed from confinement and where relocated.

~~b.2.~~ When the inmate's diet is ordered changed.

~~c.3.~~ When changes of clothing, bedding or other restrictions are ordered.

~~d.4.~~ When complaints are received and treatment is given.

~~e.5.~~ When any unusual circumstances occur.

~~f.6.~~ When medication is dispensed.

~~3.(e)~~ Correctional Probation Officer Disciplinary Team.

~~a.1.~~ Upon each review of the case.

~~b.2.~~ Upon release from confinement.

(b) The DC4-815, Daily Record of Segregation, shall be maintained in the housing area until the inmate is released from disciplinary confinement, at which time the form shall be forwarded to the superintendent for review. Once reviewed, the form shall be forwarded to classification to be filed in the institutional inmate record.

(5) Inspection of Confinement Record. Form DC4-814, Inspection of Confinement Record, shall be maintained in each disciplinary confinement area. Each staff person shall sign the form when entering and leaving the disciplinary confinement area. Prior to leaving the disciplinary confinement area, each staff member shall indicate any specific problems, including identification of any inmate who required special attention. Upon completion, the DC4-814 will be maintained in the housing area and will be forwarded to the correctional chief on a weekly basis where it will be maintained on file pursuant to the current retention schedule.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, _____.

33-3.0085 Special Management Meal.

(1) through (3) No change.

(4) Placement on the Special Management Meal.

(a) When any employee observes inmate behavior that he believes meets the criteria for application of the special management meal, the employee shall prepare Form DC3-013, Special Management Meal Report, and forward the report to the ~~Chief c~~Correctional ~~o~~fficer ~~chief~~ for review. Form DC3-013, Special Management Meal Report, is hereby incorporated by reference. A copy of this form may be obtained from the Office of Security and Institutional Management Operations, Department of Corrections, 2601

Blair Stone Road 1311 Winewood Boulevard, Tallahassee, Florida 32399-2500. If forms are to be mailed, ~~the request must be accompanied by~~ a self-addressed stamped envelope must accompany the request. The effective date of this form is _____ ~~the same as the effective date of this rule~~.

(b) If the ~~Chief c~~Correctional ~~o~~fficer ~~chief~~ determines that the behavior cannot be corrected through routine counseling or by established disciplinary procedures, a discussion shall take place at the inmate's cell between the inmate, the ~~o~~fficer in ~~c~~harge, and the reporting officer, if needed. The ~~o~~fficer in ~~c~~harge shall complete the discussion section of the report. The Special Management Meal Report shall document the reasons for recommending the special management meal and shall include a summary of the inmate's comments or objections. When an inmate has been recommended for placement on the special management meal, the ~~c~~Chief ~~h~~Health ~~o~~fficer or other designated health care medical staff member shall indicate on the Special Management Meal Report whether there is any medical reason that would prohibit placing the inmate on special management meal status. When there is a medical problem, the ~~c~~Chief ~~h~~Health ~~o~~fficer or other designated medical staff member shall ~~then~~ determine whether the inmate can be placed on the special management meal or whether an alternative special meal can be prescribed. No inmate shall be placed on special management meal status without medical approval. The ~~Chief c~~Correctional ~~o~~fficer ~~chief~~ shall then forward the report to the ~~s~~Superintendent for approval.

(c) The ~~s~~Superintendent or his designee shall approve or disapprove all recommendations for placement on the special management meal based on the criteria set forth in subsection (2) above.

(5) Canteen privileges authorized by ~~33-3.0081(8)(9)(n)(m), 33-3.0082(9)(j)6, and 33-38.003 33-3.0083(3)(f)~~ for inmates in administrative confinement; ~~protective confinement~~, and close management status shall be suspended for the duration of the period that an inmate is on special management meal status.

(6) The ~~Chief c~~Correctional ~~o~~fficer ~~chief~~ and a clinical health care person representative of the medical staff shall visit each inmate on special management meal status on a daily basis, except in case of riot or other institutional emergency. The shift supervisor shall act as the chief correctional officer's designee and shall conduct the daily visit in the chief's absence. The purpose of the daily visit is to follow the inmate's progress while on the special management meal and to determine when the inmate should be removed from the special management meal status.

(7) An inmate may be removed from special management meal status at any time based on:

(a) The recommendation of the ~~Chief c~~Correctional ~~o~~fficer ~~chief~~ and the approval of the ~~s~~Superintendent; or

(b) Medical reasons as determined by the ~~c~~Chief ~~h~~Health ~~o~~Officer or other designated health care ~~medical~~ staff.

(8) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 1-11-88, Amended 3-4-92, 5-27-97, 11-25-98, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Privileges in Close Management	33-38.0038
Assignment to Close Management	33-38.005
Review of Assignment to Close Management	33-38.006
Case Management Responsibilities	33-38.009
Close Management Facilities	33-38.010
Other Conditions and Privileges	33-38.011
Close Management Records and Forms	33-38.012

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is as follows: restricts purchase of canteen items and possession of specific items by close management inmates; provides for more frequent observation of close management inmates; provides specific procedures for staff to follow when close management inmates demonstrate self-destructive behavior; provides for issuance of a modesty garment in situations where an inmate's clothes must be removed; increases the time limit for notice of close management review; removes the custody scoresheet requirement from the close management review process; and allows for electronic signature of the close management review form, corrects the title reference to a form incorporated by reference in another rule.

SUBJECT AREA TO BE ADDRESSED: Close management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 9:00 a.m., June 10, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-38.0038 Privileges in Close Management.

The inmate's movements within the institution and contacts with other persons shall be restricted and privileges for specific management levels shall be limited.

(1) Privileges for inmates assigned to close management level I who maintain a satisfactory adjustment (as defined in rule 33-11.0035):

(a) through (c) No change.

(d) Make canteen purchases once per month, unless restricted by disciplinary team action. Canteen purchases are subject limited to the following limitations health and comfort items and writing supplies, including stamps, unless modified by rule 33-38.011(1) and (2):

1. Close management I and II inmates, including those inmates housed in disciplinary confinement status, shall not be allowed to purchase any canteen food items.

2. Close management I and II inmates shall be allowed to purchase a maximum of 5 non-food canteen items. In making this determination, with the exception of stamps and notebook paper it is the number of non-food items that is considered, not the type of item. For example, three security pens count as three items, not one item. 25 stamps or fewer count as one item and two packages or less of notebook paper count as one item.

(e) through (h) No change.

(2) No change.

(3) Privileges for inmates assigned to close management level III in addition to the privileges provided for in levels I or II are:

(a) through (b) No change.

(c) Inmates who are on close management III status and have not received a disciplinary report for 90 days while on close management III status shall be allowed to purchase a maximum of four canteen food items. In making this determination, it is the number of food items that is considered, not the type of food. For example, three packages of cookies count as three items, not one item. Any disciplinary reports received by the inmate between the time that the inmate requests canteen food items and the delivery of those items shall result in disapproval of those requested items.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--Formerly 33-3.0083, Amended 10-1-95, Amended 4-14-98, 9-2-98, _____.

33-38.005 Assignment to Close Management.

(1) The close management review shall be documented on a ~~R~~report of ~~C~~close ~~M~~management, ~~F~~form DC4-813(c). The inmate shall be given a minimum of ~~48~~ 24 hours to prepare for the review and may present information verbally or in writing for consideration by the close management review team. The close management review team is authorized to postpone the case review to allow the inmate additional time to prepare. A staff assistant shall be assigned when the team determines the inmate is illiterate or does not understand English, or when the complexity of the issue makes it unlikely that the inmate will be able to properly represent himself or herself or when the inmate indicates that he or she needs or desires staff assistance.

It is the responsibility of the staff assistant to explain the close management recommendations and procedures to the inmate. The designated staff assistant shall be authorized to:

(a) through (d) No change.

(2) The close management review team shall inform the inmate of the basis for its decision and provide a copy of the team's decision to the inmate after ~~at~~ the conclusion of the review.

(3) through (4) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--Formerly 33-3.0083, Amended 10-1-95, _____.

33-38.006 Review of Assignment to Close Management.

The close management review team shall convene as often as necessary to ensure each inmate is reviewed at least once every six months to determine if continuation, modification, or removal from close management status is appropriate.

(1) The report of close management will be completed by ~~a~~ the correctional probation officer assigned to close management and will serve as a scheduled progress report for the inmate. The following elements shall be considered:

(a) through (e) No change.

(2) The review by the close management review team shall include the following:

(a) The correctional probation officer review as documented on Form DC4-813(c), Report of Close Management.

~~(b) Completion of an updated custody score sheet.~~

~~(b)(e)~~ Review of the Daily Record of Confinement, Form (DC4-815).

~~(c)(d)~~ Review of the reasons for placement into close management.

~~(d)(e)~~ Interview of the inmate by the close management review team pursuant to 33-38.005(3).

~~(e)(f)~~ Review of the inmate file or any other information essential to complete the review.

(3) The action of the team shall be documented on the Report of Close Management, Form DC4-813(c). Each team member shall sign the report by hand or electronically. If signed by hand, with the name shall be typed or printed under the signature.

(4) through (7) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--Formerly 33-3.0083, Amended 10-1-95, 4-14-98, _____.

33-38.009 Case Management Responsibilities.

(1) Inmates in close management shall be reviewed by the assigned correctional probation officer every week and the review shall be documented on the Daily Record of Segregation confinement, Form DC4-815.

(2) Any inmate assigned to close management for more than 30 continuous days shall be given a psychological assessment by appropriate mental health ~~professional medical~~

staff to determine his mental condition. For inmates who remain in confinement beyond 90 continuous days, a psychological assessment shall be completed each 90 day period. The assessment shall include a personal interview. All psychological assessments will be documented in the inmate's mental health record file. Only those cases recommended for a change in status need to have a report prepared for the superintendent. The superintendent shall then make a final decision regarding continuation of confinement based on the facts and recommendations in the report.

(3) A written assessment and evaluation report by a correctional probation officer ~~the inmate's classification team~~ is required on inmates in close management each six months for review by the close management review team on Form DC4-813(c).

(4) Inmates in close management shall receive a personal contact a minimum of:

~~(a) At least every hour by a correctional officer.~~

~~(b) Daily by the housing unit supervisor on duty for the day and evening shift, except in the case of an institutional emergency.~~

~~(a)(e)~~ Daily by a clinical health care person ~~representative of the medical department.~~

~~(b)(d)~~ As frequently as necessary, but not less than weekly, by the inmate's assigned correctional probation officer to ensure that the inmate's welfare is properly provided for, and to determine the need for any program change recommendations.

~~(e) The officer in charge on duty for the day or evening shift shall visit the housing unit to observe the operation and make any adjustments appropriate.~~

~~(c)(g)~~ Weekly by the chaplain ~~if possible~~. More frequent visits ~~shall should~~ be made upon request of the inmate, if the chaplain's schedule permits.

(5) A documented visual health and welfare/security check shall be made of all inmates in close management:

(a) Daily by the area housing supervisor.

(b) At least every 30 minutes by a correctional officer.

(6) Close management housing areas will be visited:

(a) Daily by the officer in charge on duty for all shifts except in the case of riot or other institutional emergency.

(b) Daily by the correctional officer chief (when on duty at the facility) except in case of riot or other institutional emergency.

(7)(5) For the purposes of this rule, "special management inmate" means Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures should be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff will

~~provide observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650 until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC4-815, to be followed by the completion of an Incident Report, Form DC3-301 could place himself, other inmates, or staff in a situation where grievous harm may be inflicted or who has become an extreme security risk. An inmate who, in the opinion of the senior correctional officer on duty, has become a special management inmate while in close management shall whenever possible be placed in a location, either in confinement or another designated area, where more frequent observation can be given and checks made by the correctional officer or medical staff at least every 30 minutes until the inmate is no longer considered a special management inmate.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—Formerly 33-3.0083, Amended 10-1-95, 4-14-98,_____.

33-38.010 Close Management Facilities.

(1) The number of inmates housed in a close management cell shall not exceed the number of beds in the cell except during an emergency situation as approved by the superintendent. Such exceptions shall not continue for more than 24 hours without the specific authorization of the regional director.

(2) All close management cells will be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. In such event, the inmate occupant shall be furnished with an adequate supply of drinking water by other means to prevent dehydration. This action shall be documented on Form DC4-815, Daily Record of Segregation.

(3) through (4) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—Formerly 33-3.0083, Amended 10-1-95, 4-14-98,_____.

33-38.011 Other Conditions and Privileges.

(1) Comfort Items – Inmates in close management shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses; ~~and hearing aids, etc.~~, except when security requirements dictate otherwise. Inmates in close management shall not possess any products that contain baby oil, mineral oil, cocoa butter or alcohol. In the event certain items that inmates in close management are not normally prohibited from possessing are removed from inmates in close management, the senior supervising correctional officer on duty shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken will be recorded on the Daily Record of Segregation confinement, Form DC4-815, which must be reviewed and approved by the correctional officer chief.

Property receipts will be given for any personal property removed. The following comfort items will be provided as a minimum: toothbrush, toothpaste, bar of soap, towel (or paper towels), internal and external feminine hygiene products ~~sanitary napkins~~ (female), and toilet tissue.

(2) Inmates shall be allowed to retain personal property including watches, rings and health and comfort items unless there is an indication of a security ~~concern problem~~, in which case removal of any item will be documented on form DC4-815 and a property receipt issued. The superintendent shall determine, based on institutional considerations, whether additional property is to be allowed. Radios, tape players, record players, television sets, and other electronic entertainment devices are not authorized for inmates in close management, except as authorized by rule 33-3.002(17).

(3) Personal Hygiene – Inmates in close management shall meet the same standards in regard to personal hygiene as required of the general inmate population.

(a) through (b) No change.

~~(c) Bedding and linen will be issued and exchanged for close management inmates the same as for the general population.~~

(4) through (5) No change.

(6) Diet – All inmates in close management shall receive institutional meals as are available to the general inmate population, except that if any item on the menu might create a security problem in the close management area, then another item of comparable quality may be substituted. Other substitutions shall be documented on the Daily Record of Segregation confinement, Form DC4-815.

(7) No change.

(8) Clothing and Bedding – ~~Belts may be removed. Inmates in close management shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are required for the welfare of the inmate or the security of the institution. In such cases, the exceptions shall be documented on Form DC4-815 and approved by the correctional officer chief. Shower slides or slip on canvas shoes for cell use may be substituted for regulation shoes. Otherwise the clothing for inmates in close management shall be comparable to that available to the general inmate population except when security concerns dictate otherwise. In such cases, when clothing is denied to an inmate it shall be noted on form DC4-815, stating the reasons for such denial. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty shroud/garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the~~

garment shall be left in the cell and this action shall be documented on Form DC4-815. Under no circumstances shall an inmate be left without a means to cover himself or herself.

2. Bedding and linen for inmates in close management shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution and shall be documented on Form DC4-815.

(9) Exercise – Those inmates confined on a 24 hour basis, excluding showers and clinic trips, may exercise in their cells. However, if confinement extends beyond a 30 day period, there shall be an exercise schedule providing a minimum of 2 hours per week of exercise outside of the cell. Such exercise periods shall be documented on Form DC4-815 in the confinement records. Exceptions to this requirement shall may be made only when safety and security concerns can document such exercise periods should not be granted and the withholding of exercise is approved by the close management review team. Medical restrictions may also place limitations on the exercise periods. Wellness programs may be available for the exercise period provided such activity does not interfere with the safety of staff and inmates or security of the institution.

(10) No change.

(11) Writing Utensils. Inmates in close management status shall possess only security pens, with a possession limit of four pens. Other types of pens shall be confiscated and held until the inmate is released from close management status. A security pen is a specially designed pen, approved by the Bureau of Security Operations, that is flexible so that it bends under pressure and has a tip that retracts under excessive pressure. If no security pens are available, the inmate shall be allowed to sign out a regular pen from the close management unit officer. All care shall be taken to ensure that an inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--Formerly 33-3.0083, Amended 10-1-95,_____.

33-38.012 Close Management Records and Forms.

(1) A report of close management, form DC4-813(c), shall be kept for each inmate placed in close management. A photocopy of the DC4-813(c) shall be kept in the close management unit with the other close management records for each inmate. Upon completion of the DC4-813(c), the white copy of the form will be mailed to central office to be filed in the central office inmate record and the pink copy will be filed in the institutional inmate record.

(2) An inspection of confinement record, form DC4-814, shall be maintained in each close management area. Each Such record shall be signed by the staff person shall sign the form when entering and leaving the close management area. Prior to leaving the close management area, each the staff member will

indicate any specific problems including any inmate who required special attention. Upon completion, the DC4-814 Inspection of Confinement Record will be maintained in the housing area and forwarded to the correctional chief on a weekly basis where it will be maintained on file pursuant to the current retention schedule.

(3) A Ddaily Rrecord of Segregation confinement, form DC4-815, shall be maintained for each inmate as long as he is in close management. The DC4-815 shall be utilized to document any and all activities, including cell searches, removal of any items, showers, recreation, and haircuts and shaves. If items that inmates in close management are not normally prohibited from possessing are denied or removed from the inmate, the shift officer in charge or the confinement or close management lieutenant senior correctional officer on duty must approve the action initially. The items denied or removed shall be documented noted on the Form DC4-815 and the chief correctional officer shall make the final decision in regard to the appropriateness of that action no later than the next working day following this action. The supervising officer shall make a notation of any unusual occurrences or changes in the inmate’s behavior and any action taken. Changes in housing location or any other special action shall also be noted. The DC4-815, Daily Record of Segregation shall be maintained in the housing area until the inmate is released from close management at which time the form will be forwarded to the superintendent for review. Once reviewed, these forms will be forwarded to classification to be filed in the institutional inmate record.

(4) Form DC4-813(c), Report of Close Management, is hereby incorporated by reference. A copy of this form is available from the Adult Services Program Office of Security and Institutional Management, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If the form is to be mailed, the request must be accompanied by a self-addressed stamped envelope must accompany the request. The effective date of this form is October 1, 1995.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--Formerly 33-3.0083, Amended 10-1-95, 4-14-98,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedural	40D-1
RULE TITLE:	RULE NO.:
Forms and Instructions	40D-1.659
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to adopt by reference various well construction and water use permitting forms. The Water Use Permitting forms are currently referenced in Rule 40D-2.101, Content of Application; and the Well Construction Forms are currently referenced in Rule 40D-3.037, Rules and Publications Incorporated by Reference.	

SUBJECT AREA TO BE ADDRESSED: The adoption by reference of various well construction and water use permitting forms.

SPECIFIC AUTHORITY : 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.113, 373.413, 373.414, 373.416, 373.419, 373.421 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.659 Forms and Instructions.

The following forms and instructions which have been approved by the Governing Board are incorporated by reference into this Chapter and can may be obtained from the District.

GROUND WATER

1. APPLICATION FOR WATER WELL CONTRACTOR'S LICENSE FORM NO. WWCL (/99)

2. NOTICE OF VIOLATION FORM NO. 42.20-009 (11/98)

3. PROPOSED WELL CONSTRUCTION LOCATION AND DESIGN FORM FORM NO. 41.10-003 2/94/MH

4. STATE OF FLORIDA PERMIT APPLICATION TO CONSTRUCT, REPAIR, MODIFY, OR ABANDON A WELL FORM NO. 41.10-410(1) REV. 4/95

5. WARNING LETTER FORM NO. WWWL (/99)

6. WELL COMPLETION REPORT FORM NO. 41.10-410(2)(8/96)

7. WELL GROUTING/ABANDONMENT FORM FORM NO. 41.10-410 (8/96)

8. WELL VERIFICATION FOR ALL NON-DOMESTIC WELLS LOCATED IN THE MOST IMPACTED AREA OR THE EASTERN TAMPA BAY WATER USE CAUTION AREA FORM NO. 42-10-005 (10/95)

Well Location Verification

Application for Registration as Well Driller

Bond for Drilling Contractors

Supplemental Bond for Test and Foundation Hole Contractors, Engineering Testing Laboratories

Application for a Permit to Construct a Well Under a Special Certification of Registration

Application for Firm Identification Number

Confirmation of Firm Identification Number

Sworn Written Complaint Form

Well Abandonment Report

Warning Notice

Application for a Permit to Construct a Well and Used along with Department of Environmental Regulation Water Well Contractor's Well Completion Report

1. GENERAL WATER USE PERMIT APPLICATION USE FOR QUANTITIES LESS THAN 100,000 GALLONS PER DAY FORM NO. WUP-1 FORM 46.20-001 (12/98)

2. GENERAL WATER USE PERMIT APPLICATION USE FOR QUANTITIES OF 100,000 TO 499,999 GALLONS PER DAY FORM NO. WUP-2 FORM 46.20-002 (12/98)

3. INDIVIDUAL WATER USE PERMIT APPLICATION USE FOR QUANTITIES OF 500,000 GALLONS PER DAY OR GREATER FORM NO. WUP-3 FORM 46.20-003 (12/98)

4. WATER USE APPLICATION SUPPLEMENTAL FORM - AGRICULTURE FORM NO. WUP-4 FORM 46.20-004 (12/98)

5. WATER USE APPLICATION SUPPLEMENTAL FORM - INDUSTRIAL OR COMMERCIAL FORM NO. WUP-5 FORM 46-20.005 (12/98)

6. WATER USE APPLICATION SUPPLEMENTAL FORM - MINING AND DEWATERING FORM NO. WUP-6 FORM 46.20-006 (12/98)

7. WATER USE APPLICATION SUPPLEMENTAL FORM - PUBLIC SUPPLY FORM NO. WUP-7 FORM 46.20-007 (12/98)

8. WATER USE APPLICATION SUPPLEMENTAL FORM - RECREATION OR AESTHETIC FORM NO. WUP-8 FORM 46.20-008 (12/98)

Instructions and Forms for Completing the Consumptive Use Permit (CUP) Application Form

Southwest Florida Water Management District Consumptive Use Permit Application

Southwest Florida Water Management District (SWFWMD) Consumptive Use Permit

SURFACE WATER

Application for Permit - Used for Docks or Piers and Bulkheads

(1) through (11) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 420.53, 373.113, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History-New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Consumptive Use of Water RULE CHAPTER NO.: 40D-2

RULE TITLE: Content of Application RULE NO.: 40D-2.101

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to eliminate the incorporation of water use permitting forms in 40D-2.101, F.A.C., and provide a reference to Rule 40D-1.659, F.A.C., where these forms will concurrently be incorporated.

SUBJECT AREA TO BE ADDRESSED: The elimination of the incorporation by reference of water use permitting forms in Rule 40D-2.101, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.229 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.101 Content of Application.

In order to obtain a Water Use Permit, an applicant shall file with the District the appropriate form entitled "Water Use Permit Application" including the appropriate supplemental forms. The Water Use Permit application forms numbered WUP-1 through WUP-8 are hereby incorporated by reference into Rule 40D-1.659, F.A.C., this chapter and are available from the District upon request. These forms shall become effective on October 23, 1989. The Application shall include the following information:

- (1) through (7) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.229 FS. History-Readopted 10-5-74, Amended 10-24-76, 1-6-82, 2-14-82, Formerly 16J-2.06, Amended 10-1-89, 10-23-89, 2-10-93,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.: Regulation of Wells 40D-3 RULE TITLE: RULE NO.: Rules and Publications Incorporated by Reference 40D-3.037

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to eliminate the incorporation of various well construction forms in 40D-3.037, F.A.C., and provide a reference to Rule 40D-1.659, F.A.C., where these forms will concurrently be incorporated.

SUBJECT AREA TO BE ADDRESSED: The elimination of the incorporation by reference of various well construction forms in Rule 40D-3.037, F.A.C.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.309, 373.323, 373.342 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-3.037 Rules and Publications Incorporated by Reference.

- (1) through (2) No change.

(3) Well Construction Forms "State of Florida Permit Application to Construct, Repair, Modify or Abandon Well," form number 41.10-410(1), REV.4/95; "Public Supply Well Information and Classification Form," form number 42.10-001, revised August 1992; "Well Completion Report," form number 41.10-410(2) REV. 6/95; and "Well Verification," form number 42.10-005(2/94), are hereby incorporated by reference into Rule 40D-1.659, F.A.C., and made a part of this rule and are available from the District upon request.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.309, 373.323, 373.342 FS. History-New 7-1-90, Amended 12-31-92, 4-11-94, 6-27-94, 9-22-94, 7-5-95, 10-19-95,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

Table with 2 columns: RULE TITLES and RULE NOS. listing various water management policies and their corresponding rule numbers (e.g., Policy 40E-7.611, Definitions 40E-7.621, etc.).

PURPOSE AND EFFECT: The M/WBE Contracting Rule 40E-7, Part VI, F.A.C. ("Rule") had an effective implementation date of October 1, 1996. Subsequently, the 1998 Legislature enacted Section 288.7031 Florida Statutes requiring all political subdivisions of the State (including the District) to modify their programs to incorporate new M/WBE certification criteria. Additionally, as required by rule, the District's Policy Review and Goal Setting Committee (PR&GSC) has met periodically during the past two years to monitor the M/WBE program implementation and to consider policy interpretations and potential changes. Some of the policy issues that have surfaced may potentially require rule changes. In conjunction with the mandated legislative changes and the input from the PR&GSC, the Office of Supplier Diversity & Outreach (SDO) would like to solicit public input on the current rule and the District's implementation of the program over the past two years.

SUBJECT AREA: The proposed rule development concerns proposed changes to the District's M/WBE Contracting Rule, Chapter 40E-7.611-40E-7.667, F.A.C.

SPECIFIC AUTHORITY: 373.607 FS.

LAW IMPLEMENTED: 373.607 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES AND DATES INDICATED BELOW:

TIME AND DATE: 9:30 a.m. – 12:00 p.m., June 3, 1999

PLACE: South Florida Water Management District Headquarters, Storch Room (Building B-1), 3301 Gun Club Road, West Palm Beach, Florida

TIME AND DATE: 9:30 a.m. – 12:00 p.m., June 8, 1999

PLACE: South Florida Water Management Ft. Myers Service Center, Auditorium, 2301 McGregor Blvd., Ft. Myers, FL

TIME AND DATE: 1:00 p.m. – 4:00 p.m., June 15, 1999

PLACE: South Florida Water Management Fort Lauderdale Field Station, Joe Lopez Conference Room, 2535 Davie Road, Davie, FL

TIME AND DATE: 9:30a.m. – 12:00 p.m., June 18, 1999

PLACE: Stuart City Hall, 121 S. W. Flagler Avenue, Stuart, FL

TIME AND DATE: 9:30 a.m. – 12:00 p.m., June 24, 1999

PLACE: State of Florida Department of Health, Auditorium, 1728 NW 9th Avenue, Okeechobee, FL

TIME AND DATE: 1:00 p.m. – 4:00 p.m., June 30, 1999

PLACE: Miami-Dade Community College North Campus, Auditorium, 11380 NW 27th Avenue, Miami, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Catherine Linton, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6322 or (561)682-6322 (internet: clinton@sfwmd.gov). Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the

testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, at (561)682-6206 at least two business days in advance to make appropriate arrangements.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: Prescribed Pediatric Rehabilitative Services
RULE NO.: 59G-4.260

PURPOSE AND EFFECT: The purpose of the rule development is to incorporate by reference the revised Florida Medicaid Prescribed Pediatric Extended Care Services Coverage and Limitations Handbook, May 1999, in 59G-4.260.

SUBJECT AREA TO BE ADDRESSED: Prescribed Pediatric Rehabilitative Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 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: 1:00 p.m., May 17, 1999

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room G, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kenn Jones, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7310

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of 59G-4.260 follows. See Florida Administrative Code for present text.)

59G-4.260 Prescribed Pediatric Extended Care Services Prescribed Pediatric Rehabilitative Services.

(1) This rule applies to all Prescribed Pediatric Extended Care (PPEC) service providers enrolled in the Medicaid program.

(2) All Medicaid enrolled prescribed pediatric extended care service providers must be in compliance with the Florida Medicaid Prescribed Pediatric Extended Care Services Coverage and Limitations Handbook, May 1999, incorporated by reference, and the Florida Medicaid 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 409.905(2), 409.913(5)(c), (8)(b), 409.908 FS. History--New 8-27-91, Amended 4-21-92, 3-9-93, Formerly 10C-7.0471, Amended 2-11-96, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE TITLE: Prospectus Amendments
 RULE NO.: 61B-31.001

PURPOSE AND EFFECT: The purpose of this rule chapter is to consider additional circumstances in which a Prospectus can be amended. The effect of this rule, consistent with section 723.006, Florida Statutes, is to expand the list of allowable amendments to an approved Prospectus

SUBJECT AREA TO BE ADDRESSED: The rule addresses additional circumstances in which amendments to a Prospectus can be made.

SPECIFIC AUTHORITY: 723.006(8) FS.

LAW IMPLEMENTED: 723.006(8) 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 26, 1999

PLACE: Fuller Warren Building, Conference Room, #B03, 202 Blount Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop by contacting Sharon A. Elzie, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THOSE PERSONS WHO CANNOT ATTEND IN PERSON MAY SUBMIT THEIR COMMENTS IN WRITING TO: Mary Denise O'Brien, Department of Business and Professional Regulation, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Norred, Chief, Bureau of Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, or Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Examination Review Procedures
 RULE NO.: 61G6-6.006

PURPOSE AND EFFECT: The Board intends to create a new rule which will set forth the examination review procedures.

SUBJECT AREA TO BE ADDRESSED: Examination review procedures.

SPECIFIC AUTHORITY: 455.217(3) FS.

LAW IMPLEMENTED: 455.217(3) FS.

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

TIME AND DATE: 9:00 a.m. or shortly thereafter on May 26, 1999

PLACE: The Hilton Ocean Front Resort, 2637 South Atlantic Avenue, Daytona Beach, Florida 32118

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-6.006 Examination Review Procedures.

(1)(a) An applicant who fails the examination is entitled to review, subject to the conditions set forth in Rule 61-11.017, copies of the applicant's examination questions, pertinent exhibits related to those questions, the correct answers to those questions, the applicant's responses to the same questions, the scratch papers used at the examination, and the grades and grading key used in the licensure examination.

(b) Test booklets used by the candidate during the examination are not retained. Candidates reviewing the examination will be provided with a clean, exact copy of the original test booklets. They will not be given the actual test booklets they used during the examination. Consequently, any marks or notes made by candidates in their test booklets during the examination will not be available during the review.

(2) Unsuccessful examinees may not bring other persons with them to the examination review. The examination review is limited to the examinee and cannot be extended to expert witness(es) and/or attorneys. The review session will be conducted in accordance with the examination administration procedures to the extent possible and feasible. Only those text books and other reference materials listed in the Candidate

Information Brochure and reference list and which were permitted at the examination will be used during the review session.

(3) Prior to the commencement of examination reviews, examinees shall be instructed and shall sign a statement stating that they understand that no notes or recordings may be taken from the examination review room, that they shall be monitored during the review, and that they have the right to challenge any question which the examinee believes may be ambiguous or any solution which the examinee believes may be incorrect and to request a hearing if the challenge is found to be without merit. The challenges must be submitted in writing during the review. Any challenges or supporting documentation submitted after the candidate has left the review room shall not be analyzed. At least 30 days must elapse between examination review and any subsequent retake of that examination.

(4) If a successful challenge results in a regrade of an examination, that regrade shall be limited to the candidate who filed the successful challenge and shall apply only if the examination successfully challenged is the last examination for which the candidate has tested.

(5) The examinee may file a petition for a hearing which must be in writing and postmarked within twenty-one days from the date on the grade notification or twenty-one days from the date of the post-examination review, or from the date on the letter notifying the candidate of the Department's evaluation decision regrading his/her challenges, if any, and must clearly identify the question(s) that the examinee believes is ambiguous or the test solution(s) that the examinee believes is incorrect.

Specific Authority 455.217(3) FS. Law Implemented 455.217(3) FS. History-New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: _____ RULE NO.:

Proof of Completion by Certificate by Certificate Holders and Registrants 61G6-9.0105

PURPOSE AND EFFECT: The proposed rule will set forth the form to be used by licensees and registrants to prove completion of their continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Proof of completion by certificate by certificate holders and registrants.

SPECIFIC AUTHORITY: 489.507(3), 489.509, 489.517 FS.

LAW IMPLEMENTED: 489.517 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-9.0105 Proof of Completion by Certificate Holders and Registrants.

Proof of completion of the continuing education requirements shall be submitted by the certificate holder or registrant with his or her renewal application on Form BPR/ECLB.CERT.COMP.5/99, which is hereby incorporated by reference, effective _____, copy of which may be obtained from the Board office.

Specific Authority 489.507(3), 489.517(3) FS. Law Implemented 489.517(3) FS. History-New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: _____ RULE NO.:

Medical Records of Deceased Veterinarians, Retention, Time Limitations 61G18-18.001

PURPOSE AND EFFECT: The purpose of the proposed amendments is to change the time required for medical records to be retained, and the time the executor, administrator, personal representative or survivor should publish the notice indicating to the owner of the patients of the deceased veterinarian that the veterinarian's medical records will be disposed of or destroyed.

SUBJECT AREA TO BE ADDRESSED: Medical Records of Deceased Veterinarians.

SPECIFIC AUTHORITY: 474.206, 455.242 FS.

LAW IMPLEMENTED: 455.242 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 24, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32302

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Currie, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-18.001 Medical Records of Deceased Veterinarian; Retention, Time Limitations.

(1) The executor, administrator, personal representative or survivor of a deceased veterinarian licensed pursuant to Chapter 474, Florida Statutes, shall retain medical records in existence upon the death of the veterinarian concerning any patient of the veterinarian for at least a period of two (2) three (~~3~~) years from the date of the death of the veterinarian.

(2) No change.

(3) At the conclusion of a twenty-two (22) thirty four (34) month period of time from the date of the veterinarian's death, or thereafter, the executor, administrator, personal representative, or survivor shall cause to be published once during each week for four (4) consecutive weeks, in the newspaper of greatest general circulation in the county where the veterinarian resided, a notice indicating to the owners of the patients of the deceased veterinarian that the veterinarian's medical records will be disposed of or destroyed one (1) month or later from the last day of the fourth week of publication of notice.

Specific Authority 474.206, 455.242 FS. Law Implemented 455.242 FS. History--New 9-15-80, Formerly 21X-18.01, Amended 7-26-90, Formerly 21X-18.001, Amended 7-4-95, 12-30-97, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Approval of Courses

RULE NO.: 61G19-9.004

PURPOSE AND EFFECT: The proposed rule will provide for granting continuing education credit for attendance at meetings of the Florida Building Code Commission or any of its technical committees.

SUBJECT AREA TO BE ADDRESSED: Approval of Courses.

SPECIFIC AUTHORITY: 468.606, 468.627 FS.

LAW IMPLEMENTED: 468.627 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: 9:00 a.m., May 28, 1999

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Highway, Kissimmee, Florida 34747

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-19R

RULE CHAPTER TITLE: Stationary Sources –

RULE CHAPTER NO.:

Preconstruction Review 62-212

RULE TITLE: Prevention of Significant Deterioration (PSD) 62-212.400

PURPOSE AND EFFECT: To amend the PSD rule in accordance with EPA guidance to provide an exemption from PSD review (and BACT analysis) for Pollution Control Projects (PCPs) in two industry categories, namely, pulp and paper and municipal solid waste landfills.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would revise the PSD rule to exempt from PSD review those pulp and paper and municipal solid waste landfill projects that are considered environmentally beneficial and qualify as PCPs according to EPA guidance.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

TIME AND DATE: 10:00 a.m., Wednesday, May 26, 1999

PLACE: Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Venkata Panchakarla, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, FL 32399-2400, or call (850)488-0114, or e-mail panchakarla_v@dep.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-212.400 Prevention of Significant Deterioration (PSD).

(2)(a) Facility and Project Exemptions.

2. Pollution Control Project Exemptions.

a. A pollution control project that is being added, replaced, or used at an existing electric utility steam generating unit and that meets the requirements of 40 CFR 52.21(b)(2)(iii)(h), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule.

b. A significant net increase in the actual emissions of a collateral pollutant that would occur solely as a result of a project undertaken for the purpose of complying with the hazardous air pollutant emission reduction requirements of 40 CFR Part 63, Subpart S, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the

preconstruction review requirements of this rule, provided the owner or operator demonstrates to the Department that such increase would not cause or contribute to a violation of any ambient air quality standard, maximum allowable increase, or visibility limitation.

c. A significant net increase in the actual emissions of a collateral pollutant that would occur solely as a result of a project undertaken for the purpose of complying with the non-methane organic compound emission reduction requirements of 40 CFR Part 60, Subpart Cc or WWW, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule, provided the owner or operator demonstrates to the Department that such increase would not cause or contribute to a violation of any ambient air quality standard, maximum allowable increase, or visibility limitation.

3. Temporary Clean Coal Technology Demonstration Project Exemption. The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project that meets the requirements of 40 CFR 52.21(b)(2)(iii)(i), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule. A temporary clean coal technology demonstration project shall have the meaning provided in 40 CFR 52.21(b)(36), adopted and incorporated by reference at Rule 62-204.800, F.A.C.

~~4.3.~~ Permanent Clean Coal Technology Demonstration Project Exemption. The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering shall not be subject to the preconstruction review requirements of this rule, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant unit-by-unit basis. A clean coal technology demonstration project shall have the meaning provided in 40 CFR 52.21(b)(35), adopted and incorporated by reference at Rule 62-204.800, F.A.C.

~~5.4.~~ Very Clean-Coal Fired Electric Utility Steam Generating Unit Exemption. The reactivation of a very clean-coal fired electric utility steam generating unit, as defined under 40 CFR 52.21(b)(38), adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall not be subject to the preconstruction review requirements of this rule.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.500, Amended 2-2-93, Formerly 17-212.400, Amended 11-23-94, 1-1-96, 3-13-96, 2-5-98,_____.

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: RULE NO.:

Massage Establishment Safety and Sanitary Requirements 64B7-26.003

PURPOSE AND EFFECT: The purpose of the development is to reorganize the rule and to implement all provisions of Section 480.043(2) which require rules.

SUBJECT AREA TO BE ADDRESSED: Massage Establishment Safety and Sanitary Requirements.

SPECIFIC AUTHORITY: 480.035(7), 480.043(2) FS.

LAW IMPLEMENTED: 480.043(2) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLES: RULE NOS.:

Continuing Education Requirements for Board Approval of 64B7-28.009

Continuing Education Programs 64B7-28.010

PURPOSE AND EFFECT: The purpose of rule 64B7-28.009 is to permit 4 hours continuing education credit for adult cardio-pulmonary resuscitation (CPR), provided the course is sponsored by the American Red Cross or the American Heart Association, or is instructed by persons certified to instruct courses for those organizations.

SUBJECT AREA TO BE ADDRESSED: Continuing Education; Requirements for Board Approval of Continuing Education Programs.

SPECIFIC AUTHORITY: 480.035(7), 480.0415, 455.564(6), 480.0425 FS.

LAW IMPLEMENTED: 455.564(6)(7), 480.0415, 480.0425 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-28.009 Continuing Education.

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

(c) The remaining hours may include courses on communication with clients and other professionals, insurance relating to third party payment or reimbursement for services, psychological dynamics of the client-therapist relationship, risk management, including charting, documentation, record keeping or infection control other than the HIV/AIDS course required by Section 455.604, Florida Statutes, or massage practice management. The remaining hours may also include up to 4 hours credit for adult cardio-pulmonary resuscitation (CPR), provided the course is sponsored by the American Red Cross or the American Heart Association, or is instructed by persons certified to instruct courses for those organizations.

(4) through (5) No change.

Specific Authority 455.564(7), 480.035(7), 480.0415 FS. Law Implemented 455.564(7), 480.0415 FS. History--New 4-21-86, Amended 2-25-88, 8-29-88, 1-30-90, 10-2-90, Formerly 21L-28.009, Amended 8-16-94, 6-5-95, 2-12-97, Formerly 61G11-28.009, Amended 8-16-98, 3-15-99, _____.

64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) No change.

(2) Each program presented by an approved provider shall:

(a) Meet the standards of Rule 64B7-28.009(2)(a), (b) or (c)(b);

(b) through (7) No change.

Specific Authority 455.564(6), 480.035(7), 480.0415, 480.0425 FS. Law Implemented 455.564(6), 480.0415, 480.0425 FS. History--New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-3-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-29.010, Amended 2-18-98, 10-26-98, _____.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Definitions
RULE NO.: 64B7-29.001

PURPOSE AND EFFECT: The purpose for this amendment is to conform the apprenticeship requirements to the requirements for approved massage therapy schools.

SUBJECT AREA TO BE ADDRESSED: Equipment required for Massage Therapists sponsoring apprenticeships.

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

LAW IMPLEMENTED: 480.041(1)(b),(5)(a) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-29.001 Definitions.

(1) through (4) No change.

(5)(a) through (d) No change.

(e) Hydro-therapy equipment, which must include cold packs and hot packs, ~~and at least one of the following:~~

~~1. Steamroom or cabinet~~

~~2. or sauna~~

~~3. or whirlpool bath.~~

Such equipment shall be that which is generally acceptable in the massage profession.

(f) No change.

Specific Authority 480.035(7), 480.041(5)(a) FS. Law Implemented 480.041(1)(b),(5)(a) FS. History--New 11-27-79, Amended 12-18-84, Formerly 21L-29.01, Amended 4-7-86, 12-22-92, Formerly 21L-19.001, 61G11-29.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Minimum Requirements for Board of
RULE NO.: 64B7-32.003

PURPOSE AND EFFECT: The purpose of the rule development is to develop faculty qualifications at Board-approved massage schools.

SUBJECT AREA TO BE ADDRESSED: Faculty Qualifications.

SPECIFIC AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.0465, 480.046(1)(d),(f) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE CHAPTER TITLE: Fee Schedule
RULE CHAPTER NO.: 64B10-12

PURPOSE AND EFFECT: The Board proposes to discuss the rules within this chapter and determine if the rules will require amendments due to possible computer based testing in the future.

SUBJECT AREA TO BE ADDRESSED: Collection and payment of fees; application for licensure; payment for duplicating licenses, certificates, and permits; reexamination fee; renewal fee; provisional license application fee; endorsement fee; initial licensure fee; inactive status; change of status fee; temporary license; preceptor certification and recertification fee; administrator-in-training application fee; unauthorized practice fee; delinquency fee.

SPECIFIC AUTHORITY: 455.574(2), 455.587(6), 455.641, 455.711, 468.1685(1), 468.1695(2),(5), 468.1705(1), 468.1725(2), 468.1735 FS.

LAW IMPLEMENTED: 455.574(2), 455.587(6), 455.641, 455.711, 468.1685(1), 468.1695(3),(5), 468.1705(1),(4), 468.1715, 468.1725, 468.1735 FS.

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

TIME AND DATE: 9:00 a.m. or shortly thereafter on May 13-14, 1999

PLACE: Sheraton West Palm Beach, 630 Clearwater Park Road, West Palm Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Requirements for Licensure
RULE NO.: 64B24-2

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify the rules related to requirements for licensure.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules related to requirements for licensure. During the rule

development process, the Department may decide to amend any or all of the rule sections contained in Chapter 64B24-2 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 455.521(5), 467.005, 467.0125, 467.006 FS.

LAW IMPLEMENTED: 455.564, 467.011, 467.0125, 467.006 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: 3:00 p.m., May 21, 1999

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Training Programs
RULE NO.: 64B24-4

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and amend the rules relating to midwifery training programs.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules related to midwifery training programs. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 64B24-4 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 455.521(5), 467.005, 467.009 FS.

LAW IMPLEMENTED: 467.009, 467.205 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: 3:00 p.m., May 21, 1999

PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Renewal, Inactive Status, Reactivation
 RULE NO.: 64B24-5

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and amend the rules relating to licenses to practice midwifery, including the renewal of the license, inactive status of the license, and the reactivation of an inactive license.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules related to licenses to practice midwifery, including the renewal of the license, inactive status of the license, and the reactivation of an inactive license. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 64B24-5 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 455.521(5), 467.005, 467.012 FS.
 LAW IMPLEMENTED: 467.013(3), 467.017(1), 467.012 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: 3:00 p.m., May 21, 1999
 PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Continuing Education
 RULE NO.: 64B24-6

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and amend the rules relating to continuing education for licensed midwives.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules relating to continuing education for licensed midwives. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 64B24-6 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 455.521(5), 467.005, 467.012(3) FS.

LAW IMPLEMENTED: 455.564(8), 467.012(3) 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: 3:00 p.m., May 21, 1999
 PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Midwifery Practice
 RULE NO.: 64B24-7

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and amend the rules relating to the practice of midwifery.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules relating to the practice of midwifery. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 64B24-7 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 455.521(5), 467.005 FS.
 LAW IMPLEMENTED: 467.009, 467.011, 467.0125, 467.015, 467.016, 467.019, 467.006, 467.017, 467.014, 467.203 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: 3:00 p.m., May 21, 1999
 PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Discipline
RULE NO.: 64B24-8
PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and amend the rules relating to the disciplinary procedures for the practice of midwifery.
SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is changes that need to be made to clarify the rules relating to the disciplinary procedures for the practice of midwifery.
SPECIFIC AUTHORITY: 455.521(5), 467.005, 467.203, 455.627(1) FS.
LAW IMPLEMENTED: 455.627, 467.203 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: 3:00 p.m., May 21, 1999
PLACE: Hilton Garden Inn, 3333 Thomasville Road, Tallahassee, Florida 32312, (850)385-3553
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anne Marie Frazee, Staff Attorney, Department of Health, Office of the General Counsel, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES: Reporting Requirements for Physicians for Sexually Transmissible Diseases (STDs), Including HIV and AIDS
64D-3.016
Reporting Requirements for Laboratories
64D-3.017
Partner Notification
64D-3.018
Blood Testing of Pregnant Women.
64D-3.019
Enforcement and Penalties
64D-3.020
PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to comply with 120.536(2), F.A.C., by repealing language in 64D-3.019 that exceeds rule making authority. Other amendments update the statutory references and one of the incorporated forms.
SUBJECT AREA TO BE ADDRESSED: The above named rules relate to the reporting of sexually transmitted diseases. Amendments to the rule will eliminate a provision about syphilis testing of pregnant women that is not consistent with

statute; update the sexually transmitted disease form that is incorporated in the rule; and update the statutory references in the history section of each rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.
Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
SPECIFIC AUTHORITY: 381.0011(13), 381.003(2),(5), 384.25, 384.33 FS.
LAW IMPLEMENTED: 381.0011(4), 381.0012, 381.003(1)(c), 381.0031, 384.25, 384.26, 384.27 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: 9:00 a.m., May 14, 1999
PLACE: 1309 Winewood Blvd, Building 6, Room 407, Tallahassee, Florida 32399
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rowe E. Rogero, 1317 Winewood Blvd., Building 6, Room 410, Tallahassee, FL, Telephone (850)487-3685
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-3.016 Reporting Requirements for Physicians for Sexually Transmissible Diseases (STDs), Including HIV and AIDS.
(1) through (a) No change.
(b) Except for AIDS, HIV, and hepatitis B, all reports of sexually transmissible diseases shall be submitted on the Florida Confidential Report of Sexually Transmitted Diseases, DØH Form 720, 10/97 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), ~~381.031(5)~~, 384.25(2), 384.33 FS. Law Implemented 381.0011, 381.003(1), 384.25, FS. History--New 7-5-87, Amended 2-7-90, 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.097, Amended 6-7-98, _____.

64D-3.017 Reporting Requirements for Laboratories.
(1) through (3) No change.
Specific Authority 381.0011(13), 381.003(2), 381.0031(5), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1)(c), 381.0031, ~~384.25, 384.26, 384.27, 458, 459~~ FS. History--New 7-5-87, Amended 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.099.

64D-3.018 Partner Notification.

(1) through (3) No change.

Specific Authority 381.0011(13), 381.003(2), ~~381.0031(5)~~, 384.25(2), 384.33 FS. Law Implemented ~~454~~, 381.0011(4), 381.003(1)(c), 384.26 FS. History—New 7-5-87, Amended 2-7-90, 2-26-92, Formerly 10D-3.100.

64D-3.019 Blood Testing of Pregnant Women.

(1) through (3) No change.

(4) Physicians required by law to report births and stillbirths shall record on such report the date or approximate date a blood test for syphilis was made on the woman who bore the child ~~or state the reason for not making the test if none was made~~. In no case shall the result of the test be recorded on the birth certificate.

(5) through (6) No change.

(7) Form Availability – The form to be used to report results of a blood test for syphilis in a pregnant woman is the Florida Confidential Report of Sexually Transmitted Diseases, DH 720, 10/97. The form, incorporated by reference in this rule, will be furnished by the local county health department.

~~Form # DOH 552 Effective Date—(Dec 88)~~

~~Title—Serology Syphilis~~

~~Availability—county public health units~~

Specific Authority 381.0011(13), 381.003(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1) ~~(c)~~, ~~384.25~~, ~~384.26~~, 458, 459, 464, 467 FS. History—New 7-5-87, Amended 2-26-92, Formerly 10D-3.101, ~~Amended~~.

64D-3.020 Enforcement and Penalties

(1) through (2) No change.

(a) through (d) No change.

(e) All amounts collected pursuant to this section shall be deposited in the ~~HRS~~ county public health ~~department unit~~ trust fund.

Specific Authority 381.0011, 381.003, 384.33, 384.34 FS. Law Implemented 381.0011, 384.33, 284.34 FS. History—New 7-5-87, Amended 5-20-96, Formerly 10D-3.102, ~~Amended~~.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Schedule of Fees for Services 5C-24

RULE TITLES: RULE NOS.:

Definitions 5C-24.001

General Requirements 5C-24.002

Official Certificate of Veterinary Inspection (OCVI) 5C-24.003

PURPOSE AND EFFECT: The purpose and effect of proposed rule 5C-24 is for the Department to partially recover the cost of printing and administrating Official Veterinary Certificates

(Animal Health Certificates) required for the movement of animals both interstate and intrastate. The Department is required to provide these forms to the Industry and to receive copies and review for correctness to allow the free movement of animals.

SUMMARY: This rule implements the process for recovery of administrative costs associated with animal health certificates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 585.002(4),(5), 585.145(2) FS.

LAW IMPLEMENTED: Chapter 94-339, Laws of Florida, 585.002(5), 585.145(2), 828.29(3)(b) FS.

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

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

PLACE: Department of Agriculture and Consumer Services, Conference Room, 407 S. Calhoun Street, Room 316, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-7079, Fax (850)487-3641

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-24.001 Definitions.

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the Deputy Administrator, United States Department of Agriculture, Animal and Plant Health Inspection Service, to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 CFR 160-162 (1998).

(2) Cattle. Cattle shall include any bull, steer, ox, cow, heifer, calf, or any other bovine animal.

(3) Department. The Florida Department of Agriculture and Consumer Services.

(4) Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

(5) Domestic Animal. Any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, rhea or emu, or other domesticated beast or bird. The term “animal” shall include wild or game animals whenever necessary to effectively control or eradicate dangerous transmissible diseases or pests which threaten the agricultural interests of the state.

(6) Domesticated Fowl. Any member of the Class Aves that is propagated or maintained under control of a person for commercial, exhibition or breeding purposes, or as pets.

(7) Horses. Any horse, mule, ass, zebra or other Equidae.

(8) Licensed Veterinarian. Any veterinarian who has a current license with the Florida Board of Veterinary Medicine.

(9) Livestock. Any grazing animals, such as cattle, horses (equidae), sheep, swine, goats, cervidae and other hoofed animals and ratites which are raised for private use or commercial purposes.

(10) National Poultry Improvement Plan (NPIP). A cooperative state-federal-industry program for prevention and control of certain hatchery disseminated diseases and for improvement of poultry and poultry products as provided in 9 CFR 145 and 147 (1998).

(11) Official Certificate of Veterinary Inspection (OCVI). An official form provided by the Division to a licensed and accredited veterinarian for the purpose of certifying the identification, test requirements, and health of specific animals for movement, exhibition, and other designated purposes for the species of animal.

(12) Ratites. Ostriches, emus, and rheas.

(13) Materials: Title 9 CFR 161-162, 145, and 147 (1998) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4) FS. Law Implemented 585.002(4) FS. History—New _____.

5C-24.002 General Requirements.

(1) Forms Provided. The Division of Animal Industry, Department of Agriculture and Consumer Services will provide forms when required by statute or rule for certification of identification, required tests, and health as required for movement, exhibition, and other designated purposes for the species of animal.

(2) Request for Forms. The OCVI will be provided to licensed and accredited veterinarians only, unless otherwise provided in this rule. The forms may be obtained by written request to the Florida Department of Agriculture and Consumer Services, Health Form Request, Post Office Box 6710, Tallahassee, Florida 32314-6710. The form number and name, and the quantity of forms must be included in the written request.

(3) Fees for Forms. A fee will be charged for the forms as provided in the specific section of this rule. The fee must be submitted with the request for forms, as a check or money order made payable to the Florida Department of Agriculture and Consumer Services.

(4) Deposit of Fees. The fees collected shall be deposited in the Department’s General Inspection Trust Fund.

Specific Authority 585.002(4),(5) FS. Law Implemented Chapter 94-339, Laws of Florida, 585.002(5), 828.29(3)(b) FS. History—New _____.

5C-24.003 Official Certificate of Veterinary Inspection (OCVI).

(1) Horses.

(a) OCVI. The OCVI for horses is the Official Equine Certificate of Veterinary Inspection, DACS 09002 (SN 6001) (10/97).

(b) The fee for the OCVI, DACS 09002 (SN 6001) (10/97) is \$25 per book of 25.

(2) Livestock.

(a) The OCVI for cattle, goats, sheep, swine, cervidae, ratites, and other hoofed animals, excluding horses, is the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98).

(b) The fee for the OCVI, DACS 09001 (SN 6000) (1/98) is \$25 per book of 25.

(3) Domesticated Fowl.

(a) OCVI. The OCVI for domesticated fowl originating from other than NPIP participating flocks, hatcheries or dealers is the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98).

1. The OCVI, DACS 09001 (SN 6000) (1/98) will be provided to licensed and accredited veterinarians.

2. The fee for the OCVI, DACS 09001 (SN 6000) (1/98) is \$25 per book of 25.

(b) NPIP Participating Flocks, Hatcheries, and Dealers. The certification of health status for interstate shipment of flocks, hatcheries, and dealers participating in the NPIP is the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95).

1. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) will be certified by a Division representative and provided to an NPIP participating flock, hatchery, or dealer.

2. The certification and processing fee for the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) is \$25 for 25 certified forms.

(c) Official Health Certificate Avian, DACS 09023 (8/95). The Official Health Certificate Avian, DACS 09023 (8/95) is the OCVI for NPIP participating flocks, hatcheries, and dealers which are required by the country or state of destination to provide an OCVI in addition to the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95).

1. The Official Health Certificate Avian, DACS 09023 (8/95) is certified by a Division veterinarian and is provided to the NPIP participating flock, hatchery or dealer.

2. The fee for the Official Health Certificate Avian, DACS 09023 (8/95) is \$35 per 100 certificates.

3. Special Certifications. The fee for individual OCVI including, but not limited to, certificates requiring individual identification numbers of domesticated fowl, vaccination status, or the Florida Department of Agriculture seal, is \$15.00 for each certificate.

(4) Dogs, Cats and Other Non-Livestock Species.

(a) OCVI for Interstate Movement. The OCVI for dogs, cats and other non-livestock species, including but not limited to zoo animals and domesticated non-native wildlife, is the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-livestock Species, DACS 09086 (SN 6002) (1/98).

(b) OCVI for Sale of Dog or Cat. The OCVI for Sale of Dog or Cat, DACS 09085 (SN 6003) (10/97) must accompany any dog or cat sold, or offered for sale, in the state of Florida.

(c) The fee for the OCVI, DACS 09085 (SN 6003) (10/97) or DACS 09086 (SN 6002) (10/97) is \$25 per package of 25.

(5) Forms. The Official Equine Certificate of Veterinary Inspection, DACS 09002 (SN 6001) (10/97); the Official Certificate of Veterinary Inspection, DACS 09001 (SN 6000) (1/98); the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-Livestock Species, DACS 09085 (SN 6002) (1/98); the Official Certificate of Veterinary Inspection for Sale of Dog or Cat, DACS 09086 (SN 6003) (10/97); and the Official Health Certificate Avian, DACS 09023 (8/95) are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Room 323, Mayo Building, Tallahassee, Florida 32399-0800. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (8/95) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4),(5), 585.003, 585.08(2)(a), 585.11(1), 585.15, 585.145(2),(3) FS. Law Implemented 585.002(3),(4),(5), 585.08(1),(2), 585.145(1),(2),(3), 585.155, 585.23, 585.50, 585.51, 585.02, 585.15, 585.53, 585.59, 585.68, 585.671, 828.29 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun St., Rm. 321, Tallahassee, FL 32399-0800, (850)488-7079, FAX (850)487-3641

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Leroy M. Coffman, Dir., Division of Animal Industry, 407 S. Calhoun St., Rm. 330, Tallahassee, FL 32399-0800, (850)488-7747, FAX (850)922-8969

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 1999

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE TITLE: Security Claims
 RULE NO.: 5J-13.004

PURPOSE AND EFFECT: The purpose and effect of this rule change is to define procedures to be utilized when processing consumer claims against a pawnbroker's security.

SUMMARY: This rule adopts procedures for processing consumer claims in relation to the Florida Pawnbroking Act.

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

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: 539.001(22), 570.07(23) FS.

LAW IMPLEMENTED: 539.001(4)(a)2. FS.

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

TIME AND DATE: 10:00 a.m., May 31, 1999

PLACE: Department of Agriculture and Consumer Services, Conference Room, City Centre Building, 227 N. Bronough Street, Suite 7200, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James R. Kelly, Director, Division of Consumer Services, Mayo Building, Room 235, Tallahassee, Florida 32399-0800, Phone (850)922-2966

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-13.004 Security Claims.

For purposes of s. 539.001(4), F.S., relating to the processing of consumer claims against a pawnbroker's security, the Department shall utilize the following procedures:

(1) Any person claiming to be injured by the fraud, misrepresentation, breach of contract, financial failure, or violation of any provision of s. 539.001, F.S., by any pawnbroker may enter a complaint against the pawnbroker to the Department.

(2) Upon the filing of such complaint, the Department shall investigate the matters complained of. If, in the opinion of the Department, the facts contained in the complaint warrant such action, the Department shall send to the pawnbroker in question, by certified mail, notice of the filing of the complaint. Such notice shall inform the pawnbroker to respond in writing to the Department that the allegations in the complaint are admitted or denied or that the complaint has been satisfied. Such notice shall also inform the pawnbroker that the Department intends to make a demand for payment of the security proceeds to the Department if the complaint is not

satisfied, and that the pawnbroker has a right to a hearing to contest the security demand in accordance with Chapter 120, F.S.

(3)(a) If the pawnbroker admits the allegations of the complaint, but fails to satisfy the complaint or request a hearing to contest the allegations, the Department shall thereupon order payment to the complainant of the amount owed from the proceeds of any security.

(b) If the pawnbroker denies the allegations of the complaint, but fails to request a hearing to contest the allegations, the Department shall thereupon order payment to the complainant of the amount owed from the proceeds of the pawnbroker's security.

(c) If the pawnbroker requests a hearing to contest the allegations of the complaint, the Department shall process said request in accordance with Chapter 120, F.S.

(4) Upon adjudication of any claims by the Department, the Department shall proceed to pay the adjudicated claims from the proceeds of the pawnbroker's security. In the event the amount of all adjudicated claims exceeds the amount of the security proceeds, the Department shall pay the adjudicated claims on a pro rata basis until the amount of the security proceeds is exhausted. Upon the adjudication by the Department of any subsequent claims, the Department shall proceed to pay those adjudicated claims on a pro rata basis to the extent any security proceeds are available.

(5) In calculating the amount to award in each claim, the Department shall consider the amount financed in the original pawn transaction or any extension thereof, and the extent to which any portion of the amount financed has been repaid by the complainant.

Specific Authority 539.001(22), 570.07(23) FS. Law Implemented 539.001(4)(a)2. FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lisa Velez-Davis, Regulatory Program Administrator, Division of Consumer Services, Second Floor, Mayo Building, Tallahassee, Florida 32399-0800, Phone (850)922-2966

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James R. Kelly, Director, Division of Consumer Services, 235 Mayo Building, Tallahassee, Florida 32399-0800, Phone (850)922-2966

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 15, 1999

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

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

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

SUMMARY: This rule amendment addresses the safe and sanitary cooking, holding, processing and handling of fish and fishery products, crustacea including blue crab and blue crab food.

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

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

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

TIME AND DATE: 10:00 a.m., June 8, 1999

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, FL, Telephone (850)488-3951

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

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.010 Fish and Fishery Products.

(1) through (2) No change.

(3) PROCESSING.

(a)6. All steps in the processing of fish after cleaning or sanitizing shall be done under such conditions that the flesh of the fish is 41 degrees Fahrenheit ~~40° F~~ or below.

(4) No change.

(5) CRUSTACEA INCLUDING BLUE CRAB.

(a) General – This subsection provides requirements for the handling and processing of fish and fishery products which are crustacea, and are in addition to other requirements established in Chapter 500, F.S., the HACCP requirements incorporated by reference in 5K-4.002, F.A.C., the provisions of 5K-4.004, F.A.C., General Requirements for the Manufacturing, Processing, Packing, Holding, and Retailing of Foods, and the other sections of this chapter.

(b)(a) Definitions. –

1. Approved – acceptable to the department following a determination as to conformance with appropriate standards and good public health practices.

2. Blue Crab – for the purposes of this section means the genus and species of crab known as Callinectes sapidus, either picked, peeled, or in the shell and any edible product thereof.

3. Blue crabmeat – any cooked or processed edible substance, used or intended for use in whole or in part for human consumption, derived from the blue crab.

4. Blue crabmeat Processing Establishment – any food establishment in which blue crabmeat is processed or otherwise prepared, packaged, and stored for human consumption.

5. Crustacea – is that class of arthropod which includes, but is not limited to, crabs, lobsters and shrimp.

6. HACCP (Hazard Analysis Critical Control Point) – a preventive food safety program used to protect the food supply against biological, chemical, and physical hazards.

7. Potentially Hazardous Food – a perishable food capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

8. Safe Temperatures – temperatures of forty-one degrees Fahrenheit (41^o F) or below and one hundred-forty degrees Fahrenheit (140^o F) or above as applied to blue crabmeat.

(c)(b) Crustacea establishment plant operations.

1. Cooking – All crustacea including stone crab claws except the common blue crab (members of the genus Callinectes and genus Portunus) may be cooked by steaming or in boiling water. Only live blue crab may be cooked and such blue crab shall be cooked by such methods that the crab will be sterile when cooking is completed. No cooking operations will be permitted outside the food establishment plant.

2. a. Retorts, when used, shall be so designed to completely vent all dead air and drain dry. Horizontal roll-in type retorts shall have sufficient steam inlets and exhaust outlets to insure thorough steam distribution and exhaust. Retorts shall be equipped with accurate thermometers and pressure gauges located to give true readings. Exhaust steam shall be carried away from cooking rooms by pipes, fans or other means to prevent condensation, odors and heat in cooking rooms.

b. Metal racks shall be provided for storage of cooked blue crab. Minimum clearance between basket and floor to be eighteen (18) inches. Direct contact with contaminated surface by baskets of cooked blue crab is prohibited.

2. Backing and washing – Where operation is not carried on at a picking table, a unit of approved design shall be provided. Spray nozzles used for rinsing waste out of backed blue crab crustacea shall be smooth and easily cleaned. Backed blue crab shall be washed only under running water and placed

in containers of approved design. Containers of cooked, washed blue crab shall not be exposed to additional splash or other contamination.

3. Holding – Food products from crustacea are of animal origin and are potentially hazardous food. Except during preparation, cooking or cooling, all products intended for use as food shall be maintained at safe temperatures. Dismembered bodies if held longer than one (1) hour before picking shall be kept under refrigeration. Cooked product shall be cooled by placing under refrigeration to reach a temperature of 41^o F or less within six (6) hours. The practice of cooling blue crab overnight at room temperature is prohibited.

4. Picking – No picker shall accumulate more than three (3) pounds of picked meat, or keep longer than 30 minutes, before same is weighed, sealed and refrigerated. After each three (3) pounds of meat is picked, pickers shall wash, rinse and sanitize hands, knife, block, pan or other device used to pick meat before resuming operations.

5. Packing – Blue crab shall be packed directly into the container from which it is to be sold except where prior approval has been given by the department for use of containers larger than one (1) pound. Such approval will be granted in writing only after thorough examination of the intended packing process.

6. Separate rooms – A Blue Crab plant picking and packing operation shall be separated from cooking, backing and washing operations by solid partition walls. Screened partition or screened doors between such rooms are prohibited.

7. Cooling – Refrigeration equipment used for blue crab and blue crab products shall be maintained within a temperature range of thirty-two degrees Fahrenheit (32^o F) and forty degrees Fahrenheit (40^o F). Containers of fresh picked meat shall be placed in crushed ice immediately after weighing and sealing. Ice shall be from approved source and of satisfactory bacteriological quality, kept free from contamination, stored and handled in a sanitary manner. Ice crushers and ice receiving boxes shall be of impervious construction and shall be protected from foot traffic and flooding.

8. Blue crab standards.

a. Bacteriological standards for fresh cooked blue crab – Fresh cooked blue crab meat offered or held for sale shall meet current production and market bacteriological criteria recommended by the Federal Food and Drug Administration.

b. No fresh blue crab meat from sources outside the state shall be brought into the state for purpose of resale or public distribution unless product bears evidence of certification from its state or nation of origin based on requirements comparable to the provisions of this rule.

(d) Blue crabmeat processing operations. In addition to requirements for crustacea establishment operations, the following regulations pertain to cooking, handling and other processing of blue crabmeat.

1. Equipment and facility requirements – The following equipment and facilities shall be provided where applicable to the operations conducted:

a. Conveniently located refrigeration and freezer facilities of capacity adequate to maintain all blue crabmeat at forty-one degrees Fahrenheit (41^o F) or below and all frozen foods at zero degrees Fahrenheit (0^o F) or below shall be available. Where temperature requirements must be met, blue crabmeat storage facilities shall be provided with controls which insure the maintenance of such temperatures. Each facility used for the storage of blue crabmeat shall be provided with an indicating thermometer accurate to plus or minus two degrees Fahrenheit (+2^o F) located in the warmest part of the facility and of such type and so situated that the temperature can be easily and readily observed.

b. Installation of equipment – Machinery and equipment intended for connection to the water supply or sewer system shall be installed in accordance with Sec. 553.06, F.S.

c. All blue crabmeat processing wastes shall be disposed of in a manner to prevent the development of unsanitary conditions on the premises of the food establishment.

2. General Operations.

a. Packaging materials – All cans, bottles, cartons, containers and other product packaging materials shall be stored in clean dry rooms or areas completely separate from blue crabmeat preparation and processing operations. Such materials shall be protected from dust, flies, rodents and other vermin, toxic materials, unnecessary handling, flooding by sewage, overhead leakage and all other sources of contamination.

b. Housekeeping – The blue crabmeat processing plant and its premises shall be kept neat, clean and free of litter and rubbish. All facilities, food machinery, equipment and utensils shall be cleaned within two (2) hours following cessation of daily operation. Cleaning operations shall be conducted in such a manner as to minimize contamination of blue crabmeat and blue crabmeat-contact surfaces. Unused equipment and articles not necessary for plant operation shall not be stored in preparation or processing areas. Soiled clothes, aprons, coats and other uniform apparel shall be kept in suitable containers until removed for laundering.

3. Blue crab cooking operations.

a. Blue crab shall be cooked only by pressure steam methods. Pressures, temperature and time of cooking shall be such that blue crab will be sterile when cooking is complete.

b. Capacity of boiler and size of steam supply lines shall be adequate to insure delivery of sufficient steam to the retort to maintain adequate pressure throughout the cooking period.

Steam shall be of adequate pressure and volume to expel all air from the retort and maintain adequate pressure and temperature to achieve sterility.

c. Retorts shall be so designed to completely vent all dead air and drain dry. Horizontal roll-in type retorts shall have sufficient steam inlets and exhaust outlets to insure thorough steam distribution and exhaust. Retorts shall be equipped with accurate thermometers and pressure gauges located to give true readings. Exhaust steam shall be carried away from cooking room by pipes, fans or other means to prevent condensation, odors and heat in cooking rooms.

d. Metal racks shall be provided for storage of cooked blue crab. Minimum clearance between basket and floor shall be six (6) inches. Direct contact with any contaminated surface by baskets of cooked blue crab is prohibited.

4. Requirements for handling of blue crab and blue crabmeat.

a. Backing and washing – Where operation is not carried on at a picking table, a unit of approved design shall be provided. Spray nozzles used for rinsing waste out of backed blue crab shall be smooth and easily cleaned. Backed blue crab shall be washed only under running water and placed in containers of approved design. Containers of cooked, washed blue crab shall not be exposed to additional splash or other contamination.

b. Holding – Dismembered bodies if held longer than one (1) hour before picking shall be kept under refrigeration. The practice of cooling blue crab overnight at room temperature is prohibited.

c. Picking – Only blue crabs alive at the time of cooking shall be picked for crabmeat. Cooked blue crabs or blue crabmeat shall not be left out of refrigeration for more than 2 hours. After each 2 hour period each picker shall wash, rinse, and sanitize hands, knife, block, work surface, pan, or other device used to pick blue crabmeat, and table or work surfaces which blue crabmeat may contact before resuming operations. The use of individual hand dip bowls is prohibited.

d. Packing –

1. Blue crabmeat shall be packed directly into the 1lb or smaller container from which it is to be sold. Blue crabmeat containers shall be promptly sealed upon filling and weighing, or

2. Blue crabmeat shall be picked into a reusable 1 lb container and upon filling the container the crabmeat shall be promptly transferred to the sale container and placed in the cooler on ice. The reusable container shall be washed, rinsed, and sanitized prior to the start of picking and before each subsequent fill. When the sale container is filled it shall be promptly labeled, weighed and sealed.

e. Separate rooms – Raw blue crab and finished blue crabmeat products shall be stored in separate rooms in order to prevent cross contamination of the finished product. Blue crab

picking and packing operations shall be separated from cooking operations by solid partition walls. Screened partition or screened doors between such rooms are prohibited.

f. Cooling – Refrigeration equipment used for blue crabmeat shall be maintained at forty-one degrees Fahrenheit (41° F) or below. Sealed containers of picked blue crabmeat shall be placed in crushed ice immediately after weighing and sealing. Ice shall be from an approved source and of satisfactory microbiological quality, kept free from contamination, and stored and handled in a sanitary manner. Ice crushers and ice receiving boxes shall be of impervious construction and shall be protected from foot traffic and flooding. No ice, water, or other foreign substance shall be allowed in direct contact with cooked blue crab or blue crabmeat during refrigeration or at any other time.

g. Miscellaneous – Packing cans and lids for daily use shall be kept in elevated compartments conveniently located in picking room. Tubs, buckets, and baskets shall be stored on an impervious rack elevated from the floor. Blue crab picking knives and breaking blocks shall be of one (1) piece construction. Aprons shall be water repellent material. Gloves shall be washable or of waterproof material.

5. Bacteriological standards for unpasteurized blue crabmeat offered for sale.

a. Escherichia coli MPN less than fifty (50) per one hundred (100) grams and coliform MPN less than ten thousand (10,000) per one hundred (100) grams.

b. Standard plate count of less than one hundred thousand (100,000) per gram.

c. Coagulase positive staphylococcus count to be less than one hundred (100) per gram.

(e) Pasteurization of blue crabmeat.

1. Pasteurization process controls

a. Recording and Indicating Thermometers. Both a recording and an indicating thermometer shall be provided on all pasteurization equipment. The sensor portion of each thermometer shall be positioned to give the coolest temperature in the vat during the pasteurization cycle. During one pasteurization cycle per day, the equipment operator shall check the temperature shown by the recording thermometer against the temperature shown by the indicating thermometer. The comparison shall be noted on the recording thermometer chart or entered into the automated record. The recording thermometer shall not read higher than the indicating thermometer.

b. Recording/indicating thermometer range shall be 120° F to 220° F (48.8° C to 104.4° C) with accuracy of $\pm 2^{\circ}$ F (1° C). Accuracy of both thermometers shall be verified at the beginning of the blue crab season and at least every 3 months thereafter.

c. Recording Thermometer Timer Accuracy. The accuracy of the recorded lapsed time shall be verified at the beginning of the blue crab season and at least every 3 months thereafter.

2. Records – Pasteurization time/temperature recordings may be kept on computer or kept on paper recording charts. Each pasteurization cycle or batch shall be recorded individually as a separate record and shall be retained on file for one year. The following information shall be kept on each pasteurization record:

a. Date of Processing.

b. Quantity of each batch processed (pounds or number and size of cans).

c. Time beginning and end of each pasteurization cycle.

d. Processor's code of each pack (Lot Number)

e. Packer's name, address, permit number (unless pasteurizers are processing blue crabmeat packed in their own plant).

f. Any power or mechanical failure (opening of recording thermometer case, etc).

g. Check of both indicating and recording thermometer readings at some period during at least one of the pasteurization cycles each day, and

h. Signature of pasteurizer operator. (Name may be entered if automated record).

3. Preparation for pasteurization.

a. Preparation – Blue crabmeat for pasteurization shall be prepared in compliance with this section. Repacking shall not be permitted.

b. Sealing of cans – The cans of blue crabmeat shall be sealed as they are brought to the delivery window. When blue crabmeat is being packed for pasteurization on other premises, a clip-on cover may be used prior to final sealing in the pasteurizing plant.

c. Refrigeration – The sealed cans of blue crabmeat shall be placed immediately under ice refrigeration or equivalent cooling method, and held at or below a temperature of forty-one degrees Fahrenheit (41° F) until pasteurization.

4. Preparation and pasteurization by different processors - Blue crabmeat for pasteurization may be packed by one processor for pasteurization and sale by another, or be packed for sale by the initial processor but for pasteurization by another, provided the blue crabmeat is packed into the final can and sealed in conformance with subparagraph (e)3. Packing may be done by one processor for another in cans furnished for that purpose by the latter. In all instances the products processed in this manner shall meet the labeling requirements of paragraph (f).

5. Pasteurization of blue crabmeat.

a. Pasteurizing operation – Blue crabmeat for pasteurization shall be pasteurized within 24 hours of the time it is packed. The minimum pasteurization specifications shall

be the holding of the internal temperature of the can of blue crabmeat at one hundred eighty-five degrees Fahrenheit (185° F) for at least one minute.

b. Chilling – The cans of blue crabmeat must be chilled adequately to allow refrigerated storage within one hour after processing.

c. Refrigeration – Refrigerated storage shall be provided for the chilled pasteurized blue crabmeat and shall maintain a storage temperature at or below forty-one degrees Fahrenheit (41° F).

6. Bacteriological standards for pasteurized blue crabmeat.

a. Escherichia coli – There shall be no Escherichia coli present in pasteurized blue crabmeat.

b. Total bacteria count – The standard plate count shall not exceed 25,000 bacteria per gram of pasteurized blue crabmeat.

c. Adulterated product – The presence of Escherichia coli, or a total bacteria count in excess of 25,000 per gram, shall be construed as adulteration rendering the product unfit for human consumption.

(f) Blue crabmeat container identification and labeling.

1. Container identification.

a. All blue crabmeat containers shall be identified by a number consisting of the packer’s food establishment firm number preceded by the state abbreviation and followed by the letter ‘c’ (e.g., FL123456c), which must be embossed, imprinted, lithographed or otherwise permanently recorded and readily visible on the body of container, or on the cover if cover becomes an integral part of container during the sealing process. Blue crabmeat packed for freezing shall show date or coded date of pack.

b. The transfer of cooked blue crabmeat from the identified container to another receptacle is prohibited. The refilling or re-use of identified containers with cooked blue crabmeat is prohibited.

c. No blue crabmeat from sources outside the state shall be brought into the state for purpose of sale or public distribution unless product bears evidence of certification from its state or nation of origin based on requirements comparable to the provisions of this chapter.

2. Labeling of blue crabmeat.

a. Label – Each blue crabmeat container shall bear a label stating as a minimum, the name of the product, net weight in pounds and/or ounces plus kilograms and/or grams in parentheses, packer’s name and address, ingredients, and batch and day of filling. The batch and date of filling may be designated in code, provided the packer maintains accurate records correlating to the code.

b. Refrigeration instructions – The statement, “Perishable – Keep Under Refrigeration” shall be prominently displayed on the label.

c. Designation of pasteurized product – When pasteurization has been used, the label shall clearly identify the contents of the can as pasteurized blue crabmeat. Whenever the term “Blue crabmeat” (or its equivalent) appears on the label, the word “pasteurized” shall be used in immediate conjunction in lettering of equal prominence. The batch and date of filling may be designated in code, provided the packer maintains accurate records correlating to the code.

3. Preparation and pasteurization by different processors – When preparation/packing and pasteurization of blue crabmeat by different processors is practiced, in conformance with subparagraph (e)4., container identification and labeling shall be as follows.

a. The container identification, as described in sub-subparagraph (f)1.a., shall include the pasteurizer’s food establishment firm number, rather than that of the packer.

b. The label shall clearly identify the packer and the pasteurizer.

(6) SHELLFISH.

(f)6. Refrigeration – Shucked shellfish shall be cooled to an internal temperature of ~~forty-five (45)~~ forty-one (41°) degrees Fahrenheit or less within two (2) hours after delivery to the packing room and stored at a temperature between thirty-two (32°) degrees and forty-one (41°) ~~forty (40)~~ degrees Fahrenheit until delivered to consumer. All freezers, refrigerators and coolers shall be equipped with accurate thermometers.

(f)8.a. Shucked shellfish intended for repacking-Shucked shellfish to be repacked shall be obtained from certified sources and received at the repacking plant in approved shipping containers at a temperature of not more that forty-one (41°) ~~forty (40)~~ degrees Fahrenheit. Frozen shellfish which have thawed shall not be repacked or repackaged.

(f)8.b. Refrigeration during repacking-The temperature of the shellfish shall not exceed forty-one (41°) ~~forty (40)~~ degrees Fahrenheit during the repacking process.

(7) No change.

Specific Authority 500.09, 500.12(1)(d), 570.07(23) FS. Law Implemented 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.13 FS. History—New 9-8-68, Revised 3-1-72, Repromulgated 12-31-74, Formerly 5E-6.10, Amended 6-9-93, 9-12-94, Formerly 5E-6.010, Amended 8-8-95, 9-9-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: H. Wayne Derstine, D.V.M., Environmental Administrator, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Tallahassee, FL 32399-1650

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Dr. Marion H. Fuller, Director, Division of Food Safety, 3125 Conner Boulevard, Tallahassee, FL 32399-1650

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

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: REPAYMENT OF EXCELLENT TEACHING PROGRAM CERTIFICATION FEE
RULE NO.: 6A-10.060

PURPOSE AND EFFECT: The purpose and effect of this rule are to incorporate into rule provisions pursuant to Section 236.08106, Florida Statutes, for forgiveness and repayment of certification fees paid by the state of Florida to the National Board for Professional Teaching Standards on behalf of Florida Excellent Teaching Program participants.

SUMMARY: The content of the rule addresses the repayment of certification fees to the state of Florida by teachers who fail to complete the National Board for Professional Teaching Standards program within the year for which the fee subsidy was paid or fail to teach in a public school in the state of Florida for one year after completion of the program. The rule establishes a deferment or multiple payment process for teachers with hardships.

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 the notice.

SPECIFIC AUTHORITY: 236.08106 FS.

LAW IMPLEMENTED: 236.08106 FS.

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

TIME AND DATE: 9:30 a.m., June 8, 1999

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Cox, Director, Division of Human Resource Development, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.060 Repayment of Excellent Teaching Program Certification Fee.

The repayment of the certification fee subsidy paid to the National Board for Professional Teaching Standards on behalf of a teacher by the state of Florida shall be required when the recipient fails to complete the certification program or fails to teach for one (1) year in a public school in the state of Florida after completion of the certification program.

(1) The Department shall forgive the repayment of the certification fee subsidy paid by the state of Florida to the National Board for Professional Teaching Standards pursuant

to Section 236.08106, Florida Statutes, for reasons of death of the recipient, of a total and permanent disability which renders the recipient unable to work, or of a reassignment of a military spouse to active duty outside the state of Florida.

(2) Death shall be verified by submission of a copy of the certificate of death. A total and permanent disability shall be verified in writing by a Florida licensed medical physician. An active military assignment outside the state of Florida shall be verified by a copy of the order of reassignment.

(3) A recipient of the certification fee subsidy desiring to make multiple payments to satisfy the total amount due to the state of Florida may establish a repayment schedule agreeable to the Department which shall not exceed a period of two (2) years from the date of the written notice from the Department requesting repayment of the fee.

(4) Repayment of the certification fee subsidy may be deferred for a period not to exceed one (1) year from the date of the written notice from the Department requesting repayment of the fee for a temporary disability which renders a recipient unable to work or for other hardships as determined by the Department to render the recipient unable to work or to make repayment. A written request shall be submitted to the Department for consideration of a deferment of the repayment. The Department may request documentation of the conditions supporting the request for a deferment.

(5) Repayment of the certification fee shall be to the Florida Department of Education.

Specific Authority 236.08106 FS. Law Implemented 236.08106 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: John A. Stewart, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Gallagher, Commissioner of Education

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

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

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE TITLES: CRITERIA FOR PROFESSIONAL PRACTICES IN THE TRANSFER OF INSTRUCTIONAL PERSONNEL 6B-4.005
CRITERIA FOR PROFESSIONAL PRACTICES FOR REASSIGNMENT OF INSTRUCTIONAL PERSONNEL WITHIN A SCHOOL CENTER 6B-4.006
CRITERIA FOR CONTRACTUAL OBLIGATIONS 6B-4.007
CRITERIA FOR CONTRACTUAL PROCEDURES 6B-4.008

PURPOSE AND EFFECT: These rules are to be repealed. After a review of the existing statutory authority as mandated by Chapter 120, Florida Statutes, it was determined that sufficient statutory authority no longer existed. The effect of the repeal of these rules will be the removal from the Florida Administrative Code rules which are without statutory authority.

SUMMARY: The rules are to be repealed.

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 the notice.

SPECIFIC AUTHORITY: 229.053(1), 231.546(2)(a)(b) FS.

LAW IMPLEMENTED: 230.23(5)(3), 230.33(7)(d), 231.36(4)(c), 231.546(2)(a) FS.

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

TIME AND DATE: 9:30 a.m., June 8, 1999

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Betty Coxe, Director, Division of Human Resource Development, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULES IS:

6B-4.005 Criteria for Professional Practices in the Transfer of Instructional Personnel.

Specific Authority 229.053(1), 231.546(2)(a)(b) FS. Law Implemented 230.23(5)(e), 230.33(7)(d), 231.546(2) FS. History--New 12-25-66, Repromulgated 12-5-74, Amended 8-12-81, 4-5-83, Formerly 6B-4.05, Repealed.

6B-4.006 Criteria for Professional Practices for Reassignment of Instructional Personnel Within a School Center.

Specific Authority 229.053(1), 231.546(2)(a) FS. Law Implemented 231.546(2)(a) FS. History--New 12-25-66, Repromulgated 12-5-74, Amended 8-12-81, Formerly 6B-4.06, Repealed.

6B-4.007 Criteria for Contractual Obligations.

Specific Authority 229.053(1), 231.546(2)(a) FS. Law Implemented 231.546(2)(a) FS. History--New 12-25-66, Repromulgated 12-5-74, Amended 8-12-81, Formerly 6B-4.07, Repealed.

6B-4.008 Criteria for Dismissal Procedures.

Specific Authority 229.053(1), 231.546(2)(a) FS. Law Implemented 231.546(2)(a) FS. History--New 12-25-66, Repromulgated 12-5-74, Amended 8-12-81, Formerly 6B-4.08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: John A. Stewart, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Gallagher, Commissioner of Education

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES: Manufacturing RULE NOS.: 12A-1.043

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

PURPOSE AND EFFECT: The amendment of Rules 12A-1.043 and 12A-1.051, F.A.C., is necessary to remove portions of the rules concerning cost of manufactured or fabricated items that exceed statutory authority in accordance with the mandate of Chapter 96-159, Laws of Florida, codified at section 120.536, F.S.

The effect of amending Rules 12A-1.043 and 12A-1.051, F.A.C., is to exclude certain overhead items from the manufactured or fabricated cost on which use tax is based when taxpayers manufacture or fabricate items for their own use.

SUMMARY: Proposed amended Rule 12A-1.043, F.A.C., discusses the elements of the cost on which use tax must be paid when a taxpayer manufactures or fabricates tangible personal property for the manufacturer's own use rather than for sale.

Proposed amended Rule 12A-1.051, F.A.C., conforms the provisions of that rule to the corresponding provisions of proposed amended Rule 12A-1.043, F.A.C. Rule 12A-1.051, F.A.C., deals specifically with real property contractors who manufacture or fabricate tangible personal property for their own use in performing contracts. In regard to the amended provisions, Rule 12A-1.051, F.A.C., mirrors Rule 12A-1.043, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the amendment of these rule provisions 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: 212.17(6), 212.18(2), 213.06(1) FS. LAW IMPLEMENTED: 212.02(4), (7), (15), (19), 212.052, 212.06(1), 212.08(6), 212.12(12), 212.14(5), 366.051 FS.

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

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

PLACE: Conference Room, Room B-12, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Linda W. Bridges, Tax Law Specialist, Technical Assistance and Dispute Resolution, Post Office Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-9412

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Technical Assistance and Dispute Resolution Office 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 RULES IS:

12A-1.043 Manufacturing.

(1)(a) Any person who manufactures, produces, compounds, processes, or fabricates in any manner an article of tangible personal property for his own use shall pay a tax upon the cost of the property manufactured, produced, compounded, processed, or fabricated without any deduction therefrom on account of the cost of material used, labor or service costs, or transportation charges, ~~or other direct or indirect overhead costs which are a part of the manufacturing, producing, compounding, processing, or fabricating cost of the property notwithstanding the provisions of Section 212.02(4), F.S., defining "cost price"; provided, however, that the cost of labor to manufacture, produce, compound, process, or fabricate expendable items of tangible personal property which are directly used by such person in manufacturing, producing, compounding, processing, or fabricating other tangible personal property for sale or his own use is exempt.~~

(b) Elements of cost price will include the following materials, labor, service, or transportation those costs that are ~~directly or indirectly~~ attributable to the manufacturing, producing, compounding, processing, or fabricating an article of tangible personal property for one's own use and which are properly chargeable ~~to a capital account or~~ to the cost of the product under generally accepted cost accounting standards. ~~Major elements to be included in the manufactured cost price of tangible personal property for one's own use include direct materials, direct labor, and indirect manufacturing costs.~~

1. Material ~~Direct material~~ costs include the following:

a. All direct ~~all~~ materials and related freight costs that are physically observable as being identified to the finished tangible personal property, that are consumed in producing the property, or that become a component or ingredient of the finished property. See paragraphs (c) and (d), below, for calculating the tax on the cost of the finished product when sales tax has or has not been paid on direct materials.

b. Material handling and warehousing of direct materials and goods in process.

c. Manufacturer's excise taxes on materials.

2. Labor costs include the following:

a. The total direct ~~Direct labor includes labor costs for employees or contract labor~~ that are allocable ~~traceable~~ to the production of the finished property, including the entire amount of payroll burden, which includes but is not limited to overtime premium, vacation and holiday pay, sick leave pay, shift differential, payroll taxes, payments to a supplemental unemployment benefit plan, and employee fringe benefits.

b. Compensation of officers, to the extent it is allocated to production and not administrative functions.

c. Costs of service, engineering, design or other support employees allocated to production.

3. Service costs include the costs of non-employee services that are allocated to the production of the tangible personal property, such as engineering, design or similar consulting or professional services. Indirect manufacturing costs refer to all costs other than direct materials and direct labor that are associated with the manufacturing process and include both variable and fixed factory overhead. Other terms describing this category include "factory overhead," "factory burden," and "manufacturing overhead." Such indirect manufacturing costs include, but are not limited to the following, notwithstanding the fact that sales tax has been paid:

a. Indirect labor and all direct and indirect labor overhead including overtime premium, vacation and holiday pay, sick leave pay, shift differential, payroll taxes, payments to a supplemental unemployment benefit plan, and employee fringe benefits and supervisory personnel;

b. Compensation of officers, to the extent it is related to production and not administrative functions;

c. Indirect materials and supplies;

d. Rework labor, scrap, and spoilage;

e. Tools and equipment, to the extent not capitalized;

f. Depreciation;

g. Amortization;

h. Depletion;

i. Insurance;

j. Rent of equipment, facilities, or land;

k. Interest expense attributable to production costs;

l. Costs of administrative, service, or support departments allocable to production;

m. General and administrative expenses incurred in production activities (for example, security services, factory accounting, and data processing);

n. Material handling and warehousing of direct materials and goods in process;

o. Repairs and maintenance related to production facilities;

p. Taxes, other than taxes based on or measured by income;

q. Freight costs of direct materials (freight in);

- r. Expenses incurred in implementing quality control;
- s. Utilities, including electricity, water, telephone, etc.;
- t. Waste disposal; and/or

u. Any other indirect costs allocable to production, however described or classified.

(c) Direct materials on which the tax has been paid shall not be included when computing the tax on the cost price of items of tangible personal property manufactured, produced, compounded, processed, or fabricated.

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

~~(d)~~(e) The tax is due at the time the article of tangible personal property is manufactured, produced, compounded, processed, or fabricated for use or consumption, and such tax shall be remitted to the Department of Revenue in accordance with Rule 12A-1.056, F.A.C.

(2) through (6) No change.

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

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

(1) through (4) No change.

(5)(a) Contractors, except asphalt contractors, who operate fabricating or manufacturing plants which make items of tangible personal property for their own consumption and use in the performance of contracts for the construction or improvement of real property are subject to tax upon the fabricated or manufactured cost of such items.

(b) The tax is based upon the cost price of the product manufactured, produced, compounded, or processed or fabricated. The elements of taxable fabricated or manufactured Elements of cost are set forth in Rule 12A-1.043(1), F.A.C. price will include those costs that are directly or indirectly attributable to the manufacturing, producing, compounding, processing, or fabricating of an article of tangible personal property for one's own use and which is properly chargeable to a capital account or to the cost of the product under generally accepted cost accounting standards. Major elements to be included in the manufactured cost price of tangible personal property for one's own use include direct materials, direct labor, and indirect manufacturing costs.

1. Direct material costs include all materials and related freight costs, that are physically observable as being identified to the finished tangible personal property, that are consumed in producing the property, or that become a component or ingredient of the finished property. See paragraphs (c) and (d); below, for calculating the tax on the cost of the finished product when sales tax has or has not been paid on direct materials.

2. Direct labor includes labor costs that are traceable to the production of the finished property.

3. Indirect manufacturing costs refer to all costs other than direct materials and direct labor that are associated with the manufacturing process and include both variable and fixed factory overhead. Other terms describing this category include "factory overhead," "factory burden," and "manufacturing overhead." Such indirect manufacturing costs include, but are not limited to the following, notwithstanding the fact that sales tax has been paid:

a. Indirect labor and all direct and indirect labor overhead including overtime premium, vacation and holiday pay, sick leave pay, shift differential, payroll taxes, payments to a supplemental unemployment benefit plan, and employee fringe benefits and supervisory personnel;

b. Compensation of officers, to the extent it is related to production and not administrative functions;

e. Indirect materials and supplies;

d. Rework labor, scrap, and spoilage;

e. Tools and equipment, to the extent not capitalized;

f. Depreciation;

g. Amortization;

h. Depletion;

i. Insurance;

j. Rent of equipment, facilities, or land;

k. Interest expense attributable to production costs;

l. Costs of administrative, service, or support departments allocable to production;

m. General and administrative expenses incurred in production activities (for example, security services, factory accounting, and data processing);

n. Material handling and warehousing of direct materials and goods in process;

o. Repairs and maintenance related to production facilities;

p. Taxes, other than taxes based on or measured by income;

q. Freight costs of direct materials (freight in);

r. Expenses incurred in implementing quality control;

s. Utilities, including electricity, water, telephone, etc.;

t. Waste disposal; and/or

u. Any other indirect costs allocable to production, however described or classified.

(c) Direct materials on which the tax has been paid shall not be included when computing the tax on the ~~cost price~~ of items of tangible personal property manufactured, produced, compounded, processed, or fabricated.

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

(e) The tax is due at the moment the contractor manufactures an item of tangible personal property for his own use, and such tax shall be remitted to the Department of Revenue in accordance with Rule 12A-1.056, F.A.C.

(f) Fabrication labor incurred at the job site in the performance of repairing, altering, improving, or constructing real property is not subject to tax. For the purpose of this rule, "job site" means a temporary site where fabrication is performed for a specific job. This site becomes a permanent manufacturing plant site when fabrication is performed for any job other than the specific job for which the site was selected.

(6) through (41) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda W. Bridges, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9412

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mark A. Zych, Revenue Program Administrator, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)488-2576

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Amended Rules 12A-1.043 and 12A-1.051, F.A.C., were noticed for a Rule Development Workshop in the Florida Administrative Weekly on December 24, 1998 (Vol. 24, No. 52, p. 6913). The workshop was held on January 27, 1999. Five people appeared at the workshop to testify. No one submitted written comments prior to or at the workshop. One person submitted written comments subsequent to the workshop. All comments were taken into consideration.

As a result of the comments received, the rules were further amended to provide more specific guidance on which elements of cost would be taxable.

ADMINISTRATION COMMISSION

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

RULE CHAPTER NO.: 28-20

RULE TITLE: Comprehensive Plan – Part II

RULE NO.: 28-20.100

PURPOSE, EFFECT AND SUMMARY: On March 9, 1999, the Administration Commission considered reports and recommendations submitted by Monroe County, the Department of Community Affairs and others regarding progress made toward implementing the Work Program set forth in Rule 28-20.100, F.A.C. Based on the data and information contained in these reports, the Administration Commission found that substantial progress toward the overall objectives of the Work Program had not been made, and authorized amendments to Rule 28-20.100 to address the following:

- Adjust the timeframes for the completion of the carrying capacity study and the wastewater and storm water master plans.
- Continue cesspit identification and refocus cesspit replacement to areas outside of Hot Spots based on preliminary findings of the wastewater master plan, and develop a funding mechanism to assist property owners in replacing cesspits.
- Refocus efforts to improve wastewater treatment from individual cesspit replacement to the Hot Spots and concentrate on making on-the-ground improvements to at least one system in the upper, middle, and lower Keys within the next three years.
- Maintain the principle of no net increase in nutrient loadings to the environment while this program is being implemented, and expand the types of wastewater improvements that will earn credit for new residential building permits.
- Guarantee that for the next three years the County will be able to issue a minimum of 88 building permits a year, with the ability to issue up to 182 per year. This guarantee will avoid a moratorium and will allow the County to direct attention to the Hot Spots. The nutrient loading of these guaranteed permits will be offset by the elimination of cesspits and other wastewater system upgrades with monies provided by the state.
- Adopt higher wastewater treatment standards for wastewater treatment facilities and bring the standards for onsite systems in line with those of the small wastewater treatment systems.
- Require Monroe County to establish a mechanism to fund its local share of wastewater treatment improvements.

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

Any person who wishes to provide information regarding a 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.

Information should be filed with: Teresa Tinker, Administration Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001

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

LAW IMPLEMENTED: 380.0552 FS.

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

TIME AND DATE: 7:00 – 9:00 p.m., June 1, 1999

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

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty at (850)488-7793 at least 5 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND FOR COPIES OF THE PROPOSED RULE IS: Barbara Leighty, Senior Governmental Analyst, Administration Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE FULL TEXT OF THE PROPOSED RULE IS:

28-20.100 Comprehensive Plan – Part II.

The Monroe County Comprehensive Plan Policy Document and Map Atlas, Which were adopted by Monroe County Ordinance 016-1993, are hereby amended as follows:

(1) 2.0 General is amended to add:

Policy 4

Monroe County shall be responsible to implement the Comprehensive Plan to the extent authorized by law. While all plan policies are contingent upon funding, many require substantial funds in order to be implemented. Therefore, the County shall be responsible to implement the objectives and policies enumerated in Policy 1 (a) and (b) above, to the extent that local funds for implementation are available, and to maintain and continue implementation to the extent that additional local funds or state and federal funds, become available. Further, the County, with the assistance of the State, shall determine the ultimate fiscal cost of implementing the plan and the federal, state and local fair share of implementation. ~~By June 13, 2000, Within one year of the effective date of the plan,~~ the County, with the assistance of the Environmental Protection Agency and the Department of Community Affairs, shall report to the Legislature the full fiscal cost of implementing the plan, the state and local shares of such implementation, and shall include recommendations for funding initiatives and alternatives for implementation. The report shall include a full cost/benefit analysis relative to the

costs of providing facilities and services to development in the county as compared to the costs of acquiring the remaining undeveloped land. ~~These recommendations shall be presented to the Florida Legislature within one year of the effective date of this plan. The state shall seek the assistance of the Advisory Council for Intergovernmental Relations, if available, to implement the objective and its supporting policies.~~

(35) Policy 101.2.13

Monroe County shall establish an interim Permit Allocation System for new residential development. The interim Permit Allocation System shall supersede Policy 101.2.1 and remain in place until such time as Monroe County determines its future growth capacity based on hurricane evacuation, public safety and environmental needs including water quality and habitat protection, and amends its plan consistent with such determination, based on the results of the work program as set forth below. DEP, DOH, DCA and Monroe County shall develop a coordinated permit review process that will insure that no state agency shall issue a wastewater disposal permit that would allow development in excess of the number of permits that Monroe County may issue under this interim policy. Similarly, Monroe County shall not issue development permits under this interim policy in excess of wastewater disposal permits that DEP or DOH may issue. For the ROGO periods beginning July 14, 1999, and July 14, 2000, the interim Permit Allocation System shall allow a minimum of 88 new residential permits per year which may be used to address the backlog of ROGO allocations. Additional new residential permits will be allowed but limited to the number of nutrient reduction credits earned cesspits replaced within the same unincorporated ROGO area. Nutrient reduction credits shall be earned consistent with Table 1 below. Nutrient reduction credits earned using funds provided by the State and matched by the County in fiscal years 1997-98 and 1998-99 will be used to offset the nutrient impacts of the 88 new residential permits per year, but may not be used for additional new residential permits until such time that these funds generate more than 88 cesspit replacements or an equivalent nutrient offset per Years Three and Four and at least 88 nutrient reduction credits during Year Five. For the ROGO period starting July 13, 2001, the interim Permit Allocation System shall allow a minimum of 88 new residential permits per year. If fewer than 88 cesspits or equivalent nutrient reduction is not achieved in Year Five, the deficit shall be made up in Year Six prior to issuance of any new permits. Additional new residential permits will be allowed but limited to the number of nutrient reduction credits earned in excess of 88 within the same unincorporated ROGO area. For the ROGO periods starting July 12, 2002 and beyond, the interim permit allocation system shall limit the number of permits issued for new residential development to the number of nutrient reduction credits earned within the same unincorporated ROGO area, but For all years the number of permits issued for

new residential development under the Rate of Growth Ordinance shall not exceed a total unit cap of ~~182~~ 255 new residential units per year. Monroe County shall develop a tracking system for monitoring the nutrient reduction credits earned cesspit replacements. The tracking system shall commence upon the effective date of this rule and the number

of nutrient reduction credits earned cesspits replaced shall be cumulative and may be applied to future years of the interim Permit Allocation System.

Table 1
Nutrient Reduction Credits

	Treatment System Upgraded To			
	On-site Treatment	Centralized Systems		
	OWNR or Equivalent On-site Treatment and Disposal Systems	Secondary Treatment	Best Available Treatment (BAT)	Advanced Wastewater Treatment (AWT)
Cesspit Substandard OSTDS	1 EDU Credit	1 EDU Credit	1.5 EDU Credit	2 EDU Credit
Approved OSTDS	0.5	0.5	1.0	1.5
Secondary Treatment	n/a	n/a	1	1.5

Additionally, the unit cap for new residential development shall be linked to the following work program which identifies actions necessary to correct existing wastewater and storm water problems, as well as actions necessary to determine appropriate future growth. Beginning ~~August 1, 2000~~ ~~January 15, 1998~~, and each year of the work program thereafter, Monroe County and the Department of Community Affairs shall report to the Administration Commission documenting the degree to which the work program objectives for that year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether substantial progress has been achieved toward accomplishing the ~~tasks overall objectives~~ of the work program. If the Commission determines that substantial progress has not been made, the unit cap for new residential development shall be reduced by at least 20 percent for the following year. If the Commission determines that substantial progress has been made, then the Commission may increase the unit cap for new residential development for the following year up to a maximum of 227 units. Other agencies identified in the work program, or any interested persons, may likewise report and make recommendations for consideration by the Commission. Notwithstanding any other dates set forth in this plan, the dates set forth in the ~~five year~~ work program shall control where conflicts may exist. For each task in the work program, the Department of Community Affairs shall request of all relevant and appropriate federal, state, regional, and local agencies that they contribute any relevant data, analysis and recommendations, and that they take an active role in assisting the county in completing the task. Each such agency shall prepare, in coordination with the county, a section to be included in Monroe County's reports which indicates the agency's actions relative to the work plan. The Department of

Community Affairs shall specifically request that the Florida Keys National Marine Sanctuary (~~FKNMS~~) Water Quality Protection Program Steering Committee (Water Quality Steering Committee) take an active role in coordinating with Monroe County, and relevant state and federal agencies, in the implementation of the tasks related to water quality, ~~and~~ wastewater and storm water facilities, and in the development and implementation of the carrying capacity study. The Steering Committee will provide technical assistance and substantive comments and recommendations to ensure that the county's wastewater and storm water master plans and the carrying capacity study are ~~is~~ consistent with the objectives of the FKNMS Water Quality Protection Program. The Steering Committee will make recommendations on wastewater systems and Hot Spot priorities prior to implementation by the County. It is the intent of this rule to accelerate the pace, and increase the effectiveness of the current cesspit replacement effort through both a regulatory and an incentive-based program. No later than August, 1999 Monroe County shall engage in a public education program to ensure that the public understands that the County is committed to the swift identification and replacement of cesspits, as a full partner with the Department of Health. The public education program shall explain the role of cesspit removal in the overall context of the Work Plan and Wastewater Master Plan. The County and the state shall request the participation of the Steering Committee in the public education program as well as the Florida Keys Aqueduct Authority.

FIVE YEAR WORK PROGRAM¹

YEAR ONE (ending December 31, 1997)

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

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

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

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

Agencies: DOH.

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

Agencies: County, DCA and DEP.

E. Continue cesspit elimination process with identification of Hot Spots as first priority in accordance with Objective 901.2, and seek funding for cesspit identification. Enter into an

interlocal agreement with DOH to specify the responsibilities and procedures for the OSDS inspection/compliance program as required by Policy 901.2.3. Adopt an ordinance which specifies the implementation procedures for the OSDS inspection/compliance program. The ordinance shall include authorization for DOH to inspect wastewater treatment systems on private property as required by Policy 901.2.3. (Ref. County obj. 901.2)

Agencies: County, DCA and DOH.

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

Agencies: County, Land Authority and DEP.

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

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

YEAR TWO (ending December 31, 1998)

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

Agencies: County, DCA, DEP and DOH.

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

Agencies: County and DCA.

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

Agencies: County, DCA and DEP.

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

Agencies: County, DCA and DOH.

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

Agencies: County, Land Authority, GFC and DEP.

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

Agencies: County, DCA, SFWMD, USFWS.

YEAR THREE (January 1, 1999 through July 12, 2000 ending December 31, 1999)

A. Complete and begin implementation of Wastewater Master Plan. Utilizing the findings of the Wastewater Master Plan and recommendations of the Water Quality Steering Committee relating to Hot Spots do the following: refine and prioritize areas identified as Hot Spots, determine retrofit and funding requirements for priority Hot Spots and cesspit replacement for areas outside those areas identified for central or cluster wastewater collection systems, and begin developing

1. On March 9, 1999, the Administration Commission determined that substantial progress toward the work program objectives had not been made and authorized rulemaking to amend the work program beginning in Year Three. Work program tasks from years One and Two not completed by the end of Year Two were included as tasks in subsequent years of the work program.

facility plans for priority Hot Spots. Execute interagency agreements to define facility plan, design and construction schedules for each Hot Spot facility. Establish a water quality monitoring program to document the reduction in nutrients as a result of these facilities. Complete a wastewater treatment finance plan and a service area implementation plan, and continue efforts to secure funding for Wastewater Master Plan implementation, with priority given to Hot Spots. Determine the feasibility and legal ramifications of establishing an escrow account as a means of providing long-term funding for replacing cesspits or substandard onsite sewage systems. Establish a mechanism such as special assessments, impact fees, infrastructure surcharge, or other dedicated revenues, to fund the local share of wastewater improvements in Years Four and Five. Seek to provide comparable subsidies for both wastewater collection systems and individual cesspit replacement. Secure funding to implement the Wastewater and Stormwater Master Plans; complete land acquisition and final design for selected treatments strategies as defined by the Master Plans for each sub-area.

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

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

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

~~C.B.~~ Conclude acquisition of North Key Largo Hammocks CARL project. Make offers to 33% of remaining private owners with property located in other CARL project boundaries. Submit status of CARL and ROGO land acquisition to the Administration Commission.

Agencies: County, Land Authority and DEP.

~~D.C.~~ Secure remaining funds for the Complete Phase II of the carrying capacity study, conduct workshops as outlined in the Scope of Work, select prime contractor, and initiate Phase I (data collection) of the study, analysis and initial recommendations presented to review agencies).

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

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

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

~~F.E.~~ Continue cesspit identification by providing notice to all property owners with unknown systems, outside of Hot Spots. Initiate replacement of cesspits outside of Hot Spots, process outside of Hot Spots; begin retrofit of cesspits with priority to Hot Spots. Award financial assistance grants to qualified applicants using FY 1997-98 state funds to ensure a minimum of 70 cesspit replacements. Develop a low interest loan and grant program to assist all residents in replacing cesspits, with priority of funds going, in order of preference, to very low-, low- and moderate-income households. Investigate the appropriate point at which nutrient reduction credits can be awarded for future committed water quality treatment facilities.

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

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

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

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

Agencies: County.

YEAR FOUR (July 13, 2000 through July 12, 2001 ending December 31, 2000)

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

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

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

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

~~C.B.~~ Make offers to 50% of remaining private owners with property located in CARL project boundaries. Submit status of CARL and ROGO land acquisition to the Administration Commission.

Agencies: County, Land Authority and DEP.

~~D.C. Complete Phase II of the Final draft of the environmental carrying capacity study (data analysis) and present initial recommendations to must be completed and accepted by review agencies.~~

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

~~E.D. Continue efforts to secure funding for Complete Phase I (to be determined) of the Marathon Facility, initiate construction of Little Venice wastewater treatment facility. Establish baseline water quality for surface and groundwater quality potentially impacted by Little Venice project.~~

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

~~F.E. Complete Continue cesspit identification and continue cesspit replacement process outside of Hot Spots, with a priority of funds going, in order of preference, to low- and moderate-income households; ensure that a minimum of 88 cesspits are replaced; eliminate 50% of identified cesspits within Hot Spots.~~

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

~~YEAR FIVE (July 13, 2001 through July 12, 2002 ending December 31, 2001)~~

~~A. Continue implementation of the Wastewater Master Plan pursuant to executed interagency agreements. Begin construction of wastewater facilities in priority Hot Spots. Complete Phase I in accordance with construction schedule. Initiate Phase II (to be defined) of the construction schedule, and document significant nutrient reductions within each sub-area.~~

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

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

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

~~C.B. Conclude negotiations with all willing owners with property within CARL project boundaries. Acquire a total-to-date of 45% of the Key Deer/Coupon Bight project and 25% of the Florida Keys Ecosystems project. Submit status of CARL and ROGO land acquisition to the Administration Commission.~~

~~Agencies: County, Land Authority, and DEP.~~

~~D.C. Complete final draft of the carrying capacity study including acceptance by review agencies. Implement the carrying capacity study by, among other things, the adoption of all necessary plan amendments to establish a rate of growth and a set of development standards that ensure that any and all new development does not exceed the capacity of the county's environment and marine system to accommodate additional~~

~~impacts. Plan amendments will include a review of the County's Future Land Use Map series and changes to the map series and the "as of right" and "maximum" densities authorized for the plan's future land use categories based upon the natural character of the land and natural resources that would be impacted by the currently authorized land uses, densities and intensities.~~

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

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

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

~~F.E. Continue eliminating Complete cesspits and inoperative septic tanks in areas identification process outside of Hot Spots; eliminate all identified cesspits and inoperative septic tanks within Hot Spots.~~

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

~~F. Any wastewater facilities plans (as identified in the Wastewater Master Plan) should implement the most cost effective method of collecting, treating, and disposing of wastewater, and shall include an investigation of the feasibility of using alternative nutrient stripping on-site disposal systems.~~

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

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

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

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

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

~~C. Continue implementation of the carrying capacity study.~~

~~Agencies: County, FCAA, FFWCC, DCA, DEP, DOH, DOT, SFWMD, SFRPC, EPA, Army COE, WQSC, and USFWS.~~

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

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

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

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

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

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

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

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

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

C. Continue construction of the Marathon Facility.

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

(58) Policy 901.1.1

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

Permanent Level of Service Standards.

A. No new or expanded discharges shall be allowed into surface waters.

B. All new or expanded discharges into other than surface waters and all onsite sewage treatment and disposal systems permitted after the effective date of this amendment shall comply with the requirements of subsection C and with the rules of the Department of Environmental Protection or the Department of Health, as applicable.

C.1. Sewage facilities with design capacities greater than or equal to 100,000 gallons per day that do not discharge to surface waters shall provide basic disinfection as defined by Department of Environmental Protection rule and the level of treatment that will produce an effluent that contains not more, on a permitted annual average basis, than the following concentrations:

- a. Biochemical Oxygen Demand (CBOD5) of 5 mg/l;
- b. Suspended Solids of 5 mg/l;
- c. Total Nitrogen, expressed as N, of 3 mg/l;
- d. Total Phosphorus, expressed as P, of 1 mg/l.

2. Sewage facilities with design capacities less than 100,000 gallons per day that do not discharge to surface waters shall provide basic disinfection as defined by Department of Environmental Protection rule and the level of treatment that will produce an effluent that contains not more, on a permitted annual average basis, than the following concentrations:

- a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l;
- b. Suspended Solids of 10 mg/l;
- c. Total Nitrogen, expressed as N, of 10 mg/l;
- d. Total Phosphorus, expressed as P, of 1 mg/l.

3. Onsite sewage treatment and disposal systems shall provide the level of treatment that will produce an effluent that contains not more, on a permitted annual average basis, than the following concentrations:

a. Biochemical Oxygen Demand (CBOD5) of 10 mg/l;

b. Suspended Solids of 10 mg/l;

c. Total Nitrogen, expressed as N, of 10 mg/l;

d. Total Phosphorus, expressed as P, of 1 mg/l.

In addition, onsite sewage treatment and disposal systems discharging to injection wells shall provide basic disinfection as defined by Department of Health rule. Applicants may use composting or incineration toilets which, in addition, discharge grey water in a separate system meeting BAT or other applicants may use technologies approved under the DOH innovative technologies program.

D. Class V injection wells, as defined by Department of Environmental Protection or Department of Health rule, shall meet the following requirements and shall otherwise comply with Department of Environmental Protection or Department of Health rules, as applicable:

1. If the design capacity of the facility is less than 1,000,000 gallons per day, the injection well shall be at least 90 feet deep and cased to a minimum depth of 60 feet or to such greater cased depth and total well depth as may be required by Department of Environmental Protection rule;

2. If the design capacity of the facility is equal to or greater than 1,000,000 gallons per day, the injection well shall be cased to a minimum depth of 2,000 feet or to such greater depth as may be required by Department of Environmental Protection rule.

E. The requirements of subsections A-D do not apply to the following:

1. Class I injection wells as defined by Department of Environmental Protection rule, including any authorized mechanical integrity tests;

2. Authorized mechanical integrity tests associated with Class V wells as defined by Department of Environmental Protection rule; and

3. The following types of reuse systems authorized by Department of Environmental Protection domestic wastewater rules:

a. Slow-rate land application systems;

b. Industrial uses of reclaimed water; and

c. Use of reclaimed water for toilet flushing, fire protection, vehicle washing, construction dust control, and decorative water features.

However, disposal systems serving as backups to reuse systems shall comply with the other provisions of this plan.

F. All sewage treatment facilities shall monitor effluent for total nitrogen and total phosphorus concentrations as required by Department of Environmental Protection rule beginning October 1, 1999. All onsite sewage treatment and disposal systems issued a construction permit after the effective date of this amendment shall be monitored for total nitrogen and total phosphorus concentrations as required by Department of Health rule.

The interim level of service standards for wastewater treatment plants and OSDS set forth below shall be superseded and replaced by standards established as a result of completion of the Sanitary Wastewater Master Plan (see Objective 901.4 and supporting policies). These standards shall be made on the best available data based on nutrient loading, cost, technical feasibility and reliability, while improving the quality of ground, near shore and offshore waters. [9J-5.011(2)(c)2.]

Interim Level of Service Standards:

(A) Wastewater Treatment Plants

(1) Quantity: The annual average daily flow shall not exceed 100% of permitted capacity of the wastewater treatment plant.

(2) Quality: For all new and expanding sewage treatment plants Monroe County shall require that effluent discharging to groundwater or to surface water be treated to AWT standards as defined in section 403.086, F.S., or as close as possible thereto using best available technology (BAT). Exceptions to this BAT requirement shall be allowed for facilities discharging to Class I injection wells of systems or portions of systems permitted for reuse in accordance with Chapter 62-610, F.A.C., provided that there are reasonable assurances that no adverse ecological impact will result.

(B) On Site Disposal Systems (OSDS)

The interim level of service standard for OSDS will be the use of aerobic treatment units (ATUs) which discharge to best available disposal systems as determined by the Department of Health. Applicants may use composting or incineration toilets which, in addition, discharge gray water in a separate system meeting BAT, or other applicants may use technologies approved under the DOH innovative technologies program to achieve AWT standards or better. As new feasible technologies become available for enhanced nutrient stripping, these technologies will be required.

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

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

(64) Policy 101.2.14

For those ROGO applications and properties which have been denied a ROGO award for four consecutive years and have applied for administrative relief, which are located in a CARL project or the National Wildlife Refuge and have received negative habitat scores under ROGO, the County or the state shall offer to purchase the property if funding for such is available. Refusal of the purchase offer shall not be grounds for granting a ROGO award.

Specific Authority 380.05(8), 380.0552(9) FS. Law Implemented 380.00552 FS. History--New 1-2-96, Amended 7-17-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Tinker, Administration Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Administration Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 1999

**WATER MANAGEMENT DISTRICTS
South Florida Water Management District**

RULE TITLE: Forms and Instructions
RULE NO.: 40E-1.659

PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to list new forms pertaining to the District's requirements for establishing and operating a mitigation bank pursuant to Sections 373.403, 373.4135 and 373.4136, F.S.

SUMMARY: These proposed rule amendments list the new forms referenced above.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.4136 FS.

LAW IMPLEMENTED: 373.4135, 373.4136 FS.

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

TIME AND DATE: 9:00 a.m, June 10, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marcy LaHart, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

Form No.	Date	Title
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works and Modification of Existing Permit Works of the District No.
0108	3-91	Application for Release of Mineral, Canal,

		and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida.	0960	8-95	Environmental Resource/Surface Water Management Permit Construction Commencement Notice
0113	8-95	Surface Water Management Permit No.	0961	8-95	Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction
0115	8-95	Surface Water Management Permit Modification No.			
0119	8-95	Wetland Resource Permit No.			
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District	0970	8-95	Applicant Transmittal Form for Requested Additional Information
0123	8-90	Well Construction Permit Application	0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit
0124	11-90	Well Completion Report			
0145	8-95	Environmental Resource Permit No.			
0157	8-95	Environmental Resource Permit Modification No.	0972	8-95	Petition for a Formal Wetland and Surface Water Determination
0195	6-91	Public Water Supply Well Information and Classification	0973	8-95	Above Ground Impoundment Inspection/Certification Report
0196	10-89	Water Well Inspection Scheduling Card	0974	8-95	Notice of Intent to Construct a Minor Silvicultural System
0299	1-90	Water Use Permit No.			
0444	8-95	Application for a Standard General Permit for Incidental Site Activities	0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit
0445	7-87	Notice of Intent to Short-term Dewater	<u>1019</u>	<u>10-98</u>	<u>Mitigation Bank Performance Bond to Demonstrate Construction and Implementation Financial Assurance</u>
0483	8-95	Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer	<u>1020</u>	<u>10-98</u>	<u>Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction and Implementation Financial Assurance</u>
0645	8-95	Water Use Permit Application	<u>1021</u>	<u>10-98</u>	<u>Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction and Implementation Financial Assurance</u>
0659	3-94	Notice of Intent to Use Water in Conjunction with Oil Well Drilling in Lee, Collier and Hendry Counties	<u>1022</u>	<u>10-98</u>	<u>Mitigation Bank Trust Fund Agreement to Demonstrate Construction and Implementation Financial Assurance</u>
0779	5-92	Guidance for Preparing an Application for a "Works of the District" Permit in the Everglades/Application for a Works of the District Permit	<u>1023</u>	<u>10-98</u>	<u>Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance</u>
0830	4-94	Special Use Application and License	<u>1024</u>	<u>10-98</u>	<u>Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance</u>
0881	8-95	Environmental Resource/Surface Water Management Permit Construction Completion/Construction Certification			
0889	8-95	Certification of Waiver of Permit Application Processing Fee			
0920	8-95	Request for Conversion of Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity			(2) No change.
0938	8-95	Mitigation Construction Commencement Notice			Specific Authority 120.53, 373.044, 373.113 FS. Law Implemented 120.53, 373.113 FS. History--New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95.
0941	8-95	Environmental Resource Standard/Noticed General Permit No.			NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Director, Regulation Department
0942	8-95	Surface Water Management General Permit No.			NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 1997

WATER MANAGEMENT DISTRICT

South Florida Water Management District

RULE TITLE: Publications Incorporated by Reference

RULE NO.: 40E-4.091

PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to conform the District's requirements for establishing and operating a mitigation bank pursuant to Sections 373.403, 373.4135 and 373.4136, F.S., and to simplify and clarify the financial responsibility requirements for mitigation banks.

SUMMARY: These proposed rule amendments change sections 4.4 of the District's Basis of Review for Environmental Resource Permits to conform this section to Sections 373.403, 373.4135 and 373.4136, F.S. Unnecessary language was deleted, while other portions have been reorganized for clarity. The proposed rule amendments also simplify and clarify the forms of financial responsibility that must be provided to insure the construction, implementation and perpetual maintenance of mitigation banks. The proposed rule amendments incorporate by reference certain forms which may be used to assure financial responsibility.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.4136 FS.

LAW IMPLEMENTED: 373.4135, 373.4136 FS.

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

TIME AND DATE: 9:00 a.m., June 10, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marcy LaHart, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications Incorporated by Reference.

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

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District - ~~May 1999~~ ~~November 1996~~"

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.412 FS. Law Implemented 373.413, 373.4135, 373.416, 373.421, 373.426 FS. History-New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-15-87, 4-21-88, 11-21-89, 1-23-94, 4-20-94, 10-3-95, 1-1-97.

(The following represent proposed changes to section 4.4 of the document entitled "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District - November 1996" incorporated by reference in Rule 40E-4.091, F.A.C.)

4.4 Mitigation Banking

4.4.1 Intent

~~4.4.1.1.1 The Environmental Reorganization Act of 1993 directed the District to adopt rules governing the creation and use of mitigation banks to offset adverse impacts caused by activities regulated under Part IV of Chapter 373, F.S. This section, in addition to other rules promulgated under Part IV of Chapter 373, F.S., is intended to meet this requirement.~~

4.4.4.1 4.4.1.2 The District recognizes that, in certain instances, adverse impacts of activities regulated under Part IV of Chapter 373, F.S. can be offset through the utilization of mitigation credits from a permitted mitigation bank. ~~participation in a Mitigation Bank.~~ This rule provides criteria for this mitigation alternative to complement existing mitigation criteria and requirements. This section does not supersede any other criteria and requirements in rules promulgated under Part IV of Chapter 373, F.S.

4.4.4.2 4.4.1.3 The District intends that ~~m~~Mitigation ~~b~~Banks be used to minimize mitigation uncertainty associated with traditional mitigation practices, provide greater assurance of mitigation success, and optimize opportunities to restore any degraded habitats which may be incorporated into the bank. It is anticipated that the consolidation of multiple mitigation projects into larger contiguous areas will provide greater assurance that the mitigation will yield long-term, sustainable, regional ecological benefits. ~~m~~Mitigation ~~b~~Banks should emphasize restoration and enhancement of degraded ecosystems and the preservation of uplands and wetlands as intact ecosystems rather than alteration of landscapes to create wetlands. This is best accomplished through restoration of ecological communities that were historically present. The establishment and use of mitigation banks in or adjacent to areas of national, state, or regional ecological significance is encouraged, provided the area in which the mitigation bank is proposed to be located is determined appropriate for mitigation banking and the bank meets all applicable permit criteria.

4.4.4.3 ~~4.4.1.4~~ Nothing in this section shall affect the mitigation requirements set forth in any mitigation bank agreement or any permit issued pursuant to Chapter 84-79, Laws of Florida, or Part IV of Chapter 373, F.S., prior to the effective date of this section. Modification of a mitigation bank individual permit or conceptual approval shall be governed by section 373.4136(10), F.S. (1996) and this section. ~~If a permittee wishes to substantially modify a mitigation bank previously established by agreement or permit, the permittee must comply with this section.~~ This section does not prohibit an applicant from proposing project-specific pre-construction on-site mitigation, or off-site mitigation, without establishing a mMitigation bBank pursuant to this section.

4.4.2 Use of a Mitigation Bank

4.4.2.1 Use of a mMitigation bBank is an appropriate, ~~desirable~~, and a permissible mitigation option when the mMitigation bBank will offset the adverse impacts of the project; and

(a) No change.

(b) use of the mMitigation bBank would provide greater improvement in ecological value than on-site mitigation.

4.4.2.2 In some cases, a combination of on-site mitigation and participation in a mMitigation bBank will be appropriate to offset adverse impacts of a project.

4.4.3 Criteria for Establishing a mMitigation bBank

The following criteria shall be met to establish a mMitigation bBank:

4.4.3.1 The banker shall provide reasonable assurance that the proposed mMitigation bBank will:

(a) improve ecological conditions of the regional watershed;

(b) provide viable and sustainable ecological and hydrological functions for the proposed mitigation service area;

(c) be effectively managed in perpetuity ~~the long term~~;

(d) not destroy areas with high ecological value;

(e) achieve mitigation success; and

(f) be adjacent to lands which will not adversely affect the perpetual long-term viability of the mMitigation bBank due to unsuitable land uses or conditions.

4.4.3.1.2 No change.

4.4.3.2 A mMitigation bBank may be implemented in phases if each phase independently meets the requirements of subsections 4.4.3.1 and 4.4.3.1.2 above.

4.4.3.3 No change.

4.4.4 Permit Applications for an mMitigation bBank Individual Permit or mMitigation bBank Conceptual Approval ~~Environmental Resource Permits for a Mitigation Bank~~

Any person or entity proposing to establish a mMitigation bBank must apply for an mMitigation bBank Environmental Resource pPermit pursuant to this section. An application for an mMitigation bBank ~~i~~Individual permit or mitigation bank

~~c~~Conceptual ~~a~~Approval ~~Environmental Resource Permit~~ shall constitute an application for any related activity which would require a permit authorized under Chapters 40E-4, 40E-40, 40E-41 and 40E-400, F.A.C. Therefore, a separate application for a permit to construct a surface water management system proposed as part of the mitigation bank is not required. mMitigation bBank Environmental Resource permit applications to establish or conceptually approve a mMitigation bBank shall be processed according to Chapter 120, F.S. To provide the District with reasonable assurances that the proposed mMitigation bBank will meet the criteria in this section, section 373.4136, F.S., and the criteria contained in Chapters 40E-4, 40E-40, 40E-41 and 40E-400, F.A.C. each permit application submitted to the District shall include the information needed to review any permit required under Chapters 40E-4, 40E-40, 40E-41 and 40E-400, F.A.C. and the information specified below as appropriate for the project:

4.4.4.1 A description of the location of the proposed mMitigation bBank which shall include:

(a) a map at regional scale showing the project area in relation to the regional watershed and proposed mitigation service area;

(b) a vicinity map showing the project area in relation to adjacent lands and offsite areas of ecologic or hydrologic significance which could affect the perpetual long-term viability or ecological value of the bank;

(c) an aerial photograph identifying boundaries of the project area;

(d) a highway map showing points of access to the mMitigation bBank for site inspection; and

(e) a legal description of the proposed mMitigation bBank boundaries.

4.4.4.2 A description of the ecological significance of the proposed mMitigation bBank to the regional watershed in which it is located.

4.4.4.3 A description and assessment of current site conditions which shall include:

(a) a soils map of the project area;

(b) a topographic map of the project area and adjacent hydrologic contributing and receiving areas;

(c) a hydrologic features map of the project area and adjacent hydrologic contributing and receiving areas;

(d) current hydrologic conditions in the project area;

(e) a vegetation map of the project area;

(f) ecological benefits currently provided to the regional watershed by the project area;

(g) adjacent lands, including existing land uses and conditions, projected land uses according to comprehensive plans adopted pursuant to Chapter 163, F.S., by local governments having jurisdiction, and any special designations or classifications associated with adjacent lands or waters; and

(h) a disclosure statement of any material fact which may effect the contemplated use of the property, including potentially inconsistent title encumbrances such as mineral rights, linear facility easements, drainage easements and other existing interests in the land.

(i) a Phase I environmental audit of the property.

4.4.4.4 A mitigation plan describing the actions proposed to establish, construct, operate, manage and maintain the mMitigation bBank which shall include:

(a) construction-level drawings detailing proposed topographic alterations and all structural components associated with proposed activities;

(b) proposed construction activities, including a detailed schedule for implementation;

(c) the proposed vegetation planting scheme and detailed schedule for implementation;

(d) measures to be implemented during and after construction to avoid adverse impacts related to proposed activities;

(e) a detailed perpetual long-term management plan comprising all aspects of operation and maintenance, including water management practices, vegetation establishment, exotic and nuisance species control, fire management, and control of access; and

(f) a proposed monitoring plan to demonstrate mitigation success.

4.4.4.5 An assessment of improvement or changes in ecological value anticipated as a result of proposed mitigation actions which shall include:

(a) a description of anticipated site conditions in the mMitigation bBank after the mitigation plan is successfully implemented;

(b) a comparison of current fish and wildlife habitat to expected habitat after the mitigation plan is successfully implemented; and

(c) a description of the expected ecological benefits to the regional watershed.

4.4.4.6 Evidence of sufficient legal or equitable interest in the property which is to become the mMitigation bBank to meet the requirements of section 4.4.9.

4.4.4.7 Draft documentation of financial responsibility meeting the requirements of section 4.4.10.

4.4.4.8 Any additional information which may be necessary to evaluate whether the proposed mMitigation bBank meets the criteria of section 373.4136, F.S., and this section.

4.4.4.9 A person or entity who wishes to obtain an estimation of the legal and financial requirements necessary for a mitigation bank, information necessary for evaluation of an application for an individual permit for a mitigation bank, and potential credits to be awarded pursuant to a mitigation bank individual permit may apply for a mitigation bank conceptual

approval. An application for a mitigation bank conceptual approval must contain the information listed in 4.4.4.1-8 above.

4.4.5 Establishment and Release of Mitigation Credits.

4.4.5.1 Based upon the information submitted by the applicant, and an assessment of the proposed mMitigation bBank pursuant to the criteria in this section, the District will assign a number of mMitigation cCredits to the proposed mMitigation bBank, or phases thereof.

4.4.5.2 The number of credits awarded shall be based on the degree of improvement in ecological value expected to result from the establishment and operation of the mitigation bank as determined using a functional assessment methodology. For purposes of establishing a standard unit of measure, one mMitigation cCredit is equivalent to the ecological value gained by the successful creation of one acre of wetland. Mitigation cCredits assigned for enhancement, restoration or preservation of wetlands or uplands will be based on the extent of improvement in ecological value resulting from these activities relative to that obtained by successfully creating one acre of wetland. In determining the degree of improvement in ecological value, the following factors shall will be considered:

(a) The extent to which target hydrologic regimes can be achieved and maintained.

(b) The extent to which management activities promote natural ecological conditions, such as including natural fire patterns.

(c) The proximity to areas with regionally significant ecological resources or habitats of national, state, or regional ecological significance, such as national or state parks, Outstanding National Resource Waters and associated watersheds, Outstanding Florida Waters and associated watersheds, and ~~other regionally significant ecological resources or habitats, such as~~ lands acquired ~~or to be acquired~~ through governmental or non-profit land acquisition programs for environmental conservation; and the extent to which the mitigation bank establishes corridors for fish, wildlife, or listed species and the establishment of corridors to those resources or habitats.

(d) The quality and quantity of wetland or upland restoration, enhancement, preservation, or creation.

(e) The ecological and hydrological relationship between wetlands and uplands in the mMitigation bBank.

(f) The extent to which the mMitigation bBank provides habitat for fish and wildlife, especially habitat for species listed as threatened, endangered or of special concern, or provides habitats ~~that~~ which are unique for that mitigation service area.

(g) The extent to which the lands that are to be preserved are already protected by existing state, local or federal regulations or land use restrictions.

(h) The extent that lands to be preserved would be adversely affected if they were not preserved.

(i) Any special designation or classification of the affected waters and lands.

4.4.5.3 No credit shall be available for freshwater wetland creation until the success criteria included in the mitigation bank permit are met. ~~of the created wetlands is demonstrated~~

4.4.5.4 The number of credits and schedule for release shall be determined based upon the performance criteria for the mitigation bank, and the success criteria for each mitigation activity. Some ~~mMitigation cCredits~~ may be withdrawn prior to meeting all of the performance criteria specified in the mitigation bank individual permit. Release of all of a mitigation bank's awarded mitigation credits shall occur only after the bank meets the mitigation success criteria specified in the permit. ~~The number of credits and schedule for release shall be determined based upon the performance criteria for the Mitigation Bank, and the success criteria for each mitigation activity. A Mitigation Bank will be credited with its maximum number of Mitigation Credits only after meeting the mitigation success criteria specified in the permit. However, no credits shall be released prior to meeting the requirements of Sections 4.4.9 and 4.4.10.~~

4.4.5.5. The release schedule for a specific mitigation bank or phase thereof shall be related to the actions required to implement the bank, such as site protection, site preparation, earthwork, removal of wastes, planting, removal or control of nuisance and exotic species, installation of structures, and annual monitoring and management requirements for success. In determining the specific release schedule for a bank, the following factors, at a minimum, will be considered:

- (a) Whether the mitigation consists solely of preservation or includes other types of mitigation.
- (b) The length of time anticipated to be required before a determination of success can be achieved.
- (c) The ecological value to be gained from each action required to implement the bank.
- (d) The financial expenditure required for each action to implement the bank.

~~Mitigation Credits available for withdrawal may be transferred, sold or used subject to the provisions of this section.~~

4.4.5.6 If at any time the banker is not in material compliance with the terms of the individual permit, no ~~mMitigation cCredits~~ may be withdrawn. Mitigation ~~cCredits~~ shall again be available for withdrawal if the banker comes back into compliance.

4.4.5.7 The individual permit shall contain a ledger listing the number and type of ~~mMitigation cCredits~~ in the ~~mMitigation bBank~~. The ledger will provide the maximum number and type of ~~mMitigation cCredits~~ which would be available for withdrawal when the ~~mMitigation bBank~~ meets all of the performance criteria in the permit.

4.4.5.8 A mitigation credit that has been released by the District may be sold or used to offset adverse impacts from an activity regulated under Part IV, Chapter 373, F.S. Mitigation

~~Credits may be sold whole or in part at the banker's discretion. Mitigation Credits may be sold or resold until they are used to offset adverse impacts.~~

4.4.5.9 The District shall maintain a ledger of the ~~mMitigation cCredits~~ available in each ~~mMitigation bBank~~. Mitigation ~~cCredits~~ shall be withdrawn as a non-substantial modification of the individual permit. To withdraw ~~mMitigation cCredits~~, the banker shall permit applicant shall document that ~~mMitigation cCredits~~ have been reserved, sold or transferred to the entity proposing to use the credits permit applicant, and that the ~~Mitigation Credits have been withdrawn from the Mitigation Bank.~~ If the agency permitting the impact determines that use of the ~~mMitigation cCredits~~ proposed by the applicant is appropriate to offset the adverse impacts, it shall notify the District. Upon receipt of this notice, the District shall determine if a sufficient number and type of ~~mMitigation cCredits~~ are available, withdraw the ~~mMitigation cCredits~~, and notify the agency permitting the impact and the banker in writing of the withdrawal of the ~~mMitigation cCredits~~ and the remaining balance of ~~mMitigation cCredits~~.

4.4.5.10 When the Department is the banker, the Department shall maintain its own ledger. The Department shall annually submit a report of the ~~mMitigation cCredits~~ sold, transferred, or used from its ~~mMitigation bBank~~ to the District.

4.4.6 ~~Addition Contribution~~ of Lands.

A permit applicant may add contribute land to a permitted ~~mMitigation bBank~~ if the addition of land meets the requirements of section 4.4, herein, and results in an increase in the ecological value of the existing mitigation bank pursuant to section 4.4.5.2, herein. Addition of land shall be accomplished through a modification to the permit that reflects the corresponding increase in the total number of mitigation credits assigned to the bank.

~~(a) the adverse impacts to be offset by the land donation are within the mitigation service area of the Mitigation Bank, except as provided in Section 4.4.8.4;~~

~~(b) the land will offset adverse impacts of the proposed project;~~

~~(c) the land is adjacent to or will become a District approved Mitigation Bank;~~

~~(d) the land will improve or enhance the ecological value of a District approved Mitigation Bank;~~

~~(e) the land will be encumbered pursuant to the requirements of section 4.4.9; and~~

~~(f) the grantee of the conservation easement or fee simple interest agrees to accept such conveyance.~~

4.4.8 Mitigation Service Area.

4.4.8.1 A ~~mMitigation sService aArea~~ will be established for each ~~mMitigation bBank~~ in the individual permit pursuant to the criteria of subsection 373.4136(6), F.S. and this subsection. The District will notify and consider comments received on the proposed mitigation service area from each local government that operates a wetlands regulatory program within the

proposed mitigation service area. Except as provided in subsection 4.4.8.4, herein, mMitigation cCredits may only be withdrawn and used to offset adverse impacts in the mMitigation sService aArea. The extent of the Mitigation Service Area will depend upon whether adverse impacts within the Mitigation Service Area can be adequately offset by the Mitigation Bank.

4.4.8.2 The boundaries of the mitigation service area shall depend upon the geographic area where the mitigation bank could reasonably be expected to offset adverse impacts. Generally, the boundaries of a service area correlate to the boundaries of regional watersheds. See Figure 4.4-2. However, mitigation service areas may be larger or smaller than a regional watershed pursuant as follows:

(a) A mitigation service area may be larger than the regional watershed if the mitigation bank provides exceptional ecological value such that adverse impacts outside the regional watershed could reasonably be expected to be adequately offset by the mitigation bank. See Figure 4.4-3. In determining the extent to which a mitigation bank provides exceptional ecological value, the District will consider the characteristics, size, and location of the mitigation bank and, at a minimum, the extent to which the mitigation bank:

1. Will promote a regional integrated ecological network;
2. Will significantly enhance the water quality or restoration of an offsite receiving waterbody that is designated as an Outstanding Florida Water, a Wild and Scenic River, an aquatic preserve, a water body designated in a plan adopted pursuant to section 373.456, F.S. (Surface Water Improvement and Management Act), or a nationally designated estuarine preserve;
3. Will provide for the long-term viability of endangered or threatened species or species of special concern; and
4. Is consistent with the objectives of a regional land acquisition, restoration and/or management plan adopted or endorsed by the Department of Environmental Protection, the District or other water management district. A Mitigation Service Area may be larger than the regional watershed if adverse impacts to wetlands outside the regional watershed could be adequately offset by the Mitigation Bank because of local ecological or hydrological conditions.

(b) A mitigation service area may be smaller than a regional watershed if adverse impacts throughout the regional watershed cannot reasonably be expected to be offset by the mitigation bank because of local ecological or hydrological conditions. A Mitigation Service Area may be smaller than a regional watershed, such as in an aquatic preserve, Outstanding Florida Water, or Area of Critical State Concern, if adverse impacts throughout the regional watershed could not be offset by the Mitigation Bank because of local ecological or hydrological conditions.

4.4.8.3 Mitigation sService aAreas may overlap and multiple mMitigation sService aAreas for two or more mitigation banks may be approved for a given regional watershed.

4.4.8.4 Notwithstanding the fact that they are not completely located within the mitigation service area In addition to projects located wholly within the Mitigation Service Area of a Mitigation Bank, the following projects are eligible to use a mMitigation bBank if the requirements in section 4.4.2 are met:

- (a) Projects with adverse impacts partially located within the mMitigation sService aArea.
- (b) Linear projects, such as roadways, transmission lines, distribution lines, pipelines, or railways.
- (c) Projects with total adverse impacts of less than one half acre in size.

4.4.8.5 When mMitigation cCredits are applied to offset adverse impacts within the regional watershed, the mitigation credit requirement shall be the same as that specified for mitigation on the project site.

4.4.8.6 When mMitigation cCredits are applied to offset adverse impacts outside the regional watershed, the mitigation credit requirement shall may be higher than that specified for mitigation on the project site, if necessary to adequately offset the adverse impacts of the project.

4.4.9 Land Use Restrictions on Mitigation Banks

4.4.9.1 Before mMitigation cCredits may be used from a mMitigation bBank or any phase of a mMitigation bBank, the banker shall either (1) cause a fee interest to be conveyed to the District, or (2) cause a conservation easement to be conveyed to both the Department of Environmental Protection and the District pursuant to section 704.06, F.S. The grantor of a conservation easement may convey a conservation easement to additional grantees provided that such conveyance is consistent with the preservation requirements of the permit and do not alter the rights of the District as grantee. Mitigation bBanks on Federally or state owned land shall be encumbered in perpetuity by conservation easements or other mechanisms ensuring perpetual preservation in accordance with the individual permit.

4.4.9.2 All conservation easements shall be granted in perpetuity without encumbrances, unless such encumbrances do not adversely affect the ecological viability of the mMitigation bBank. All conservation easements shall be of a form and content sufficient to ensure preservation of the Mitigation Bank according to the permit, and shall, at a minimum, meet the requirements and restrictions of Section 704.06, F.S., except as provided in the individual permit, and meet the requirements of subsection 4.4.9.9. The conservation easement shall also provide that the banker shall have access to the property and the authority to perform all acts necessary to ensure compliance with the mitigation bank permit (unless the

banker is the fee owner of the property) and that the District shall have access and the authority to perform these acts if the banker fails to do so.

4.4.9.3 All real property conveyances shall be in fee simple and by statutory warranty deed, special warranty deed, or other deed, without encumbrances that adversely affect the District's title to the mMitigation bBank property or preservation of the mMitigation bBank according to the permit. The District shall accept a quit claim deed if necessary to aid in clearing minor title defects or otherwise resolve a boundary question in the mMitigation bBank.

4.4.9.4 As part of providing reasonable assurance that the mitigation bank site will be preserved in perpetuity, ~~the~~ grantor of the property or conservation easement shall provide the following unless the District determines such items are not necessary to ensure preservation of the mMitigation bBank according to the permit:

(a) A boundary survey of the real property being conveyed or the area within the conservation easement. The survey must be certified by a land surveyor registered in the State of Florida as meeting the requirements of the District, and the minimum technical standards set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, F.A.C., pursuant to Section 472.027, F.S.

(b) A certified appraisal of the market value of the property or interest to be conveyed to determine the appropriate amount of title insurance.

(c) ~~Assurance of the marketability of the interest in real property being acquired in the form of a~~ marketable title commitment issued to the District as beneficiary and owner's title policy (ALTA Form B) in an amount at least equal to the fair market value, as established in subsection 4.4.9.4(b), of the interest being conveyed real property. An owner's title insurance policy (ALTA Form B) naming the District as beneficiary shall be issued to the District within the time frames specified by the permit. The coverage, form and exceptions of the title insurance policy shall ensure that the mMitigation bBank will be preserved according to the mitigation bank individual permit.

(d) ~~A~~ If a fee simple interest is being conveyed, a Phase I environmental audit identifying any environmental problems that which may adversely affect construction, implementation, and perpetual management of the mitigation bank or that affect the liability of the District and any additional audits as are necessary to disclose the presence of any substance or condition that could subject the District to liability.

4.4.9.5 All existing mortgages on the property shall be joined or subordinated prior to conveyance of the conservation easement. The District shall require additional documentation or actions from the grantor of the conservation easement or fee interest if such additional documentation or actions are necessary to adequately protect the District's interest in, or the integrity of, the mMitigation bBank.

4.4.9.6 The banker grantor shall pay the documentary revenue stamp tax and all other taxes or costs associated with the conveyance, including the cost of recording the deed or conservation easement and any other recordable instruments required by the District, unless prohibited or exempt by law, as a condition of the receipt of the conveyance.

4.4.9.7 All real estate taxes and assessments which are or which may become a lien against the property shall be satisfied of record by the banker grantor before or at the time of conveyance closing. If required by Section 196.295, F.S., the banker grantor shall place funds in escrow with the county tax collector. The mitigation banker shall also provide the District with annual documentation demonstrating that such taxes and assessments have been paid.

4.4.9.8 The banker grantor shall remove all abandoned personal property and solid waste from the property that reduces the proposed ecological value of the property, will adversely affect the construction, implementation or management of the bank, or poses a liability risk to the District, as a condition of receipt of the conveyance.

4.4.9.9 ~~The grantor shall provide in the~~ conservation easement shall provide that the banker and the District shall have access to the property to perform all acts necessary to ensure compliance with the mitigation bank individual permit and any permits issued under this part.

4.4.9.10 The banker shall record the conservation easement or property deed within 30 days of issuance of the mitigation bank individual permit, or as otherwise required in the mitigation bank individual permit. The banker shall submit to the District a certified copy of the recorded conservation easement or property deed within 30 days of recording. The banker shall submit to the District the original recorded conservation easement or property deed as soon as such document is available from the public records office.

4.4.10 Financial Responsibility.

4.4.10.1 To provide reasonable assurances that the proposed mMitigation bBank will meet the requirements of section 373.4136, F.S., this section and the associated permit conditions, non-governmental bankers shall provide proof of financial responsibility for: (1) the construction and implementation phase of the bank, and (2) the perpetual long term management of the bank, as required in this section. Governmental entities shall provide proof of financial responsibility pursuant to Section 4.4.10.8. The amount of financial responsibility provided in the mechanisms required in this section shall be based on the cost estimates determined pursuant to Section 4.4.10.6.

4.4.10.2 Financial Responsibility Documentation.

The applicant shall provide draft documentation of the required financial responsibility mechanisms described below with the permit application, and shall submit to the District the executed or finalized documentation within the time frames specified in

the permit, and in any event prior to the release of credits. The provisions of this section shall also apply for any modifications to the mitigation bank individual permit.

4.4.10.3 General Terms for Financial Responsibility Mechanisms.

In addition to the specific provisions regarding financial responsibility mechanisms for construction and implementation in subsection 4.4.10.4 and perpetual long term management in subsection 4.4.10.5, the following terms shall be complied with and, where applicable, included in the financial responsibility mechanism:

(a) The financial mechanisms shall name the District as sole beneficiary or shall be payable at the direction of the to the District to its designee or to a standby trust. Co-beneficiaries, and the terms of such status, is subject to the approval of the District. If the financial responsibility mechanism is of a type which is retained by the beneficiary according to industry standards, it shall be retained by the District.

(b) Demonstration of financial responsibility shall be continuous until complete satisfaction of the applicable permit conditions and approved release of financial responsibility by the District.

(c) All financial mechanisms must guarantee that the banker will perform all of its obligations under the permit. The financial mechanism shall also provide for alternative financial assurance, as allowed by this section, to address situations such as cancellation of a bond or a financial institution's intent not to extend the expiration date of a letter of credit. The banker must obtain the District's written approval of the alternative assurance provided, within 90 days after receipt by both the banker and the District of a notice of cancellation of a bond or intent not to extend expiration date of a letter of credit.

(d) A banker may satisfy the requirements of this section by establishing more than one acceptable financial mechanism per mitigation bank.

(e) A banker may use a financial assurance mechanism allowed under this section for more than one mitigation bank. The amount of funds available through the mechanism must be no less than the sum of funds that would be available through separate mechanisms acceptable for each mitigation bank.

(f) A banker must notify the District by certified mail within 10 days after the commencement of a voluntary or involuntary proceeding i) to dissolve the banker, ii) to place the banker in receivership, or iii) for entry of an order for relief against the banker under Title 11 of the United States Code. A banker may not assign its assets for the benefit of creditors. A banker will be deemed to be without the required financial assurance in the event of a bankruptcy of the trustee of any trust provided under this rule, or the suspension or revocation of the authority of any trustee to act as trustee, or in the event of a bankruptcy of the issuing institution of any bond or letter of credit, or the revocation of the authority of such institution to issue such instruments. The banker must notify the District

within 10 days, and establish other financial assurance within 60 days after such an event. The financial institution issuing or maintaining the financial responsibility mechanism must have the legal authority to conduct such operations and must be regulated and examined by a Federal agency or the State of Florida. If insurance is provided to the financial institution by a Federal agency, the amount of insurance shall not be less than the amount of financial responsibility required by this section. Surety or guarantee bonds must be issued by a surety company registered with the State of Florida.

(g)(e) No person shall withdraw or transfer any portion of the monies provided for financial responsibility in a manner that reduces without first obtaining prior written approval from the District, which shall be granted provided that such withdrawal or transfer does not reduce the amount of financial responsibility below the cost requirements in Sections 4.4.10.4(c) and 4.4.10.5(b), as applicable.

(d) The financial responsibility mechanisms shall not expire or terminate prior to completion of the applicable permit conditions.

(e) The financial responsibility mechanisms shall not be terminated or cancelled by the banker. Within 90 days of receipt of a notice of cancellation of a financial responsibility mechanism or other actual or constructive notice of cancellation, the banker shall provide an alternate financial responsibility mechanism which meets the requirements of this section.

(h)(f) If the mMitigation bBank has failed to comply with the terms and conditions of the permit, the District upon reasonable notice may draw upon the financial mechanism.

4.4.10.4 Financial Responsibility for Construction and Implementation.

(a) No financial responsibility shall be required where the construction and implementation of the mMitigation bBank, or a phase thereof, is completed and successful prior to the withdrawal of any credits.

(b) Financial responsibility for the construction and implementation of each phase of the mMitigation bBank may be established by surety guarantee bonds, performance bonds, insurance certificates, irrevocable letters of credit, or trust funds agreements, or securities. If a bonds or an irrevocable letter of credit is are used as the financial mechanism, a standby trust fund shall be established, in a form meeting standard industry practices, in which all payments under the bonds or letter of credit shall be directly deposited.

(c) The amount of financial responsibility established shall equal 110% of the cost of construction and implementation of each phase of the mMitigation bBank which is being constructed and implemented, pursuant to the cost estimate requirements of sSection 4.4.10.6. When a current phase has been completely constructed, implemented and is trending towards success according to the terms of the permit, the respective amount of financial responsibility shall be released.

(d) ~~The financial responsibility mechanism shall become effective prior to the release of any mitigation credits, at least 60 days prior to initiation of construction of the next phase of the Mitigation Bank, or as otherwise required by the individual permit prior to initiation of implementation and construction of the subject phase.~~

(e) Surety or Performance Bond.

1. A banker may satisfy the requirements of Section 4.4.10.4 by obtaining a surety or performance bond that conforms to the requirements of this subsection. The company issuing the bond must be among those listed as acceptable sureties on federal bonds in the latest Circular 570 of the U.S. Department of the Treasury, or a Florida-domiciled surety or insurance company with at least an A-rating in the latest printing of the A.M. Best's Key Rating Guide to write individual bonds up to 10 percent of the policyholder's surplus. The banker shall provide proof that the bond company meets these requirements.

2. The surety or performance bond shall be worded in substantial conformance with form number 1019. Deviations from the form shall be identified and submitted to the District for review and approval.

3. Under the terms of the bond, the surety shall become liable on the bond obligation when the mitigation banker fails to perform as guaranteed by the bond. In all cases, the surety's liability shall be limited to the sum stated therein.

4. The mitigation banker who uses a surety or performance bond to satisfy the requirements of Section 4.4.10.4 shall be required to establish a standby trust fund when the surety or performance bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby trust fund for distribution by the trustee in accordance with the District's instructions. The standby fund agreement must meet the requirements specified in Section 4.4.10.4(g).

5. Notice of cancellation of a bond must be made by certified mail to the banker and to the District. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the banker and the District, as evidenced by the return receipt.

6. A bond may be canceled by the banker if the District has given prior written consent. The District shall provide such consent when either the banker substitutes alternative financial assurance allowed under this rule and such alternate financial assurance is approved by the District and is effective; or the District releases the banker from the requirements of this section.

(f) Irrevocable Letter of Credit

1. A mitigation banker may satisfy the requirements of Section 4.4.10.4 by obtaining an irrevocable letter of credit that conforms to the requirements of this subsection. The irrevocable letter of credit shall be provided by a federally insured depository that is "well capitalized" or "adequately

capitalized" as defined in Section 38 of the Federal Deposit Insurance Act. The banker shall submit proof of such capitalization to the District.

2. The irrevocable letter of credit shall be worded in substantial conformance with Form 1020. Deviations from the form shall be identified and submitted to the District for review and approval.

3. A mitigation banker who uses an irrevocable letter of credit to satisfy the requirements of Section 4.4.10.4 must also establish a standby trust fund when the irrevocable letter of credit is acquired. Under the terms of the irrevocable letter of credit, all amounts paid pursuant to a sight draft by the District will be deposited by the issuing institution directly into the standby trust fund to be distributed by the trustee in accordance with instructions from the District. This standby trust fund must meet the requirements specified in Section 4.4.10.4(g).

4. Letters of credit must be irrevocable and issued for a period of at least one year, and the expiration date must be automatically extended for a period of at least one year unless, at least 120 days prior to the expiration date, the issuing institution notifies both the banker and the District by certified mail of a decision not to extend the expiration date. The terms of the irrevocable letter of credit must provide that the 120 days must begin on the date when both the banker and the District received the notice, as evidenced by the return receipts.

(g) Standby Trust Fund.

1. A mitigation banker using a surety or performance bond or irrevocable letter of credit shall contemporaneously establish a standby trust fund when the mechanism is acquired. The trustee of the standby trust fund shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal agency or an agency of the state in which the fund is established. The banker shall provide proof of such regulation and examination to the District.

2. The standby trust agreement shall be worded in substantial conformance with form number 1021. Deviations from the form shall be identified and submitted to the District for review and approval.

(h) Trust Fund.

1. A mitigation banker may satisfy the requirements of Section 4.4.10.4 by establishing a trust fund that conforms to the requirements of this section. The trustee of the trustee fund shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal agency or an agency of the state in which the fund is established. The banker shall provide proof of such regulation and examination to the District.

2. The trust agreement must be worded in substantial conformance to form number 1022. Deviations from the form shall be identified and submitted to the District for review and approval.

4.4.10.5 Financial Responsibility for the ~~Perpetual Long Term~~ Management.

(a) A banker shall establish ~~either a trust fund or an irrevocable letter of credit or surety or performance bond with a corresponding standby trust fund agreement~~ to provide financial responsibility for ~~perpetual the long term~~ management of the ~~mMitigation bBank~~, or phase thereof. ~~When a trust fund is used, the requirements of section 4.4.10.4 (h) must be met. When a surety or performance bond or irrevocable letter of credit is used with a standby trust fund, the requirements of sections 4.4.10.4 (e), 4.4.10.4 (f) and 4.4.10.4 (g), respectively, must be met. Trust fund agreements for perpetual management shall be worded in substantial conformance with form number 1023. Standby trust fund agreements for perpetual management shall be worded in substantial conformance with form number 1024. Deviations from the forms shall be identified and submitted to the District for review and approval submitted in a format which meets standard industry practices.~~

(b) The amount of financial responsibility ~~provided shall be sufficient to be reasonably expected to generate annual revenue shall equal to the annual cost of perpetual long term management, established pursuant to section 4.4.10.6 at an assumed average rate of return of six percent per annum, for the bank, or for banks constructed in phases, for all previously constructed phases and the current phase for which credits have been released approved for withdrawal.~~

(c) The ~~financial responsibility mechanism must be in effect trust fund agreement shall be effective and fully funded at least 60 days prior to the withdrawal of credits from the mMitigation bBank, or applicable phase thereof, and shall be funded in a percentage as provided in the mitigation bank permit to ensure the availability of management funds for perpetual operation of the mitigation bank or phase thereof, or as otherwise provided in the mitigation bank permit prior to the withdrawal of credits.~~

4.4.10.6 Cost estimates.

(a) For the purposes of determining the amount of financial responsibility that is required in this section, the banker shall submit a detailed written estimate, in current dollars, of the total cost of construction and implementation, and ~~of the cost of perpetual long term~~ management of the ~~mMitigation bBank~~. ~~The written cost estimate shall be certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such certified written estimates.~~

(b) The cost estimate for construction and implementation shall include all costs associated with completing construction and implementation of the ~~mMitigation bBank~~, or phase thereof, including, ~~as applicable,~~ earth moving, planting, ~~exotic/nuisance vegetation removal, land surveying,~~ structure installation, consultant fees, ~~taxes,~~ monitoring activities and reports.

(c) The cost estimate for the ~~perpetual long term~~ management of the ~~mMitigation bBank~~ shall be based on the costs of maintaining, ~~and operating, and replacing~~ any structures, controlling nuisance or exotic species, fire management, consultant fees, monitoring activities and reports, ~~taxes~~ and any other costs associated with ~~perpetual long term~~ management. The amount of financial responsibility shall equal the cost of ~~perpetual long term~~ management for ~~all the bank, or for banks constructed in previously constructed phases, and the current phase the phase for which the withdrawal of credits have been released is imminent.~~

(d) The banker shall submit ~~a written cost the estimates, together with verifiable documentation,~~ to the District along with the ~~proof of financial responsibility mechanism.~~

(e) The costs shall be estimated based on a third party performing the work at the fair market value of services. The source of any cost estimates shall be indicated.

4.4.10.7 Cost Adjustments.

(a) ~~The banker shall, E~~very two years, ~~the banker shall undertake an estimate of the costs of the remaining adjust the amount of financial responsibility provided for construction, implementation, and perpetual long term management. Every two years T~~he banker shall submit ~~the estimate to the District in writing certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such certified written estimates, a cost adjustment statement accompanied by supporting documentation. Construction, implementation, and perpetual long term management costs shall be listed separately. The District shall review the cost adjustment statement and supporting documentation to determine if it reflects all construction, implementation, and perpetual long term management costs. If the cost adjustment statement and supporting documentation accurately reflects a good faith estimate of all construction, implementation and perpetual management costs, t~~The District shall approve the cost adjustment statement ~~if all such costs are reflected.~~

(b) At each cost adjustment, the banker shall revise the construction, ~~and implementation and perpetual management~~ cost estimate ~~to reflect for inflation and changes in the costs to complete the current phase of the mMitigation bBank.~~

(e) ~~At each cost adjustment, the banker shall revise the long term management cost estimate for inflation and changes in the costs to carry out the long term management conditions of the permit.~~

(c)(d) Revised cost estimates shall be used as the basis for modifying the financial mechanism. If the value of the financial mechanism is less than the total amount of the current construction and implementation and long term management cost estimates, the banker shall, upon District approval of the cost adjustment statement, increase the value of the financial mechanism to reflect the new estimate within 60 days. If the value of the funding mechanism is greater than the total amount of the current cost estimate, the banker may reduce the

value of the funding mechanism to reflect the new estimate upon receiving District approval of the cost adjustment statement.

(d) The District shall require adjustment of the amount of financial responsibility provided for construction, implementation or ~~perpetual long term~~ management at times other than the cost adjustment period when estimated ~~the~~ costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

4.4.10.8 Financial Responsibility for Governmental, Non-Department, Mitigation Banks.

(a) Governmental entities other than the Department shall demonstrate that they can meet the financial responsibility requirements for construction and implementation in Section 4.4.10.4 by any of the mechanisms in Section 4.4.10.4 above, or by other financial mechanisms which meet the requirements of this section.

(b) Governmental entities other than the Department shall establish a trust fund for the ~~perpetual long term~~ management of the mMitigation bBank ~~which meets the requirements of in accordance with s~~Section 4.4.10.5(b) and (c), above. The trust fund agreement for ~~perpetual long term~~ management may be funded as mMitigation cCredits are withdrawn, provided that the trust fund agreement is fully funded when all mMitigation cCredits are withdrawn. Governmental entities shall comply with the cost adjustment provisions in Section 4.4.10.7.

4.4.11 Individual or Conceptual Approval Environmental Resource Permit for a Mitigation Bank.

If the mMitigation bBank proposal meets the criteria of section 373.4136, F.S., the criteria contained in these mitigation bank rules and Chapters 40E-4, 40E-40, 40E-41 or 40E-400, F.A.C., as applicable in this section, the District shall issue either a mitigation bank individual permit or a mitigation bank cConceptual aApproval to the banker.

4.4.11.1 ~~The An~~ individual permit authorizes the construction, implementation and operation of the mMitigation bBank and sets forth the associated rights and responsibilities of the banker ~~for the implementation, management, maintenance and operation of the Mitigation Bank. The individual permit and shall include the following:~~

(a) A description of the mMitigation sService aArea.

(b) The maximum number of mMitigation cCredits available for use when the mMitigation bBank, or phase thereof, is deemed successful, the type of mMitigation cCredits awarded, and the number and schedule of mMitigation cCredits available for use prior to success.

(c) The success criteria by which the mMitigation bBank will be evaluated.

(d) The financial responsibility mechanism(s) which must be employed by the banker ~~including the procedure for drawing on the financial mechanisms by the District~~, and provisions for adjustment of the financial responsibility mechanism.

(e) Requirements for the execution and recording of the conservation easement or conveyance of the fee interest as provided in section 4.4.9.

(f) A ledger listing mMitigation cCredits available in the mMitigation bBank.

(g) A schedule for implementation of the mMitigation bBank, and any phases therein.

(h) The ~~perpetual long term~~ management requirements for the mMitigation bBank.

(i) The conditions required pursuant to Chapters 40E-4, 40E-40, 40E-41 or 40E-400, F.A.C., as applicable, for construction and operation of any surface water management system proposed within the mMitigation bBank.

4.4.11.2 An individual permit issued in accordance with 4.4.11 shall automatically expire five years from the date of issuance if the banker has not recorded a conservation easement or conveyed fee simple interest, as appropriate, over the real property within the mMitigation bBank, or phase thereof, in accordance with the individual permit, or, when no property interest is required to be recorded, the individual permit shall automatically expire if no construction has been commenced pursuant thereto. Except as provided above, an individual permit shall be perpetual unless revoked or modified.

4.4.11.3 A mMitigation bBank cConceptual aApproval estimates the legal and financial requirements necessary for the mMitigation bBank, information necessary for evaluation of the application for an individual permit for the mitigation bank, and potential mMitigation cCredits to be awarded pursuant to the individual permit. The mMitigation bBank cConceptual aApproval does not authorize the use or withdrawal of mMitigation cCredits, or any construction within the mMitigation bBank. The level of detail provided in the mMitigation bBank cConceptual aApproval will depend on the level of detail submitted with the application. A mMitigation bBank cConceptual aApproval shall be valid for a term of five years from the date of issuance.

4.4.12 Surrender, Transfer, or Modification of an Individual or Conceptual Approval Environmental Resource Permits for a Mitigation Bank.

4.4.12.1 A banker may apply to surrender an individual permit, or permitted phase thereof, by submitting a written request to the District. The written request must identify which phase of the mMitigation bBank will be surrendered, indicate the extent of mitigation work performed in that phase, and describe the conservation property interest encumbering that phase. The District shall authorize release from an individual permit when no credits have been debited from the ledger ~~and~~ and relinquishment of the phase would not compromise the

ecological value of the remaining portions of the mMitigation bBank. A release of a geographic phase of the bank shall be made by modification of the mitigation bank permit.

4.4.12.2 If a property interest has been conveyed as provided in Section 4.4.9 for an individual permit which is surrendered as provided in Section 4.4.12.1 above, the District shall convey the property interest back to the grantor of that interest.

4.4.12.3 If a surface water management system has been constructed or altered within the mMitigation bBank, the banker shall obtain any permits required pursuant to Chapters 40E-4, 40E-40, 40E-41 and 40E-400, F.A.C., to abandon the surface water management system.

4.4.12.4 To transfer an individual permit, the banker shall meet the requirements of Rule 40E-1.6107, F.A.C., and the entity to which the permit will be transferred must provide reasonable assurances that it can meet the requirements of sections 4.4.9 and 4.4.10.

4.4.12.5 ~~An mitigation bank individual permit Individual Environmental Resource Permit for a Mitigation Bank~~ can be issued as a modification to a mMitigation bBank cConceptual aApproval. Modifications shall be governed by section 373.4136(10), F.S. (1996).

4.4.13 Department of Environmental Protection Mitigation Banks.

The Department may construct, operate, manage, and maintain a mMitigation bBank pursuant to this section after obtaining an individual permit from the District.

4.4.13.1 The Department may apply to establish a mMitigation bBank by submitting a mMitigation bBank plan which meets the applicable permitting criteria of this section, in one of the following formats:

(a) A mMitigation bBank plan identifying one or more parcels of lands to be acquired for mitigation site(s).

(b) A mMitigation bBank plan identifying one or more parcels of land in which the Department has a legal or equitable interest.

4.4.13.2 The Department shall maintain the land within the rRegional mMitigation bBank pursuant to the terms of the individual permit. Any change in the land use shall require a modification of the mMitigation bBank pPermit.

4.4.13.3 Notwithstanding any other provision of this Chapter, the Department may sell, transfer, or use mMitigation cCredits prior to acquiring the proposed mitigation site as set forth in its individual permit.

4.4.13.4 Department Financial Responsibility.

A portion of the funds contributed to a Department mMitigation bBank from the sale of credits shall be dedicated for the construction and implementation of the mMitigation bBank, and a portion of the funds shall be dedicated for the long-term management of the bank as set forth in the individual permit. Funds derived from the sale of mMitigation cCredits which are not necessary for the construction, implementation, and long-term management of a Department

rRegional mMitigation bBank shall be dedicated for the initiation of other Department mMitigation bBank, or expansion of other Department land acquisition or restoration projects which improve regional ecological conditions.

4.4.13.5 Procedures for Establishment of Mitigation Banks.

Mitigation bBanks established by the Department shall be permitted pursuant to the procedures encompassed in the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S. adopted by reference in Section 40E-4.091, F.A.C.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terrie Bates, Director, Regulation Department

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 1997

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Application for Licensure; Fees

RULE NO.: 64B7-27.002

PURPOSE AND EFFECT: The purpose is to eliminate a fee made unnecessary by the requirement that applicants for licensure apply directly to the examination vendor for examination. In addition, the Board is consolidating the fees for the colonic irrigation exam.

SUMMARY: The rule eliminate a fee made unnecessary by the requirement that applicants for licensure apply directly to the examination vendor for examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 480.035(7), 480.044(1) FS.

LAW IMPLEMENTED: 480.044(1) 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: 3:00 p.m., June 2, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Massage, 2020 Capital Circle, Southeast, BIN #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-27.002 Application for Licensure; Fees.

(1) ~~Effective January 1, 1996, the application and examination fee for licensure pursuant to Section 480.041(1), F.S., shall be \$230 which includes a \$50 nonrefundable application fee.~~

(2) ~~Effective January 1, 1997, the application fee for licensure for applicants who have taken and passed a Board approved examination shall be a \$50 nonrefundable application fee.~~

(2)(3) The application and examination fee for certification in colonic irrigation Colonies examination fee shall be \$150 \$100 which includes a \$50 nonrefundable application fee. For reexamination, the application and examination fee for certification in colonic irrigation shall be \$150, which includes a \$50 nonrefundable application fee.

Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1) FS. History—New 11-27-79, Amended 2-6-85, Formerly 21L-27.02, 21L-27.002, Amended 6-28-94, 11-22-94, 9-9-96, 1-29-97, Formerly 61G11-27.002, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 12, 1999

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

RULE NO.:

64B9-8.006

PURPOSE AND EFFECT: The purpose of the amendment is to add violations of Chapter 455, Part II to the disciplinary guidelines, and to update current violations.

SUMMARY: The amendment will add violations of Chapter 455, Part II to the disciplinary guidelines and to update current violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.627 FS.

LAW IMPLEMENTED: 455.627, 464.018 FS.

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

TIME AND DATE: 2:00 p.m., June 9, 1999

PLACE: Cay Resort, 61 Hawks Cay Blvd., Duck Key, Florida 33050-3256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:

- (a) Violation of 464.016(1)(a) or (2)(b), F.S., unlicensed practice by an applicant
 - Practice on an inactive license or prior to endorsement: Reprimand to denial of license
 - Practice on a suspended license (464.016(1)(b), F.S.): Fine of \$100 plus \$10 per day for each day worked over 10
- (b) Giving misleading statements or knowing misrepresentations to obtain a license (464.016(1)(d), or 464.018(1)(a) or 455.624(1)(e), (h) or (s), F.S.)
 - Concealing criminal record on application: From reprimand and \$100 fine to Denial of application
 - Renewing a license by knowing misrepresentations or error of the Department or the Board (continuing education): Fine of up to \$100 per hour of incorrectly reported CE and suspension continued until such time as incorrectly reported CE is completed and fine paid. ~~If an error of the Department or the Board, suspension, probation with conditions and fine up to \$250.~~
 - Error of the Department or the Board: Revocation
 - Attempting to procure license by bribery, knowing misrepresentation: Suspension or revocation and fine of \$1000 if licensed (denial and refer to state attorney if not licensed)

(c) Knowingly employ unlicensed persons (464.016(1)(c), 464.018(1)(l))	From fine of \$250 and a reprimand to fine of \$1000 and at least a 90-day suspension followed by probation with conditions	<u>(o) or (p)</u> , F.S. – In delivery of nursing services	Fine from \$250-\$1000 plus from one year probation with conditions and appropriate CE courses to suspension until proof of safety to practice, followed by probation with conditions
(d) Knowingly conceal or failure to report violations of this act (464.016(2)(c), 464.018(1)(k), (l) <u>or (m)</u> , <u>455.624(1)(i)</u> , F.S.)	From reprimand and fine not to exceed \$1000 to at least 90-day suspension and \$1000 fine followed by probation with or conditions	– In administrative duties (e.g. charting, supervision of others, etc.)	Fine from \$250-\$1000 plus from 6 months probation with conditions and CE courses to two years probation with conditions and CE courses
(e) License disciplined by another jurisdiction (464.018(1)(b), <u>or 455.624(1)(f)</u> , F.S.)	Fine of \$100-\$250 plus same penalty as imposed by other jurisdiction consistent with Florida law and these guidelines for similar offense. Impaired practitioners ordered working in this state may be ordered into the IPN.	– Other instances including but not limited to those listed in 59S-8.005(1)(e)	Fine from \$250-\$1000 plus from 6 months probation with conditions and CE courses to two years probation with conditions and CE courses
(f) Criminal conviction relating to practice or ability to practice nursing (464.018(1)(c), F.S.), <u>or 455.624(1)(c)</u> , F.S.)	Misdemeanor: From fine of \$250 and reprimand to referral to IPN or \$1000 fine one year suspension and two years probation with conditions. Felony: From fine of \$500, referral to IPN, two years suspension and probation for the duration of court ordered probation to revocation and \$1000 fine.	(j) Unlawful possession of controlled substances (464.018(1)(i), F.S.)	From \$250-\$1000 fine and probation with conditions or IPN participation to five year suspension followed by probation with conditions
– Conviction of felony under Chapter 893, controlled substances (455.245 , 464.018(1)(i), F.S.)	Emergency suspension by Department. Thereafter, Board action in accordance with these guidelines including drug treatment or IPN participation and fine from \$250-\$1000	(k) Impairment (464.018(1)(j), F.S.)	Fine from \$100-\$1,000 plus referral to IPN and stayed suspension under IPN or probation with conditions
(g) Knowingly making or filing false report (464.018(1)(f), <u>or 455.624(1)(l)</u> , F.S.)	From reprimand and fine of \$250 to suspension and \$1000 fine	– Not in IPN, multiple offenses, or other violations aside from impairment	Suspend for time certain to show continuous sobriety and until proof of safety to practice, fine from \$250-\$1,000 prior to reinstatement followed by probation with conditions or IPN participation
(h) False, deceptive or misleading advertising; <u>or making misleading, deceptive or fraudulent representations in or related to the practice of nursing</u> (464.018(1)(g), <u>or 455.624(1)(a) or (m)</u> , F.S.)	Fine not to exceed \$1000	– Third offense involving diversion (464.018(4), F.S.)	Permanent revocation with no ability to reapply for licensure
(i) Unprofessional conduct (464.018(1)(h), <u>or 455.624(1)(j), (n)</u>		(l) Violation of Board order or rule (464.018(1)(l), <u>or 455.624(1)(b) or (q)</u> , F.S.)	From \$250-\$1,000 fine and lengthened probation with conditions if previously imposed, to suspension of at least 90 days until full compliance with Board order or rule
		(m) Sexual misconduct (464.017, F.S.)	Fine from \$500-\$1000, referral to IPN, and one year probation with conditions to revocation
		(n) Specified criminal convictions, regardless of adjudication	

<p>– Criminal Conviction Forcible felony (464.018(1)(d)1., F.S.)</p>	<p>From satisfactory psychological evaluation prior to practice, probation with conditions including direct supervision for duration of court sanction and minimum of \$250 fine to denial or revocation</p>	<p>– Criminal Conviction Child Abuse (464.018(1)(d)6., F.S.)</p>	<p>From psychological evaluation prior to practice, fine of at least \$500, referral to the IPN, and possible probation with conditions including direct supervision to denial or revocation if aggravated abuse.</p>
<p>– Criminal Conviction Theft, Robbery (464.018(1)(d)2., F.S.)</p>	<p>If misdemeanor, from reprimand and minimum of \$200 fine to probation with conditions. If felony, from probation with conditions and a minimum of \$250 fine to suspension. If patient is victim, direct supervision.</p>	<p>– Criminal Conviction Abuse of Elderly (464.018(1)(d)7., F.S.)</p>	<p>From psychological evaluation prior to practice, referral to the IPN, fine of at least \$500, and possible probation with conditions including direct supervision to denial or revocation if aggravated abuse.</p>
<p>– Criminal Conviction Fraud (464.018(1)(d)3., F.S.)</p>	<p>If prescription drugs, from referral to the IPN for treatment if needed, probation with conditions, a minimum of \$250 fine to revocation. If patient is victim, from probation with conditions, direct supervision, and a minimum of \$250 fine to revocation. If non-patient/drug related, from a minimum of \$200 fine and reprimand to suspension.</p>	<p>(o) Findings of Abuse or Neglect (464.018(1)(e), F.S.)</p>	<p>From probation with conditions including counseling, stress management, direct supervision, and at least a \$250 fine to suspension for a period of years.</p>
<p>– Criminal Conviction Lewdness (464.018(1)(d)4., F.S.)</p>	<p>If misdemeanor, from reprimand and minimum of \$200 fine to probation with conditions. If felony or substance abuse involved, from a minimum of \$250 fine, referral to and participation in the IPN to denial of licensure or suspension for a term of years.</p>	<p>(p) Failure to Report Violation (464.018(1)(k), or 455.624(1)(i) or (m), F.S.)</p>	<p>Reprimand and \$250 fine to suspension and \$1000 fine</p>
<p>– Criminal Conviction Assault, Battery (464.018(1)(d)5., F.S.)</p>	<p>If misdemeanor, fine from a minimum of \$200, probation with conditions including counseling to suspension. If patient is victim, direct supervision may be imposed. If felony, fine from a minimum of \$250, psychological evaluation prior to practice followed by probation with conditions to suspension.</p>	<p>(q) <u>Using a Class II or IV laser suspension, device or product without having complied with rules governing registration of such devices</u></p>	<p><u>Fine from \$250-\$1000 plus reprimand to probation with conditions.</u></p>
		<p>(455.624(1)(d), F.S.)</p>	
		<p>(r) <u>Having been found liable in a civil proceeding for knowingly filing a false report or complaint against another licensee</u></p>	<p><u>\$1000 fine and reprimand.</u></p>
		<p>(455.624(1)(g), F.S.)</p>	
		<p>(s) <u>Failing to perform any statutory or legal obligation placed upon a licensed nurse</u></p>	<p><u>Fine from \$250-\$1000 plus reprimand to probation with conditions</u></p>
		<p>(455.624 (1)(k), F.S.)</p>	
		<p>(t) <u>Improperly interfering with an investigation or disciplinary proceeding</u></p>	<p><u>Fine from \$500-\$1000 plus reprimand</u></p>
		<p>(455.624(1)(r), F.S.)</p>	
		<p>(4) No change.</p>	

Specific Authority 455.627 FS. Law Implemented 455.627, 464.018 FS. History–New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 1999

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Examination for Licensure
RULE NO.: 64B12-9.001
PURPOSE AND EFFECT: Rule 64B12-9.001 is being amended to eliminate superfluous language.
SUMMARY: The amendments simplify language within subsection (7).
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: 455.574(1), (5), 484.005 FS.
LAW IMPLEMENTED: 455.574(1), (5) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B12-9.001 Examination for Licensure.
(1) through (6) No change.
(7) The neutralization portion of the examination for opticianry licensure shall require candidates to neutralize twenty (20) out of twenty-five (25) possible measurements of six (6) lenses within the tolerances set out in the American National Standard (Z80.1-1987) which is incorporated herein by reference to achieve a score of seventy (70). In that two intermediate measurements are required to neutralize total combined vertical prism, an incorrect total combined vertical prism is counted as two (2) incorrect measurements. The correct answer for prism measurements shall be determined by computer type lensometer.
(8) through (11) No change.

Specific Authority 455.574(1), (5), 484.005 FS. Law Implemented 455.574(1), (5) FS. History--New 12-6-79, Amended 8-10-80, 3-11-81, 10-29-81, 6-30-82, 8-11-82, 2-2-83, 8-29-85, Formerly 21P-9.01, Amended 9-17-87, 3-30-89, 2-18-93, Formerly 21P-9.001, Amended 5-2-94, Formerly 61G13-9.001, Amended 5-4-97, Formerly 59U-9.001, Amended 4-20-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 1999

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

Table with 2 columns: RULE TITLES and RULE NOS.:
Definitions 64E-2.001
Advanced Life Support Service License - Ground 64E-2.003
EMS Training Programs 64E-2.011
Records and Reports 64E-2.013
Prehospital Requirements for Trauma Care 64E-2.015
Trauma Registry 64E-2.018

PURPOSE AND EFFECT: To repeal those rules identified as not being authorized by statute. These revisions will bring Chapter 64E-2, F.A.C., into compliance with the provisions of Chapter 120.536, F.S.

SUMMARY: Advanced Life Support Service License: The proposed rule will remove the current staffing requirements for advanced life support ambulances.

EMS Training Programs: The repeal of this rule will result in the limitation of the department's authority to approve emergency medical services training programs to verification of compliance with the most recent course of the United States Department of Transportation. Such verification would be provided by the applicant for certification as an emergency medical technician or paramedic.

Records and Reports: The proposed rule removes the requirement that EMS providers must leave a copy of a run report with the receiving facility or hospital.

SPECIFIC AUTHORITY: 381.001, 395.405, 401.121, 401.30, 401.35 FS.

LAW IMPLEMENTED: 381.001, 381.0205, 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.27, 401.30, 401.31, 401.34, 401.35, 401.411, 401.45 FS.

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

TIME AND DATE: 10:00 a.m., June 2, 1999
PLACE: Bureau of Emergency Medical Services, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 2002-D Old St. Augustine Road, Tallahassee, Florida 32301, (850)487-6754, or FAX (850)487-2911

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-2.001 Definitions.

(18) Run Report – means the written record described in section 64E-2.013, F.A.C., ~~and in DOH Pamphlet (DOHP) 150-14, October 93, Statewide Run Reporting System User Guide, which is incorporated by reference and available from the department.~~

Specific Authority 381.0011(13), 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, _____.

64E-2.003 Advanced Life Support Service License – Ground.

~~(6) Each ALS provider shall staff each ALS permitted vehicle in use with a minimum of two individuals; one of whom shall be a paramedic or licensed physician who shall attend the patient throughout transport, the other shall be a paramedic, EMT, or licensed physician who meets the requirements of section 401.281, FS.~~

~~(6)(7) Each ALS provider shall ensure that a current copy of all standing orders authorized by the medical director shall be available in each of the provider's vehicles; for review by the department; to each of the provider's paramedics; and supplied to each physician designated by the medical director to receive a copy.~~

~~(7)(8) In addition to the equipment and supplies listed in Table III, the medications and I.V. solutions and equipment listed in Table V are required on each ALS permitted vehicle, except those exempted in section 64E-2.006(1)(a), F.A.C. Substitutions are allowed with signed approval from the medical director and written notification to the department.~~

~~(8)(9) The medical director may authorize an EMT instead of the paramedic or licensed physician to attend a BLS patient on an ALS permitted ambulance under the following conditions:~~

Specific Authority 381.0011, 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.121 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.50, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-30-93, 1-26-97, Formerly 10D-66.050, Amended 8-4-98, 1-3-99, _____.

64E-2.011 EMS Training Programs.

Specific Authority 401.35 FS. Law Implemented 401.24, 401.27, 401.34, 401.35, 401.411 FS. History—New 12-10-92, Formerly 10D-66.058, Amended 11-30-93, 3-19-95, 12-10-95, 1-26-97, Formerly 10D-66.0586, Amended 8-4-98, Repealed _____.

64E-2.013 Records and Reports.

(3) Each provider shall document on DOH Form 1894 or 1895, October 93, Florida EMS Report each instance as described in section 64E-2.013(2), F.A.C. ~~Instructions for completing run reports are published in DOHP 150-14, October 93. DOHP 150-14, October 93, provides direction in the completion of prehospital, abbreviated and interfacility run reports.~~

~~(4) An accurate and complete run report, as required in sections 64E-2.013(2) and (3), F.A.C., shall be provided to the receiving facility. The EMS provider may provide to the receiving facility an abbreviated run report in lieu of the complete run report required in sections 64E-2.013(2) and (3), F.A.C. If the EMS provider elects to provide the abbreviated run report before departure, the hospital copy of the run report shall be signed with an original signature of the lead crew member. DOHP 150-14, October 93, identifies the minimum data elements necessary for an abbreviated run report.~~

~~(5) If an EMS provider elects to provide the receiving facility with an abbreviated run report at the time responsibility of the patient is transferred to the receiving facility, the EMS provider shall have the complete and accurate run report, as required in sections 64E-2.013(2) and (3), F.A.C., available within 24 hours of the time the vehicle was originally dispatched in response to the request for emergency medical assistance.~~

~~(4)(6) Non-transporting vehicle personnel shall provide information pertinent to the patient's identification, patient assessment and care provided to the patient to the transporting vehicle personnel at the time the responsibility of the patient is transferred to the transporting service. The non-transporting EMS provider shall have the complete and accurate run report, as required in sections 64E-2.013(2) and (3), F.A.C., within 24 hours of the time the vehicle was originally dispatched in response to the request for emergency medical assistance.~~

~~(5)(7) Each EMS provider shall maintain the second copy of DOH Form 1894 or 1895, October 93, Florida EMS Report for a period of at least 5 years. This copy is considered to be the copy of record, shall contain an original signature by the lead crew member and is certifiable as a true copy.~~

~~(6)(8) Each licensed EMS provider is responsible for quality review for completeness and accuracy of their own run reports. Each quarter, the Office of EMS will notify licensed providers by exception reports of incompleteness or inaccuracy of submitted run reports. It is the provider's responsibility to prospectively correct procedure and performance so that the types of errors identified in the department's exception report do not reoccur. The exception reports will be reviewed by the Office of EMS staff in conjunction with routine inspections and serve as the basis for a determination of reporting deficiencies which will require corrective action.~~

~~(7)(9)~~ Any EMS provider who desires to provide run report data in a manner other than prescribed in this section shall submit a variance to collect and provide the data by an alternative method to the Office of EMS. Any variance request shall be in accordance with the intent of this section.

~~(8)(10)~~ Medication errors and reactions en route shall be reported to the physician who ordered the medication, the receiving physician, and the ALS medical director.

~~(9)(11)~~ Each provider shall maintain a written plan, available for review by the department, for the proper handling, storage, and disposal of biohazardous wastes in accordance with chapter 64E-16, F.A.C.

~~(10)(12)~~ Each provider shall return his license to the department within 15 calendar days after a change of name or ownership of the service or upon permanently ceasing to provide service.

~~(11)(13)~~ Each air ambulance provider shall maintain documentation describing the service rendered to the patient and cost as part of the patient's record in accordance with section 401.251(4)(c), FS.

~~(12)(14)~~ Each EMS provider shall have a disaster plan which integrates into both the local and regional disaster plans.

~~(13)(15)~~ A fixed wing air ambulance provider shall have an air medical crew member document the cabin altitude hourly. The cabin pressure shall be documented on the patient record.

Specific Authority 381.0011, 395.405, 401.30, 401.35 FS. Law Implemented 381.001, 381.0205, 395.401-395.405, 401.23, 401.25, 401.27, 401.30, 401.35, 401.411 FS. History--New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.60, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.060, Amended.

64E-2.015 Prehospital Requirements for Trauma Care.

(4) ~~Each EMS provider shall ensure that the applicable elements of the trauma information section of the run report are completed and the form is delivered with the trauma patient to a SATC, SAPTRC, or hospital as required in section 64E-2.013, F.A.C.~~ ALS non-transporting vehicle personnel shall provide to the transporting vehicle personnel complete information about the patient's identity, the initial patient assessment and care provided prior to arrival of the transporting vehicle personnel, at the time that responsibility for the patient is transferred. ~~The transporting vehicle personnel shall deliver the run report with the trauma patient to the SATC, SAPTRC, or hospital as required by section 64E-2.013, F.A.C., and DOHP 150-14, October 93.~~

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401-395.403, 395.404-395.405, 401.30, 401.35 FS. History--New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.100, Amended 8-4-98, _____.

64E-2.018 Trauma Registry.

(2) Each EMS provider, SATC, SAPTRC, and hospital shall collect trauma registry data and provide such data to the department, or to the trauma agency or entity with which the department has an agreement or contracts. Each SATC, SAPTRC, or hospital shall, as follows:

~~(a) Each EMS provider shall comply with trauma registry reporting requirements by completing the run report including applicable elements of the trauma information section of DOH Form 1894, October 93, or Form 1895, October 93, Florida EMS Report as required in section 64E-2.013, and DOHP 150-14, October 93.~~

~~(a)1-~~ Complete the patient information, emergency department, and discharge information sections of DOH Form 1728, October 93, which is incorporated by reference and available from the department, when the trauma patient is delivered to the facility by an EMS provider or arrives by any other means and is admitted, dies in the emergency department, or is transferred to another licensed acute care facility. Instructions for completing and submitting DOH Form 1728, October 93, are published in DOPH 150-13, October 93, Trauma Registry Guidebook, which is incorporated by reference and available from the department.

~~(b)2-~~ Submit DOH Form 1728, October 93, to the department on a monthly basis, no later than the 15th of the month following the month the trauma patient was discharged from acute care or died in the facility.

~~(c)3-~~ Maintain a completed copy of each DOH Form 1728, October 93, for a period of at least 5 years. Copies of these completed forms shall be made available for review by the department upon request.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS. History--New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.013, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Lesley, Senior Management Analyst
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dino J. Villani, Chief
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 22, 1999
P.O. EU 0568

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE TITLES:	RULE NOS.:
Definitions	65C-13.001
Private Agency Foster Homes	65C-13.002
Pre-Service and In-Service Training	65C-13.003
Initial Licensing Procedures for Foster Homes, Emergency Shelters and Group Homes	65C-13.004
Changes During the Licensed Year	65C-13.005
Relicensing Procedure	65C-13.006
Respite Care	65C-13.007
Prospective Substitute Care Inquiries	65C-13.008
Parent Preparation	65C-13.009
Substitute Care Parents' Role as a Team Member	65C-13.010
Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes	65C-13.011
Substitute Family Records	65C-13.012

PURPOSE AND EFFECT: Section 409.175, Florida Statutes authorizes the Department of Children and Family Services to develop rules which protect the health, safety, and well-being of all children in the state who are cared for by family foster homes, residential child caring agencies and child placing agencies by providing for the establishment of licensing requirements for such homes and agencies and providing procedures to determine adherence to these requirements.

The modifications contained in 65C-13.001 – 13.012 will ensure standards for substitute care providers, which include family foster homes, emergency family shelter homes, and family foster group homes. The specific modifications include: changes to the type of pre-service training offered to substitute care families; relicensure of substitute care families; respite care; parent preparation; Bilateral Service Agreement; minimum standards for licensure of family foster homes, family emergency shelter homes and family group homes; and substitute family records.

SUMMARY: This Rule establishes criteria and procedures for selecting, training, licensing and relicensing substitute care families. Amendment of 409.175(15), Florida Statutes provides an exemption from the public records law for all identifying information, except name, in the foster family licensing file.

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: 402.305(1)(d), 402.313(10), 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

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

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

PLACE: 1317 Winewood Blvd., Building 8, Conference Room, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Amy West, Specialist, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-13.001 Definitions.

The following definitions describe the types of care that are addressed in this chapter, ~~of the manual:~~

(1) “Bilateral Service Agreement” means a written agreement entered into by the substitute care parents and the Department of Children and Families which stipulates the duties and responsibilities both parties have to each other and to children served in the substitute care program. ~~“Family Foster Home” means a private residence in which children who are unattended by a parent or legal guardian are provided 24 hour care. Such homes include emergency shelter family homes, family foster group homes, and specialized foster homes for children with special needs. A person who cares for a child of a friend for a period not to exceed 90 days, a relative who cares for a child and does not receive reimbursement for such care from the state or federal government, or an adoptive home which has been approved by the department or by a licensed child placing agency for children placed for adoption is not considered a family foster home. Exceptions may be made in order to keep siblings together. No more than two of the five children should be infants.~~

~~(a) Family foster homes are limited to five children, including the family’s own children.~~

~~(b) Therapeutic foster homes are limited to two children.~~

~~(c) Individual residential treatment family homes are limited to one child.~~

(2) “Emergency Family Shelter Homes” means a private residence licensed under F.A.C. 65C-13.001 through 65C-13.012 to provide care to children on an emergency basis. Family emergency shelter homes are limited to five children including the family’s own children. Exceptions may only be made for sibling groups, children who have been previously placed in the home, and teenage mothers and their babies. ~~“Foster Family Group Home” means a licensed private family home occupied by a married couple or individual who have demonstrated the interest and special qualifications to care for a total of no more than five pre-adolescent and adolescent~~

children, including the family's own children. The family group home parent should be able to work in close cooperation with the department. Foster family group homes differ from a traditional foster family home in several respects:

(a) ~~Group homes must submit any requested written reports and carry out any designated treatment plans for the children in their care.~~

(b) ~~Group home parents must sign the affidavit of civil rights compliance.~~

(c) ~~Group work, individual casework, and psychiatric consultation are provided as needed to group homes to further the treatment objectives.~~

(3) "Family Foster Home" means a private residence licensed under F.A.C. 65C-13.001 through 65C-13.012 to provide 24 hour care to children who are unattended by a parent or legal guardian. Family foster homes are limited to five children including the family's own children. Exceptions may be made to keep siblings together, children returning to care or teenage mothers and their babies.

(4) "Foster Family Group Home" means a private residence licensed under F.A.C. 65C-13.001 through 65C-13.012 that specializes in the care of a group of adolescents or pre-adolescent children. Foster family group homes are limited to five children including the family's own children. "Group Preparation and Selection — Model Approach to Partnerships in Parenting" is the pre-service training program selected by the department. References to this program throughout the rule will be by its initials, GPS-MAPP.

(5) "Substitute Care" is a service for children who are unable to live with their own families and are placed in family foster homes, family emergency shelters or family group homes.

(6) "Respite Care" is time limited care, one to fourteen days, which allows licensed substitute care parents to use a licensed temporary caretaker in order to obtain relief. Continuous respite care which exceeds fourteen days, must be approved by the District Administrator or designee.

(7) "Therapeutic Foster Home" includes homes certified as a Medicaid provider and is a private residence licensed under F.A.C. 65C-13.001 through 65C-13.012 that provides specialized care to children diagnosed with moderate to severe emotional problems which meets or exceeds standards under F.A.C. 65E-10 to provide such care. These homes are limited to no more than two children, not including the family's own biological children.

(8) "Intensive Residential Treatment Home" means a private residence licensed under F.A.C. 65C-13.001 through 65C-13.012 that provides specialized care to children with severe emotional problems and which has been approved under F.A.C. 65E-10 to provide such care.

(9) "Medical Foster Care Home" means a licensed private residence providing 24-hour care for dependent children. A health care site used by an individual who has been assessed by

the Children's Multidisciplinary Assessment Team, CMAT and placed by the medical director of the program in order for the individual to receive routine and required health care treatment, consultation and referral.

(10) "Child Resource Record" (CRR) means a standardized record which contains the basic legal, demographic and known medical information pertaining to a specific child. This folder is to be kept with the child and shall accompany the child to every health care encounter so that medical information may be shared with the provider and updated as appropriate. The information includes, but is not limited to, medical/psychological information; immunization record; Medicaid card; service agreement; school information and records; name, telephone number and address of the child's parent (s) or significant other person(s); names and telephone numbers of the Family Service Counselor and the Family Service Counselor Supervisor; the emergency contact person and the way such person can be contacted; dates and duration of Family Service Counselor visits with the family; and any other information pertinent to the child's care and well being.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Amended 7-18-95, Formerly 10M-6.015, Amended _____.

65C-13.002 Private Agency Foster Homes.

A private child-placing agency licensed under F.A.C. 65C-15 is responsible for recruitment, assessment, training and supervision of their substitute care parents who volunteer or are paid for the service by that agency. The department is responsible for the issuance of licenses to family foster homes approved by licensed child-placing agencies that operate throughout the state. Licensed child-placing agencies will receive the application and complete the foster home study. A private child placing agency must certify to the department in writing that the family meets the licensing requirements and request the department to issue the license. Responsibility for recruitment, assessment, training of staff and supervision of these homes rests with the licensed child-placing agencies. Responsibility for investigating complaints of family foster homes of licensed by child-placing agencies rests with the department. Subsection Section 409.175(7)(a), F.S., requires that all foster homes and agencies are inspected annually. Inspections shall be conducted by the county health unit pursuant to s. 409.175(5)(e), F.S. The department will verify the agency's compliance with the licensing standards set forth in F.A.C. 65C-15 at the time of the agency's yearly relicensing study.

(1) The private child-placing agency is responsible for assuring the qualifications of their substitute parents. Substitute care parents licensed through private agencies are not required by statute to attend mandatory pre-service or in-service training provided to department substitute care parents.

(2) Department personnel in the district responsible for licensing the child-placing agency will issue the family foster home license to the private agency foster home. The district

responsible for licensing the child placing agency will issue the family foster home license to the private agency home. If the home is located in a district other than the district where the child placing agency is located, it will be the responsibility of the district program office to notify the district where the private agency home is located.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.016, Amended _____.

65C-13.003 Pre-Service and In-Service Training.

Section 409.175(13)(a), (b), F.S., requires the department to provide or cause to provide pre-service and in-service training for foster and emergency shelter parents who are licensed and supervised by the department as a condition of licensure.

(1) Pre-Service Training. Substitute care parents ~~licensed by the department~~ are required ~~by statute~~ to complete a minimum of 21 hours of training. The department shall consider the pre-service training uniform statewide if the training and the curriculum, at a minimum, addresses the topics found in s. 409.175(13)(b). Districts shall require additional pre-service training in other topic areas in order to enhance the skills of the foster parents who will be caring for children with special needs. The pre-service training schedule may be flexible to accommodate the participants, such as day time, evenings and weekend hours and can be scheduled more than once during the week, i.e. a weeknight and all day Saturday. This pre service training must be uniform statewide. The department has selected a pre-service training program for its prospective foster family parents, emergency shelter parents, group home parents and adoptive parents called Group Preparation and Selection, GPS-MAPP. This program provides 30 hours of pre-service training which is focused on parent preparation, education and mutual selection. The department will not offer any other program for use in preparing its prospective parents. During the GPS MAPP program, prospective parents will be given a number of handouts to enhance their learning experience and for future reference. These handouts will not appear as attachments to this chapter. GPS leaders will have received training on the contents and use of these handouts during certification training at the Professional Development Centres. The handouts should be ordered from the warehouse in Jacksonville.

(2) In-Service Training. Section 409.175(13)(c), F.S., requires that prior to the renewal of a license, each foster parent, emergency shelter parent and family group home parent successfully complete eight hours of in-service training. Districts must supply in-service training at least quarterly to family foster parents licensed and supervised by the department. This training shall include subjects affecting the daily living experiences of these families and must be appropriate to the need of the substitute care parents and the children for whom they provide care. All the in-service training must be approved by the department prior to its use. Upon completion of the training, staff will document completion in

the licensure file. Appropriate training may include, but not be limited to: CPR, child safety and injury prevention, sexual abuse, HIV infection, addictions, etc. If a parent chooses to obtain their in-service training hours through reading books or viewing videos, they must have the materials selected for the in-service training approved by staff prior to its use. The parents must also be able to demonstrate to staff that their knowledge and skills have been enhanced. Upon completion of the training, staff will issue the parent a certificate of completion. A copy will be retained in the licensure file. Parents will be reimbursed for travel and child care, as stipulated in the statute, from the district's expense funds. Travel will be reimbursed at the established rate set by the department for all travel, and child care will be reimbursed at a reasonable rate consistent with expenses found locally. The statute specifically requires the department to:

(a) Reimburse such parents for travel expenses to attend this training; and

(b) To provide child care or reimburse the parents for baby-sitting expenses, if both parents attend the training. Single parents may also be reimbursed for baby-sitting expenses to attend this training.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.017, Amended _____.

65C-13.004 Initial Licensing Procedures for Foster Homes, Emergency Shelters and Group Homes.

(1) The unit office submits to the district administrator or his designated representative a copy of the family portfolio substitute care family licensing file, including all required and completed forms. The study must be reviewed and signed by the prospective parent and pre-service training certified GPS leader prior to submission to the GPS pre-service training leader's supervisor for review.

(2) The district administrator or his designated representative will review the Family Portfolio substitute care family licensing file, including the supporting documentation and either approve or reject the application.

(3) through (5) No change.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.018, Amended _____.

65C-13.005 Changes During the Licensed Year.

(1) If the district establishes that the substitute care parents violated the standards found in s. 409.175, F.S., or in the current Administrative Rule 65C-13 or any successor rule or have been found to have abused or neglected children as defined in Chapter 39, F.S., the department has the authority to discontinue the use of the home or revoke the license. The reasons for such action must be discussed with the substitute care parents and they must be advised that they have the right to appeal the department's decision under Section 120.57, F.S. If any administrative action is required, the administrative complaint must be reviewed and signed by the district

~~administrator or his designated representative in accordance with the Administrative Procedures Act. When a district makes the decision to suspend or revoke the license prior to expiration, proceedings must be in accordance with Section 120.57, F.S. Both the license and the form Closing of Substitute Care Home for Dependent Children, CF-FSP 5026, which is hereby incorporated by reference, must be sent to the district office where the license will be canceled. A copy of form 5026 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700. If the substitute care parents voluntarily surrender the license and agree with the decision to terminate as substitute care parents, but then change their mind within 30 days of surrendering their license, they have a right to request an administrative hearing and must be so advised. If the district decides to discontinue the use of a home or revoke the license prior to the expiration date of the license, the reasons for such action must be discussed with the substitute care parents. If they agree with the department's decision, the license must be secured from them and sent to the district office along with a completed closing of foster home for dependent children form. If the substitute care parents do not agree to relinquish their license then an administrative complaint must be filed by the unit. The administrative complaint must be reviewed and signed by the district administrator or his designated representative in accordance with the Administrative Procedures Act. When such situations occur staff should consult their district program office and district legal counsel prior to filing an administrative complaint. If the administrative complaint results in the revocation of the license the substitute care parents must return the license to the unit who will then complete the closing of foster home for dependent children form. Both the license and this form will then be sent to the district office where the license will be canceled. If the substitute care parents voluntarily surrender the license and agree with the decision to terminate as substitute care parents, but then change their mind, they have the right to request an administrative hearing and should be so advised.~~

(2) If a family changes its their location during the licensing year, the new home must be evaluated within 30 days and a new sanitation inspection must be made by the local county public health unit. The ~~certificate~~ of license issued for the old location must be returned to the district office, together with a Relicensing Summary for Foster Homes for Dependent Children, Section A of CF-FSP 5027, Oct 96, relicensing summary for foster homes for dependent children completed on the new home, which is hereby incorporated by reference, a copy of the approved sanitation inspection ~~report~~, and a recommendation with regard to the issuance of a license for the new address. An application for a license must be signed by the substitute parents showing the new address. If approved, a new certificate of license will be sent to the unit office for delivery to the substitute care parents. A copy of form 5027 may be

obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

Specific Authority 409.175 FS. Law Implemented 409.175, Chapter 120 FS. History--New 5-27-92, Formerly 10M-6.019, Amended _____.

(Substantial rewording of Rule 65C-13.006 follows. See Florida Administrative Code for present text.)

65C-13.006 Relicensing Procedures.

Relicensing is accomplished as follows:

(1) The licensing counselor must receive the report of an approved sanitation inspection from the local health program office.

(2) At the time of relicensure the licensing counselor shall review and consider the information on the youth exit interviews from all youth who have exited the foster home during the previous licensing period. Family Services Counselors and case managers shall return the completed youth exit interview forms to the licensing counselor.

(3) At the time of relicensing of a foster home, the family services counselors who have had children in the home during the previous licensing period will complete the Foster Care Counselor's Review of Foster Parent(s) Performance as Listed in the Bilateral Service Agreement, CF-FSP 5223, May 98, which is hereby incorporated by reference, as listed in the Bilateral Service Agreement and return it to the licensing counselor. A copy of form 5223 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(4) Prior to the issuance of a new license the licensing counselor must obtain and review Florida Abuse Hotline Information System reports, local and state law enforcement records for all household members 12 and over who reside in the home and documentation of any police contact with the home or its residents.

(5) The licensing counselor shall complete and place in the licensing file a Relicensing Summary for Foster Homes for Dependent Children, Section A, CF-FSP 5027, Oct 96, which is hereby incorporated by reference. A copy of form 5027 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(6) The substitute care parent must sign an Application for a License to Provide Foster Home Care for Dependent Children, CF-FSP 5007, Oct 96 which is hereby incorporated by reference. A copy of form 5007 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(7) The licensing counselor must meet with the substitute care family to review the relicensing summary for substitute care for dependent children and to formulate recommendations for relicensure.

(8) The licensing counselor shall complete Foster Parent Summary for Relicensing, Section B, CF-FSP 5027, Oct 96, which is hereby incorporated by reference. A copy of form 5027 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(9) The substitute care parents must have completed a minimum of eight hours of in-service training per license year. The number of hours and the type of training completed must be documented in the licensing file.

(10) The Family Services Counselors responsible for relicensing the substitute care home will review the Bilateral Service Agreement with the substitute care parents to assess the terms of that agreement. If the substitute care parents continue to agree to keep the terms of the Bilateral Service Agreement, they are to initial and date each page along with the Family Services Counselors doing the relicensing home study. The fully initialed Bilateral Service Agreement shall remain a part of the licensure file. At this time, the Family Services Counselors must discuss and evaluate with the substitute care parents their experiences as substitute care parents, the strengths and weakness of the family and areas that need improvement, as part of the relicensing home study.

(11) At least two weeks prior to the date for relicensure, copies of all forms, including the sanitation inspection, must be submitted to the district office with a request for the issuance of a new license.

(12) The licensing counselor must weigh all the information carefully to recommend to the district administrator whether the license should be renewed, revoked or a provisional license issued. Substitute care parents shall be advised of the department's decision and any problems or areas for improvement must be discussed at the time of relicensure.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.020, Amended _____.

65C-13.007 Respite Care.

~~All persons who provide respite care in their own homes must be licensed pursuant to section 409.175, F.S. If the family only wishes to provide respite care they will have one year from the date the license is issued to complete the 30 hours of GPS MAPP training.~~

(1) All respite care providers must be furnished with written information about each child they will care for such as:

- (a) Phone numbers for a 24-hour response;
- (b) Medical authorization;
- (c) Physician name and phone numbers;
- (d) School; and
- (e) Medicaid number.

The above information is available in the Child's Resource Record. The Child's Resource Record shall accompany the child if respite care is provided outside of the substitute care home.

~~(1) All persons that provide respite care in the child's foster home, emergency shelter or group home on an overnight basis must be screened pursuant to Chapter 85-54. Training in the GPS MAPP program for these providers should be strongly encouraged in order to assist them in providing quality care. If a respite care provider is unable or unwilling to attend the GPS MAPP training they must receive an orientation which covers protocol for handling emergencies, confidentiality, the department's discipline policy and an overview of substitute care.~~

(2) All persons who provide respite care in their own home must be licensed under F.A.C. 65C-13. A licensed respite only substitute care provider will not be required to attend the substitute care pre-service training. In situations where providers are licensed for respite care only, wording to that effect must appear on their license. All respite care providers must be furnished with written information about each child they will care for such as:

- (a) Phone numbers for a 24-hour response;
- (b) Medical authorization;
- (c) Physician name and phone numbers;
- (d) School; and
- (e) Medicaid number.

~~The above information is available in the Child's Resource Record. The Child's Resource Record shall accompany the child if respite care is provided outside of the substitute care home.~~

(3) Placement of foster care children in a respite only foster home will be done by a Family Services Counselor or supervisor. The length of placement may be from one to fourteen days, respite care exceeding fourteen days will need the approval of the District Administrator or designee.

(4) All persons that provide respite care to substitute care children must be screened pursuant to F.S. 435. A respite care provider must receive information which covers protocol for handling emergencies, confidentiality, the department's discipline policy and an overview of substitute care.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.022, Amended _____.

65C-13.008 Prospective Substitute Care Foster Parent Inquiries.

(1) The department district will respond within 10 working days to all telephone and written inquiries about becoming a substitute care foster parent. Following this initial communication, if the person making the inquiry continues to express an interest in providing substitute foster care and they have no background history that would disqualify them from being substitute care foster parents, the department district will send written orientation information concerning substitute care foster parenting within 14 days of the initial inquiry. The initial substitute care inquiries and follow up contact will be documented and kept on file.

(2) The opportunity to become a shelter or foster parent may not be denied to any person based on race, color, or national origin, of the person, or of the child involved.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 7-18-95, Formerly 10M-6.0221, Amended _____.

(Substantial rewording of Rule 65C-13.009 follows. See Florida Administrative Code for present text.)

65C-13.009 Parent Preparation.

(1) The purpose of the pre-service training is to provide the potential substitute care parents with a knowledge base as well as an understanding of how they will be expected to meet the needs of the children they serve. In addition, the pre-service training provides the department and the potential substitute care family opportunities to evaluate and assess their ability to meet a child's needs. This process is called the home study.

(2) The requirements for prospective substitute parents are:

(a) To attend a minimum of 21 hours of pre-service training provided by the department.

1. The meetings which address separation, loss, and helping children with attachments and discipline are mandatory.

2. Substitute parents that miss the pre-service training sessions which address separation, loss, and helping children with attachments and discipline as stated in section 65C-13.009(2)(a)1. will not be considered as meeting the pre-service training requirements.

3. The substitute care parents must receive approval from the district to make up any missed pre-service training sessions.

(b) The substitute care parents must submit the information requested by the department that deals with family history and background.

(c) The substitute care parents must sign an Application for License to Provide Foster Home Care for Dependent Children, CF-FSP 5007, Oct 96; which is hereby incorporated by reference. A copy of form 5007 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(d) Sign a Confidentiality statement, CF-FSP 5087, Jan 98, which is hereby incorporated by reference. A copy of form 5087 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(e) The substitute care parents must sign a Bilateral Service Agreement Between the Department of Children and Families and Foster Parents Licensed by the Department, CF-FSP 5226, Jun 98. Completion of form 5226 will also require the completion of the Foster Parent's Review of Foster Care Counselor's Performance as Listed in the Bilateral Service Agreement, CF-FSP 5224, May 98, and the Service Agreement – Attachment A, CF-FSP 5227, Jun 98. Forms

5226, 5224 and 5227 are hereby incorporated by reference. A copy of forms 5226, 5224 and 5227 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(f) Sign permission for a yearly foster home evaluation which includes feedback surveys from school teachers, biological parents, Family Safety and Preservation staff, foster children and any other service providers, if applicable.

(g) Meet the screening requirements of s. 409.175(4)(a)6., F.S.

(h) Provide verification of income and to include net income.

(i) Sign an Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is hereby incorporated by reference. A copy of form 5230 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(j) Must have a home which passes inspections by the local health department.

(k) Pass a radon gas test of the home.

(l) Pass a fire inspection, if required by local county ordinances.

(3) Department staff responsible for licensing prospective substitute care families shall complete the following activities:

(a) Conduct a minimum of two in-home family consultation visits, one of which must include the entire family:

(b) References:

1. Obtain three written personal character references, one of which must be a relative. Character references must have known the person for at least two years.

2. If the substitute care parent has school age children, a written reference from the school must be obtained on each child.

(c) Request a one-time employment history check covering a two-year period of time preceding the family's application and excluding periods of unemployment;

(d) Request Florida Abuse Hotline Information System (FAHIS) clearance on all persons 18 years or older residing in the home;

(e) Request a delinquency clearance on all children residing in the home over the age of 12 years;

(f) Request verification of income to determine financial ability to provide care for children as required in s. 409.175(4)(a)10., F.S., and annually thereafter;

(g) Request completion of the Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is hereby incorporated by reference. A copy of form 5230 may be

obtained from the Department of Children and Families, 1317 Winwood Boulevard, Building 8, Tallahassee, FL 32399-0700.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.023, Amended _____.

(Substantial rewording of Rule 65C-13.010 follows. See Florida Administrative Code for present text.)

65C-13.010 Substitute Care Parents' Role as a Team Member.

(1) Every prospective foster parent must sign a Bilateral Service Agreement Between the Department of Children and Families and Foster Parents Licensed by the Department, CF-FSP 5226, prior to receiving a license. The Bilateral Service Agreement defines the roles and responsibilities both the foster parents and the departmental staff have to the foster child and their family. A copy of form 5226 may be obtained from the Department of Children and Families, 1317 Winwood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(a) After pre-service training has been completed and prior to the issuance of a license, a face-to-face meeting must occur, where departmental staff and the foster parent review and sign the Bilateral Service Agreement.

(b) A signature sheet acknowledging that the foster parents and departmental staff have reviewed the Bilateral Service Agreement must be signed each year prior to relicensure.

(c) The original Bilateral Service Agreement and the yearly initialed acknowledgments of review must be kept in the licensing file. The foster parent must also keep a copy of the agreement.

(2) Discipline.

(a) The substitute care parents must discipline children with kindness, consistency, and understanding. The purpose of this discipline must be to help the child develop responsibility and self-control. Positive methods of discipline must be used by the substitute parent.

(b) Corporal punishment of any kind is prohibited. This includes hitting, slapping, spanking, or any other form of physical discipline.

(c) The following methods of discipline are also prohibited:

1. Cruel, severe, humiliating or unusual punishment such as soap to wash out the mouth, eating hot sauce or pepper, placing in hot water, kneeling on stones.

2. Delegating discipline or permitting punishment of a child by another child or by an adult not known to the child.

3. Withholding meals, clothes, or shelter as a form of punishment.

4. Denying the child contact or visits with his family or resist in implementation of the case plan as punishment for misdeeds of a child.

5. Assigning chores that involve physical exercise so excessive as to endanger the child's health or so intensive as to infringe on time set aside for school work, sleeping or eating.

6. Threatening a child with removal or with a report to authorities as punishment for behavior.

7. Use of degrading statements or profanity directed toward the child or his family.

8. Locking a child in a room or out of the house.

(3) Substitute care parents must maintain and keep current the Child's Resource Record, and see that the resource record accompanies the child to all health care visits. The resource record must accompany the child when he departs a substitute care family, as well as when the child is on respite.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.024, Amended _____.

(Substantial rewording of Rule 65C-13.011 follows. See Florida Administrative Code for present text.)

65C-13.011 Minimum Standards for Licensure of Family Foster Homes, Family Emergency Shelter Homes and Family Group Homes.

Section 409.175(11)(a)2., F.S., makes it unlawful for any person to make a willful or intentional misstatement on any license application or other document required to be filed in connection with an application for a license. Such a violation is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Applicants who make such willful or intentional misstatements will have their license denied or revoked. Any exceptions to the following standards must be for good cause and must be approved in writing by the district program office of Family Safety and Preservation prior to the exceptions being implemented. Exceptions to the maximum capacity of five children may only be granted in the case of sibling groups, children who have previously been in the home, and mothers and their babies.

(1) Family Composition.

(a) The placement of choice is a substitute care placement in a family with a husband and wife, who have a stable legal marriage. This type of placement maximizes opportunities for the care and nurturing of children and provides both male and female role models for children.

(b) A single parent shall be selected only when he or she can effectively meet a child's special needs.

(c) Persons that provide emergency family shelter homes shall be available to receive and care for children 24 hours a day.

(d) In instances when a child is well-established in a single parent family and the single parent marries, the foster child can remain in the home if the child's needs can continue to be met. Single substitute care parents that plan to marry must notify the department's licensing counselor so arrangements may be

made to have the prospective spouse screened, approved and a new license issued in the names of both spouses prior to them moving into the home.

(e) Foster parent(s) who wish to become adoptive parent(s) shall meet the adoption requirements as stated in Chapter 63, F.S. and 65C-16, F.A.C.

(2) Number of Children in a Family.

(a) The maximum number of children who may be placed in a substitute care home is five, including the substitute care parent's own children. There must be no more than two infants, under the age of two, in a substitute care family home, which includes the substitute care parent's own children. Children who cause the substitute care home to exceed the placement capacity must meet the following criteria:

1. They are minor children of the foster parents' adult children, i.e., grandchildren of the foster parents.

2. The adult children assume complete responsibility for their child(ren), and the adult caretaker does not work outside the home.

3. There is adequate living and sleeping space in the home without sharing bedrooms with the foster or shelter children.

(b) If a substitute care family is willing to care for and has the physical room and emotional capacity to nurture more than five children a waiver may be granted.

1. Waivers to exceed the maximum number and to allow more than five children in a home, shall only be considered:

a. To accommodate a sibling group.

b. To accommodate a child or sibling group needing placement, who is returning to care and has lived in the home previously.

c. To allow for a teen parent in substitute care to have his or her child or children placed in the same home.

d. If the substitute care parent(s) own child is 16 years of age or older and has been assessed and approved by the licensing unit as sufficiently independent, mature and well-behaved, the child may be excluded in the number of total children in home, for licensed maximum capacity purposes. Documentation of approval shall be placed in the substitute care parent's file and will be review annually at the time of relicensure.

2. A waiver can be granted to exceed the maximum of two infants only to accommodate a sibling group in which there are more than two infants in one family, such as triplets or twins and a single sibling under the age of 2. When there are more than two sibling infants to accommodate in a substitute care family home, the home must not have any other infants placed.

3. Capacity waivers are specific to a child or sibling group and expire automatically when the total number of children in a home drops to five children or below.

4. A waiver is a document signed by the Family Safety and Preservation or Children's Services Program Administrator or designee which allows the maximum capacity to be exceeded

and approves a specific number of children who can be placed by the department in a family home. Waivers may be approved verbally by the Family Safety and Preservation or Children's Services Program Administrator or designee when placements must be made during non-business hours. Follow up written waivers must be signed on the next business day.

5. The request for a waiver must include:

a. A clear, concise explanation of why the maximum number of five children should be exceeded, including the circumstances that justify the waiver under (2)(b)1. of this section.

b. A description of the special services or support systems which will be put in place to assure that the waiver will not impact on the quality of care the children in the home receive.

c. The planned duration of the waiver.

6. Requirements for Waiver Approvals. In considering whether a substitute care family home will be permitted to exceed the maximum number of children, the following must be considered fully and addressed:

a. Is this the only available resource for the children needing placement:

b. Can the home physically accommodate the additional child/children;

c. Can the substitute parents meet the needs of another child or children;

d. Can the children already in placement in the home accept additional children.

7. Substitute care homes currently licensed for more than five children, including their own children, and who do not meet any of the waiver criteria will have their licensed capacity reduced to a maximum of 5 total children through attrition. As the number of children in the home is reduced by such attrition to 5 children or less, a new licensed will be issued limiting capacity to 5 children.

8. Waivers may be granted by the District Administrator to a foster family group home who made capital improvements to their home in order to care for more than 5 total children, prior to the date of promulgation of this rule.

(c) A substitute family home can be jointly utilized by another Children and Families service office if agreed to by the substitute care parents and the program offices involved, and after the following has been established:

1. A maximum of five total children to be cared for.

2. The needs of all the children placed in the home can best be met through such a joint utilization.

(d) A substitute care provider licensed under this rule chapter shall be able to apply to become a dually licensed family day care home under chapter 65C-20, if they so chose, subject to the following requirements and limitations:

1. All family day care home providers shall be required to complete the department's 3-clock hour family day care course as referenced in 65C-20.002(2) within 60 days of or licensure.

2. All family day care home providers shall be required to comply with the admissions and record keeping standards established in 65C-20.005.

3. There shall be no more than two infants, under two years of age, either residing or being provided day care in the home. This limitation shall include the family's own birth children and any other family children cared for in the home.

4. Including infants under two years of age and the family's own birth and other family children, there shall be no more than five pre-kindergarten age children either residing or being provided day care in the home.

5. Before- and after-school care shall be limited to an additional five school-age children, including the family's own birth and other family and foster children. On non-school days, care shall be limited to a total of 10 children, 5 pre-kindergarten and 5 school age children, including the family's own children and foster children.

6. Overnight care shall not be provided to a child enrolled for day care in the family home.

7. A dually licensed home under this section shall not be eligible to receive both the foster care board rate and the subsidized child care rate for the same child.

(e) The requirements in (d)1. through 7. above shall only be waived for good cause and with the written approval of the district Family Safety and Preservation program office.

(3) Age. The age of substitute care parents must be considered in relation to psychological maturity, health, physical energy, flexibility, ability to care for a specific child and probable duration of placement of a specific child.

(4) Income. Substitute care parents must have sufficient net income to assure their stability and the security of their own family without relying on board payments. The substitute family must have sufficient income to absorb four to eight weeks of a foster child's care until a board payment is received.

(5) Day Care. Day Care for the department's children must be with a licensed day care provider. Substitute care families who wish to use a family day care provider must use a provider who is licensed or a baby-sitter who has been screened and approved by the department.

(6) Health History. Substitute care applicants are required to sign an Authorization for Release of Health and Medical Information for Prospective Foster and Adoptive Parents, CF-FSP 5230, Oct 96, which is incorporated by reference, in order to determine if there are any conditions which would affect the applicant's ability to care for children. Substitute care applicants are to provide a health history on each member of the household including physical, mental health and other treatments received which may impair their ability to care for children. If there is a question regarding the physical, mental or emotional health of any member of the household which may possibly have an injurious effect on a child, the applicant, upon the department's request, must supply clinical reports and

evaluations. A copy of form 5230 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.

(7) Religion. A substitute care parent must be willing to provide the opportunity for a child's participation in the faith of his choice or that requested by the birth family. A substitute care parent whose religious preference or other connections preclude the use of a licensed medical physician for the department's children may not be licensed. A substitute care parent must not force religious belief or practice upon a foster child.

(8) Screening. Substitute care parents must meet the screening requirements as stated in Chapter 435, F.S., and be void of any other FAHIS or criminal offenses that may negatively impact their ability to be a foster parent as stated in paragraph 65C-13.009(6)(b) of this chapter.

(9) Physical Facilities.

(a) The substitute care home must be located within reasonable proximity to schools, churches, medical care, recreation and community facilities.

(b) Whenever possible the substitute care home must be located within reasonable proximity of the child's parents and the unit providing foster care services. If the child is school age, consideration needs to be given toward keeping the child in the school he was attending.

(c) The substitute care home environment must meet the sanitation standards contained in 64E-12, F.A.C.

(d) If local ordinances require fire inspections of substitute care homes, proof that the home has successfully passed the inspection must be supplied to the department and maintained in the licensing file.

(10) Physical Environment. Proof that the substitute care home has passed inspection under 64E-12, F.A.C. must be furnished to the department by the local county public health unit.

(11) Play Area and Equipment.

(a) The substitute care home must have a safe outdoor play area as part of the property or a play area within reasonable walking distance which the substitute care family has a right to use.

(b) Children who are placed in family foster homes or emergency shelter homes that have swimming pools or a water hazard or that abut a waterway shall be taught how to swim and shall be instructed in water safety.

(c) Swimming pools must have a barrier on all four sides at least four feet high. The barrier may consist of a house plus a fence on the remaining three sides or a four-sided fence. Access through the barrier door, including windows, must have one of the following safety features: alarm, key lock, or self-locking doors and a bolt lock that is not accessible to children. When the swimming pool is not in use, all entry

points must be locked. Above ground pools with steps or ladders leading to them must be secured, locked, or removed when the pool is not in use.

(d) Swimming pools must be well maintained. Pools which are drained of water must be filled in or have a safety cover that is locked. Swimming pools must be equipped with one of the following life saving devices:

1. Ring buoy;
2. Rescue tube; or
3. A flotation device with a rope, or
4. A pole of sufficient length to cover the area.

(e) When children are using the pool or participating in water activities, the following standards will apply:

1. Children who are not proficient in swimming shall not be allowed in the pool or pool area without wearing a life jacket, unless engaged in swimming lessons;

2. There shall be direct adult supervision when children are using the swimming pool, spa or hot tub, or are in the pool area.

(f) All high risk recreation, boating, water sports, or contact sports shall have direct adult supervision.

(g) As prerequisite to licensure, foster and emergency shelter parents who have swimming pools will be required to complete a basic water safety course administered by the American Red Cross, YMCA or other national organization.

(14) Interior Environment.

(a) Each child must be provided with storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

(b) A substitute care parent shall allow children to personalize their bedrooms so that the area reflects their tastes and expressions.

(c) Each child must have his own bed and each infant his own full size crib. Each child must have individual, clean, and age appropriate bedding.

(d) If more than four children share a room, each child must have 50 square feet of space. Bunk beds must be at least four feet apart.

(e) The following sleeping arrangements are not permitted:

1. Children sharing a bed with an adult or another child.
2. A child age three or older cannot share a room with a child of the opposite sex.
3. Children sharing a bedroom with an adult, except for children 12 months old and under, except when a child's medical or psychological needs so indicate.

4. Children of any age must not sleep on a living room sofa or a fold-away bed.

(f) The substitute care home must be clean and free of hazards to the health and physical well-being of the family.

(g) The substitute care home must have a continuous supply of clean drinking water approved by the county public health unit in the county of residence pursuant to, 64E-8, F.A.C. If the water is not from a standard city water supply, the substitute care parents must have the water tested and approved pursuant to, 64E-8, F.A.C.

(h) The home must have an adequate supply of hot water for bathing and dish washing. Hot water accessible to children must not exceed 120 degrees Fahrenheit, 43 degrees Celsius, at the faucet.

(15) Substitute Care Home Safety.

(a) All medications, poisonous chemicals, and cleaning materials must be in a locked place and inaccessible to children.

(b) To avoid access to alcoholic beverages cabinets containing alcoholic beverages must be locked.

(c) If the substitute care parents own a gun, the ammunition and unloaded firearm must be kept separately in locked cabinets. In lieu of storage in a locked cabinet, a trigger lock must be used on an unloaded firearm.

(d) Pets in the foster home, which are customarily vaccinated, must have current vaccinations.

(e) The substitute care parents must have a method to restrict children's access to large pets or potentially dangerous animals.

(f) Transportation must be available for use at all times.

(g) An operating telephone must be in the home.

(16) Fire Safety.

(a) The home must be free from fire hazards. All combustible items must be stored away from sources of heat.

(b) The home must not be heated by unvented gas heaters.

(c) The substitute care parents must have an evacuation plan posted in a conspicuous place. Substitute care parents must explain to each new child placed in their home where the evacuation plan is posted and must review with the child the route he must follow in the event of a fire. Fire drills shall be held at least every six months. The date of the fire drills shall be recorded by the substitute care parents and available for review by the licensing counselor at the time of relicensure.

(d) All fireplaces, space heaters, steam radiators, and hot surfaces must be shielded against accidental human contact.

(e) Bedrooms must have either a window or door with approved means of exit, in addition to the normal entry/exit door.

(f) The substitute care home shall be equipped with the following:

1. Operating smoke alarms in the kitchen and in each sleeping area;

2. Portable chemical fire extinguisher, size 2A10BC, in the kitchen and must be serviced annually and so tagged.

3. Exits, stairways and hallways shall not be used for storage or otherwise obstructed.

4. All doors with locks must be capable of being opened from the inside.

5. If the home is equipped with burglar bars, the caregiver must demonstrate that:

a. The burglar bars can be released to allow exit;

b. That other means of exit are readily available from each sleeping area.

(g) The approval of mobile homes parks is dependent upon the regulations of Chapter 64E-15, F.A.C.

(17) Transportation Safety.

(a) Substitute parents are required to transport foster children in a safe manner. Transportation in the back of a pickup truck or on a motorcycle is forbidden at all times. All vehicles used to transport children must be equipped with seat belts and have approved car seats for children under the age of four years as required in s. 316.215 through 316.614, F.S. Each child being transported must have his own seat belt or car seat.

(b) The substitute care parents must have all vehicles owned or leased by them insured to include liability insurance and be able to provide proof of that insurance at all times.

(c) If the substitute parents drive they must have a valid drivers license. The substitute care parents shall not allow children in the department's care to be transported by persons who do not possess a valid drivers license.

(18) Medical Care. Substitute care parents must be able to understand and be willing to carry out at home the medical care prescribed by a licensed physician. Families whose religious convictions preclude the use of licensed physicians on behalf of foster children cannot be used for the care of children in the custody of the department.

Specific Authority 409.175(4), 402.305(1)(d), 402.313(10) FS. Law Implemented 409.175 FS. History—New 5-27-92, Formerly 10M-6.025, Amended _____.

65C-13.012 Substitute Family Records.

A record must be maintained for each substitute care home. Except for confidential information on abuse or neglect reports, the substitute care home record is a public record and can be reviewed by the substitute parent. Subsection 409.175(15), F.S. provides an exemption from the public records law for all identifying information, except name, in the foster home licensing file regarding foster parents, including those who became adoptive parents, their spouses and their children, unless otherwise ordered by a court. All other substantive information is available to the public. The exempted information includes: the home, business, work, child care, or school addresses; telephone numbers; social security numbers; birth dates; photographs of licensees, their family and other adult household members; identifying information about such persons in neighbor references; the floor plan of the foster home; and any identifying information about such persons contained in similar sensitive, personal information that is provided to the department. Records are filed in a central place alphabetically under three headings: Pending in the study

process, Approved, and Closed. A unit file must also be established for all approved substitute care homes which must contain all of the completed items listed below, ~~and any other information which the unit may find helpful in utilizing the home:~~

(1) Application for a License;

(2) Bilateral Service Agreement, fully executed Affidavit of Civil Rights Compliance, if appropriate;

(3) Register of Children in Emergency Shelter Family Home, if appropriate;

(4) Certificate of Completion of the Pre-Service training;

(5) Closing of Foster Home for Dependent Children Form;

(6) Certificate of License;

(7) Relicensing Summary for Foster Homes for Dependent Children;

(8) Foster Care Counselor's Review of Foster Parent(s) Performance as Listed in the Bilateral Service Agreement, CF-FSP 5223, May 98, which is hereby incorporated by reference, as listed in the Bilateral Service Agreement (A copy of form 5223 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.) Staff Inquiry Annual Relicensing Study;

(9) Quality of Foster Home Care: Community Input, CF-FSP 5225, Jun 98, which is hereby incorporated by reference (A copy of form 5225 may be obtained from the Department of Children and Families, 1317 Winewood Boulevard, Building 8, Tallahassee, FL 32399-0700.) Telephone Inquiry;

(10) Documentation regarding the initial inquiry about becoming substitute care parents; Personnel References;

(11) Personnel References; Substitute Care School References;

(12) Written reference from the school the substitute care parents school age child(ren) attend, if applicable

~~(13)~~(12) EPSDT Agreement, fully executed;

~~(14)~~(13) Agency Reference Sample Letter;

~~(15)~~(14) Confidentiality Statement;

~~(16)~~(15) Consent to Law Enforcement and Abuse Registry Record Check, signed;

~~(17)~~(16) Executed and sworn to Affidavit of ~~for~~ Good Moral Character;

~~(18)~~(17) Delinquency Checks, if appropriate;

~~(19)~~(18) Health Certificate Sample Letter, if appropriate;

~~(20)~~(19) Participant Evaluation;

~~(20)~~ Agreement to Provide Substitute Care for Dependent Children;

(21) Identification Cards for Substitute Care Parents

~~(22)~~ Family Profile which is signed, dated and notarized. Control Cards;

~~(23) All materials from the pre-service training including home visits and neighbors information; Certificate of License Sample;~~

~~(24) Incident Reports. Client Risk Prevention reports which pertain to proposed confirmed or confirmed abuse, neglect or abandonment are confidential. These reports must be placed in an envelope or file marked confidential and will not be considered as part of the public licensing record. These records must be kept separate from the licensing file. Substitute Care Home Ledger;~~

~~(25) Family Profile which is signed, dated and notarized.~~

~~(26) All GPS MAPP materials from the pre service training including home visits and neighbors information.~~

~~(27) Incident Reports. Client Risk Prevention reports which pertain to proposed confirmed or confirmed abuse, neglect or abandonment are confidential. These reports must be placed in an envelope or file marked confidential and should not be considered as part of the public licensing record. These records must be kept separate from the licensing file.~~

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 5-27-92, Formerly 10M-6.028, Amended _____.

65C-13.013 through 65C-13.021 No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Amy West, Specialist, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Allegretti, Chief, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER NO.: 9B-43
RULE CHAPTER TITLE: Florida Small Cities Community Development Block Grant Program

RULE NOS.:	RULE TITLES:
9B-43.003	Definitions
9B-43.004	Eligible Applicants
9B-43.006	Application Procedures for all Categories
9B-43.007	Scoring System
9B-43.009	Program Requirements for Housing
9B-43.014	General Grant Administration for all Categories

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 5, February 5, 1999, issue of the Florida Administrative Weekly. Minor typographical, spelling or syntax errors were corrected throughout these documents. Changes were made at the request of the Joint Administrative Procedures Committee as follows:

9B-43.003

(8) "Authorized signature" means the original signature of the Chief Elected Official or the signature of a person who is designated by charter, resolution, code, ordinance or other official action of the local government to sign CDBG related documents. If a signature other than the Chief Elected Official is submitted, a copy of that document must accompany that signature.

9B-43.004 Sections (2) and (3) were revised as follows:

(1) No change.

~~(2)(a)~~ No change.

(a)(b) Pursuant to 24 C.F.R. 570.486(b), an eligible individual applicant may apply to undertake a portion of an eligible Neighborhood Revitalization activity in an otherwise eligible location outside its jurisdiction or service areas, if it can provide written documentation that the activities are required by an Engineer or required by a state or federal agency having regulatory authority over the activities in order to meet the needs of the beneficiaries of the activities undertaken within its jurisdiction or service area. Any benefit to persons outside the jurisdiction or service area must not be a Direct Benefit and may only be incidental to the like activity undertaken within the jurisdiction or service area. Indirect benefit to persons outside the jurisdiction or service area shall not be used to establish activity eligibility or for scoring purposes. All service area residents shall reside within the jurisdiction of the local government submitting the individual application. If an eligible applicant proposes a Housing activity outside its jurisdiction, it shall document in the application that the activity relates to other community development activities being proposed, and that the beneficiaries of each activity are low and moderate income persons. All beneficiaries shall reside within the jurisdiction of the local government submitting the individual application.

~~(b)(e) An eligible individual applicant may apply to undertake Economic Development infrastructure activity outside its jurisdiction, if it can provide written documentation that the infrastructure activities outside its jurisdiction are necessary to meet the needs of a job-creating Participating Party, pursuant to Section 290.046(2)(b), F.S. If an eligible applicant proposes a Neighborhood Revitalization activity outside its jurisdiction or the service area, it shall document in the application that the activity relates to other community development activities being proposed within the service area and that the only beneficiaries of each activity are residents of the service area. All service area residents shall reside within the jurisdiction of the local government submitting the individual application.~~

~~1. The job creation location shall either be within the jurisdiction of the applying local government connecting to infrastructure outside its jurisdiction owned and operated by another public or private entity, or~~

~~2. The job creation location shall be outside the jurisdiction of the applying local government if that local government owns the necessary infrastructure for treatment, production, or storage to be connected to the job creation location on behalf of the Participating Party.~~

~~3. In either case, liability for CDBG performance and compliance with all applicable rules and regulations rests with the applying local government.~~

(c) No change.

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

~~2. Each local government signing an Interlocal Agreement shall affirm that all activities, project areas, service areas, and job creation locations are not inconsistent with that local government's comprehensive plan.~~

~~3. The application shall contain excerpts of the comprehensive plans of all local governments in whose jurisdiction activities will take place documenting that all activities, project areas, service areas, and job creation locations are not inconsistent with that local government's comprehensive plan.~~

~~(3)(2) Joint Applicants.~~

~~(a) No change.~~

~~(a)(b) No change.~~

~~(c) Each local government signing an Interlocal Agreement shall affirm that all activities, project areas, service areas, and job creation locations are not inconsistent with that local government's comprehensive plan;~~

(d) The joint application shall contain excerpts of the comprehensive plans of all local governments in whose jurisdiction activities will take place documenting that all activities, project areas, service areas, and job creation locations are not inconsistent with that local government's comprehensive plan;

(e) through (f) No change.

(8) No change.

(9) The Department shall notify the local government within 45 days of the Department's receipt of a closeout package from the local government as to whether it is administratively closed out for the purpose of eligibility. Notification shall be effective upon mailing by certified first class mail. Notification shall be either of (1) administrative closeout or (2) Notice of Outstanding Closeout Issues (NOCISS). The NOCISS letter shall identify any recognizable impediments to closeout which the recipient must resolve before the review of the closeout will proceed by the Department. Issuance of a NOCISS letter shall terminate the 45 day review period. A local government's response to a NOCISS letter must be received at least ten days before the application deadline date in order for the local government to be eligible for the next funding cycle. For all NOCISS responses received at least ten days prior to application deadline, eligibility will be established if the response satisfies the deficiencies set forth in the NOCISS letter, even though the Department's notification has not yet been mailed. A local government is not eligible to apply for a grant until any cost determined to be ineligible by the Department on a prior CDBG grant has been repaid.

9B-43.006 The changes in the Application Forms referenced in this section are addressed at the end of this summary. The following changes were made:

(6) Past Performance for All Categories.

(a) No change.

1. If the Department has not received an audit report or attestation statement by April 30 that meets the requirements of OMB Circular A-133 and Section 216.349(c), Florida Statutes, a 15 point penalty will be assessed against future grant applications. If the local government has not responded to an audit findings letter issued by the Department within the time frame prescribed by the Department, the Department shall not execute a new contract or shall withhold funding from an existing contract until a satisfactory response is received which satisfies the requirements set forth in federal OMB Circular A-133, Subpart B, Section .225, a 15 point penalty will be assessed against future grant applications for each outstanding finding. These assessments of penalty points shall apply to all audits due after the effective date of this rule amendment including any audits that are required to be submitted for any administratively-closed CDBG Grants. These penalties expire two years from the date of the clearance of the audit or audits involved. Audit penalties accrued from any prior year audit due

before the effective date of this rule will also expire two years from the date of the clearance. Audit penalties will be nullified upon successful competition for CDBG funding.

2. If ~~a required an annual local government~~ audit or attestation statement from a local government with an open or administratively closed grant is not received ~~and/or all audit findings cleared in writing~~ by the Department within 12 months of the end of any audit period, prior to application deadline, a 251 point penalty will be assessed at application deadline against the total Project Impact score of any application received by the Department. This penalty shall continue until such time as the audit and all audit findings are brought in compliance with federal OMB Circular A-133, Subpart B, Section .225, that applying local government. Once this late audit penalty is assessed against a CDBG application, the penalty levied against that application shall not be abrogated by subsequent submission of the audit after the application due date.

(8) ~~Consistency Conformance~~ with Local Comprehensive Plan.

(a) The application shall include affirmations from all jurisdictions in which activities will take place a certification that the proposed activities are not inconsistent in conformance with the applicable elements of the adopted local comprehensive plan.

(b) If the Department determines that an application is inconsistent not in conformance with the adopted local comprehensive plan, the applicant shall be advised of that determination in the completeness review letter. If after review of the applicant's response the Department reaffirms its determination of inconsistency non-conformity, the application shall be rejected.

(11) Documenting LMI Service Area Benefit

(a) HUD Census Data – LMI benefit may be documented by using HUD-provided “CDBG Program Listing from 1990 Census Special Tab Tape, Percent of Low and Moderate Income Persons, State of Florida” census data where the service area geographically corresponds with block groups, census tracts, or local government geographical limits. This tape may be obtained from the Department at 2555 Shumard Oak Boulevard, Tallahassee, Florida, 32399-2100.

9B-43.007 No changes.

9B-43.009 No changes.

9B-43.014 No change.

Changes incorporated in each Application Manual were as follows:

Form CDBG – H, the draft Housing Application Manual, The term “A certification” was replaced with the term “An affirmation” in the last paragraph of page 3 of the instructions.

Form CDBG – N, the draft Neighborhood Revitalization Application Manual, the term “A certification” was replaced with the term “An affirmation” in paragraph 1 of page 4 of the instructions.

Form CDBG – C, the draft Commercial Revitalization Application Manual, the term “A certification” was replaced with the term “An affirmation” in the second paragraph from the bottom of page 6 of the instructions.

Form CDBG – E, the draft Economic Development Application Manual, the term “certify” was replaced with the term “affirm” in paragraph 1 of page 34.

For further information, contact Dr. Susan M. Cook, Community Program Administrator, at 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call (850)487-3644.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:

RULE TITLE:

9J-9.012

Approval of Polk County

Ordinances 95-10 and 95-11

amending the Comprehensive

Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that Rule 9J-9.012 which appeared August 4, 1995 in Vol. 21, No. 31 edition of the Florida Administrative Weekly has been withdrawn. This rule was entitled Approval of Polk County Ordinances 95-10 and 95-11 Amending the Comprehensive Plan.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:

RULE CHAPTER TITLE:

14-63

Building Moving Permit

Regulations

RULE NO.:

RULE TITLE:

14-63.011

Non-Compliance

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule amendment in accordance with subparagraph 120.54(3)(d)1., Florida Statutes. Notice of rulemaking was published in Vol. 25, No. 7, February 19, 1999, issue of the Florida Administrative Weekly. The change is in response to comments provided by the Joint Administrative Procedures Committee.

14-63.011(1)(a) is changed to read as follows:

(a) Failure by the permittee or his agents to comply with the regulations of this rule chapter or the requirements of Chapter 316, Florida Statutes.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-78	Participation by Socially and Economically Disadvantaged Individuals in Department of Transportation Contracts
RULE NOS.:	RULE TITLES:
14-78.007	Procedure for Certification
14-78.0071	Challenge Procedure
14-78.008	Suspension or Revocation

WITHDRAWAL NOTICE

The Department hereby withdraws the notice of rulemaking to amend rules 14-78.007, 14-78.0071, and 14-78.008. The notice of rulemaking was published in Vol. 25, No. 12, March 26, 1999, issue of the Florida Administrative Weekly.

DEPARTMENT OF CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-2	Identification When Transporting Citrus Fruit and Records to be Kept on Citrus Fruit Received; Bond Disclaimer
RULE NO.:	RULE TITLE:
20-2.005	Record of Fruit Received

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 24, No. 45, November 6, 1998 has been withdrawn.

DEPARTMENT OF CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-35	Florida Grade and Quality Standards for Fresh Fruit
RULE NO.:	RULE TITLE:
20-35.005	Grapefruit – Florida Grades and Standard

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 25 No. 9, March 5, 1999 has been withdrawn.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-3.011	Policy and Purpose
40B-3.035	Publications and Agreements Incorporated by Reference
40B-3.037	Water Well Contractor Licensing
40B-3.201	Permit Fees
40B-3.525	Explosives

NOTICE OF CHANGE

Notice is hereby given that proposed amendments to Rule 40B-3, F.A.C., as originally published in the Florida Administrative Weekly, Vol. 24, No. 52, on December 24, 1998, with a notice of change published in the Florida Administrative Weekly, Vol. 25, No. 8, on February 26, 1999, has been changed to reflect comments received from the Joint Administrative Procedures Committee.

When changed, section 40B-3.011, F.A.C., shall read as follows:

40B-3.011 Policy and Purpose.

(1) through (3) No change.

(4) Minimum standards for the location, construction, repair, and abandonment of water wells shall be in accordance with Chapter 62-532, F.A.C.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.323(2), 373.326, 373.329, 373.333, 373.342 FS. History–New 1-31-83, Amended 7-1-85, 8-15-89,_____.

When changed, section 40B-3.035, F.A.C., shall read as follows:

40B-3.035 Publications and Agreements Incorporated by Reference.

The Governing Board hereby adopts by reference:

(+) Memorandum of Understanding between the Suwannee River Water Management District and the Department of Environmental Protection concerning procedures for handling:

(a) through (c) No change.

~~(2) Chapter 62-532, F.A.C., which establishes the minimum standards for the location, construction, repair, and abandonment of water wells.~~

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.046, 373.308, 373.309 FS. History–New 7-1-85, Amended _____.

When changed, section 40B-3.037, F.A.C., shall read as follows:

40B-3.037 Water Well Contractor Licensing.

Minimum standards for licensing water well contractors shall be in accordance with Chapter 62-531, F.A.C., which also, which requires the licensing of water well contractors and includes the Water Well Contractor Disciplinary Guidelines and Procedures Manual, effective September 1992, is hereby adopted by reference and made part of this rule. The licensing program shall be administered and enforced by the District under the authority delegated to it by the Department.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.046, 373.308, 373.309, 373.323 FS. History–New 7-1-85, Amended 8-15-89, _____.

When changed, section 40B-3.201, F.A.C., shall read as follows:

40B-3.201 Permit Fees.

(1) through (5) No change.

TABLE 1 SCHEDULE OF WATER WELL PERMIT FEES

Water Well Contractor Licenses per <u>section</u>	
Rule 40B-3.037, <u>F.A.C.</u>	\$150
Renewal	\$50
Re-issuance of Inactive License	\$125
Public Water Supply Wells per <u>section</u>	
Rule 40B-3.041, <u>F.A.C.</u>	\$275
Modification or Renewal	\$140
Transfer	\$10
Well Construction Permits in Delineated Areas per Chapter Rule 62-524, F.A.C., of rules of Florida Department of Environmental Protection	
Public Supply Wells	\$500
Private Supply Wells	\$275
Modification or Renewal	\$140
Transfer	\$10
All other wells falling under <u>section</u>	
40B-3.041, <u>F.A.C.</u>	\$40
Modification or Renewal	\$10
Transfer	\$10
Class V Air Conditioning or Heating Return Wells per <u>sub-subparagraph</u> Rule 62-28.130(1)(e)1.a., F.A.C., of rules of Florida Department of Environmental Protection as adopted by reference in <u>section</u> Rule 40B-5.011, <u>F.A.C.</u>	\$40
Modification or Renewal	\$10
Transfer	\$10

Specific Authority 373.044, 373.113, 373.171, ~~373.409, 373.418~~ FS. Law Implemented 373.109, 373.308, 373.309, 373.313, 218.075 FS. History—New 4-15-81, Amended 9-15-81, 1-31-83, 7-1-85, 6-16-88, _____.

When changed, section 40B-3.525, F.A.C., shall read as follows:

40B-3.525 Explosives.

The use of explosives in well construction or development is prohibited unless specifically approved pursuant to section ~~Rule~~ 40B-3.0511, F.A.C.

Specific Authority 373.044, 373.309, 373.171 FS. Law Implemented 373.306, 373.308, 373.309, 373.113 FS. History—New 7-1-85, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0011
 RULE TITLE: Annual Financial Statements

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. 9, March 5, 1999, issue of the Florida Administrative Weekly. When change, the rule shall read as follow:

61G7-10.0011 Annual Financial Statements.

Each employee leasing company shall submit, not later than 120 days after their fiscal year end, a copy of their current fiscal year end financial statements, prepared in accordance with generally accepted accounting principles, which shall include statement of income and retained earnings, balance sheet, statement of changes in financial position (cash flows), and applicable footnotes. This information shall be submitted on the Standard Financial Statement Form, DPR/EL-006, herein incorporated by reference and effective 7-1-93, copies of which can be obtained from the Board office. The financial statements are to reflect positive working capital and positive accounting net worth, as required in s. 468.525(3). Financial statements which are not audited must be accompanied by a completed form DPR/EL-003, as required in rule 61G7-5.003, F.A.C.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Marine Resources**

RULE NO.: 62R-7
 RULE TITLE: The Comprehensive Shellfish Control Code

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. 5, dated February 5, 1999, and Vol. 25, No. 12, dated March 26, 1999 issues of the Florida Administrative Weekly.

The Department has made changes to the proposed rule which appeared in the Florida Administrative Weekly, Volume 25, Number 5, dated February 5, 1999, pages 450-452, and Volume 25, Number 12, dated March 26, 1999, page 1243. Changes were made to the regulation in response to comments from staff of the Joint Administrative Procedures Committee. Changes are included as strike out for deletions, and underline for additions.

62R-7.003

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

62R-7.007

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

(8) Each owner or corporate officer who is a certified dealer processor shall verify that the HACCP plan is adequate to control food safety hazards that are reasonably likely to occur, and that the plan is being effectively implemented. Verification shall include at a minimum:

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

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

62R-7.016 Plant Operation.

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

(11) Monitoring records of HACCP plan critical control points shall be maintained and reviewed as specified in the firm's HACCP plan. Records shall be reviewed to ensure that the records are complete and to verify that they document values that are within the critical limits. The review shall occur

within one week of the day that the records are made. The records shall be signed and dated by an individual who is in a supervisory position in the firm and is knowledgeable of ~~has received HACCP training.~~

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-25.004 Endorsements

NOTICE OF CHANGE

Notice is hereby given that in response to written comments by the Joint Administrative Procedures Committee, the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No.11, March 19, 1999, issue of the Florida Administrative Weekly. In subsection(1)(e), the language within should be deleted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Massage Therapy, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-4.001 Use of Prescription Devices

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Occupational Therapy hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 14, 1999 at 9:00 a.m., or shortly thereafter, at the Nova Southeastern University, Health Professions Division, Hall Auditorium, 3200 S. University Drive, Ft. Lauderdale, Florida. This additional public hearing is being held in response to comments received from the Board members at a

Board of Occupational Therapy meeting held on April 12, 1999. The rule was originally published in Vol. 25, No. 14, of the April 9, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64B23-4	Continuing Education
RULE NOS.:	RULE TITLES:
64B23-4.001	Continuing Education Providers
64B23-4.002	Approval of Continuing Education Programs

NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-4.001 and 64B23-4.002, 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 specific changes are as follows:

64B23-4.001 Continuing Education Requirements.

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

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

~~(2)(3)~~ The licensee must retain certificates of attendance to document completion of the appropriate continuing education for each biennium for a period of not less than four (4) years from the date of the offering. The Department will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met. Failure to document compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action pursuant to Section 483.901(6)(g), Florida Statutes.

~~(3)(4)~~ Individual physicians licensed by the State of Florida can claim a one-time credit per program for an approved program of which they are the presenter.

Specific Authority ~~455.564(7)~~, 483.901(6)(a) FS. Law Implemented ~~455.587(3)~~ ~~455.564(7)~~, 483.901(6)(a) FS. History-New _____.

64B23-4.002 Approval of Continuing Education Programs.

(2) All other providers seeking approval shall:

(a) Make application on Form DH 1273, Continuing Education Program Application, hereby incorporated by reference, which shall be effective as of XX-XX-XX and provided by the Department and submit the following:

Specific Authority ~~455.564(7)~~, 483.901(6)(a) FS. Law Implemented ~~455.587(3)~~ ~~455.564(7)~~, 483.901(6)(a) FS. History-New _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE NO.:	RULE TITLE:
65A-4.301	Drug Screening and Testing of Temporary Cash Assistance Applicants

NOTICE OF ADDITIONAL PUBLIC HEARING

The Department of Children and Family Services announces a public hearing to which all persons are invited.

TIME AND DATE: 10:00 a.m., May 21, 1999

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

PURPOSE: To discuss the department's intent to further amend proposed administrative rule 65A-4.301, FAC, concerning drug screening and testing of temporary cash assistance applicants and recipients.

This rule was previously scheduled for hearings on December 21, 1998 and April 6, 1999. These hearings were respectively scheduled by a notice of proposed rulemaking in the Florida Administrative Weekly, Vol. 24, No. 48, November 25, 1998, and by a notice of public hearing in the Florida Administrative Weekly, Vol. 25, No. 10, March 12, 1999. Notices of change were published in the Florida Administrative Weekly, Vol. 25, No. 5, February 5, 1999 and Vol. 25, No. 16, April 23, 1999.

Any person desiring special accommodations under the Americans with Disabilities Act or desiring a copy of the agenda for this hearing should contact Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program, Building 3, Room 412D, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or telephone (850)488-3090. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

IN RE:

PETITION BY GRAEBEL/

TAMPA BAY MOVERS, INC.

FOR VARIANCE FROM RULE 5F-5.001

WHICH ADOPTS BY REFERENCE

SECTION U.R.2.6.1 OF NIST HANDBOOK 44:

Petitioner seeks a variance from the requirement of Section U.R.2.6.1 of NIST Handbook 44 to the extent that it requires a down slope of one-half the distance from the exit edge of a vehicle scale. Petitioner asks that this requirement be substituted by an engineered drainage system which will prevent drainage into the scale, based on unique facts showing hardship to Petitioner. Comments concerning the proposed variance should be directed to the attention of Linton Eason, Florida Department of Agriculture and Consumer Services, Mayo Building, Room 515, 407 South Calhoun Street, Tallahassee, Florida 32399-0800.

DEPARTMENT OF LAW ENFORCEMENT

AMENDED NOTICE: 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(2). The Jupiter Inlet Colony Police Department would like to 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 Karen D. Simmons. A copy of the Petition may be obtained by contacting Assistant General Counsel Karen D. Simmons at the above address, or by calling (850)410-7676.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on April 1, 1999, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 990480-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone stations is as follows: Lil' Champ Store #197, 5098 Minton Road, N. W., Palm Bay, Florida. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770.

For additional information, contact: Diana Caldwell, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6175.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for waiver of Rule 25-24.515(8), Florida Administrative Code, filed January 26, 1999, in Docket No. 990096-TC, was approved by the Commission at its March 30, 1999 Agenda Conference. Order No. PSC-99-0831-FOF-TC, issued April 22, 1999 memorialized the decision. The rule requires pay telephone stations to allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on February 12, 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) received a petition for variance from the Florida Department of Transportation on March 3, 1999 for a project known as SR-5 (US-1) Pompano Beach Municipal Golf Course. The petition seeks relief from Section 7.4(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), Florida Administrative Code, pertaining to dimensional/side slope criteria. Notice of receipt of the Petition was published on April 2, 1999. This second publication is to provide notice that the City of Pompano Beach is also a Petitioner for this variance. The SFWMD will accept comments concerning the petition for 14 days from the

date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. To request a copy of the petition, contact Penelope Bell at the above address, or Telephone (561)682-6320, or e-mail penelope.bell@sfwmd.gov.

For further information, contact: Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, Telephone (850)487-2651 or Suncom 277-2651.

Pursuant to Chapter 286.26, Florida Statutes, any persons with handicaps wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces a meeting of the Library Services and Technology Act Advisory Council.

DATE AND TIME: Tuesday, May 25, 1999, 9:00 a.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct an orientation of the new members in order to prepare them for their work as members of the Council.

A copy of the agenda may be obtained by contacting: Barratt Wilkins, State Librarian, (850)487-2651.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance by calling (850)487-2651 or TDD (850)922-4085.

The **Department of State, Division of Library and Information Services**, announces a meeting of the State Library Council which is open to the public.

DATE AND TIME: Wednesday, May 26, 1999, 10:30 a.m. – 2:30 p.m.

PLACE: Miami-Dade Main Public Library, Third Floor Board Room, 101 West Flagler Street, Miami, Florida

PURPOSE: As authorized by Section 257.02, F.S. and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs** announces a meeting of the Florida New Motor Vehicle Arbitration Board to which all persons are invited:

DATES AND TIME: May 17-18, 1999, 10:00 a.m.

PLACE: Department of Education, 325 West Gaines Street, Conference Room 1706, Tallahassee, Florida

PURPOSE: Arbitrator training

A copy of the agenda may be obtained by writing: Department of Legal Affairs, Lemon Law Arbitration Program, Room PL-01, The Capitol, Tallahassee, FL 32399-1050, or by telephoning (850)414-3300, Ext. 4494, seven days before the meeting.

Any person requiring a special accommodation to attend this meeting because of a disability or physical impairment should contact Ms. Carol Howell, Lemon Law Arbitration Program at the number above, or if hearing or speech impaired, via the Florida Dual Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), seven days before the meeting.

The **Florida Commission on the Status of Women** will hold a meeting on to which all interested parties are invited

DATE AND TIMES: June 5, 1999, 10:00 a.m. (CT) 11:00 a.m. (EST) – 6:00 p.m. (CT), 7:00 p.m. (EST); June 6, 1999, 9:00 a.m. (CT) 10:00 a.m. (EST) – 1:00 p.m. (CT) 2:00 p.m. (EST)

PLACE: The Pensacola Grand Hotel, 200 E. Gregory Street, Pensacola, FL 32501, (850)433-3336

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 Board Meeting and all persons are invited to attend.

DATES AND TIMES: May 26, 1999, 10:00 a.m. – 5:00 p.m.; May 27, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Room 214, The Capitol, Tallahassee, FL

PURPOSE: Regular Board Business, and Discussion of a Review of Chapter 497 by the Department of Banking and Finance and the Board.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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, 1(800)955-8771 (TDD), or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF EDUCATION

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, May 19, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Postsecondary Education Coordination, Florida Department of Education, Room 401, Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)922-0344 or Suncom 292-0344.

The **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, May 20, 1999, 9:00 a.m. – 2:30 p.m.

PLACE: Room 1703-07, Turlington Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will take action on preliminary academic contract proposals, consider a proposed campus and two special purpose centers, receive legislative reports, and discuss other projects and activities.

For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN by the **Florida Building Commission** (the Commission) announcing the following meetings to which all persons are invited:

MEETING: Joint Meeting of the Building – Fire Technical Advisory Committee to the Florida Building Commission and the Fire Code Building Code Coordination Technical Advisory Committee to the State Fire Marshal.

DATE AND TIME: May 21, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Eatz Cafeteria, Banquet Room, 4055 Esplanade Way, Tallahassee, Florida, (850)671-3300

PURPOSE: To resolve conflicts which may exist between NFPA 101 (Chapter 5: Means of Egress, and Chapters 8-32) and the proposed Florida Building Code on the subject of means of egress, existing buildings and occupancy classification.

MEETING: Roofing Subcommittee to the Building/Structural Technical Advisory Committee.

DATE AND TIME: June 9, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Clarion Hotel, 9700 International Drive, Orlando, Florida, (407)996-9700 or 1(800)627-8258

PURPOSE: To review and evaluate proposed revisions to the building structural sections of the proposed Florida Building Code (FBC) pertaining to Chapter 15, Roofs and Roof Structures, of the 1997 Standard Building Code (SBC). The SBC was selected by the Commission as the base code for the FBC.

Should you have any questions regarding this meeting, please contact the Building Codes and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting Mr. Mo Madani, (850)487-1824. 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).

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: May 19, 1999, 9:00 a.m. – Committee Meetings; 10:30 a.m. – Regular Monthly Meeting

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (941)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a staff rule development workshop to be held on Rule 25-30.432, F.A.C., Flows to be used for Wastewater Treatment Plant Used and Useful Calculations, at the following time and place.

DATE AND TIME: Wednesday, June 9, 1999, 9:30 a.m.

PLACE: Room 166, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

The Notice of Proposed Rule Development and the preliminary text of the rule was published in the May 1, 1998, Florida Administrative Weekly, Vol. 24, No. 18.

A copy of the agenda may be obtained after May 26, 1999, from: Mary Diskerud, Division of Appeals, Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6090.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the workshop. 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Tourism, Trade and Economic Development announces a public meeting to which all persons are invited.

MEETING: The Florida Economic Summit. (The meeting is free of charge and registration is not required.)

DATE AND TIME: Friday, May 14, 1999, 8:30 a.m. – 12:30 p.m.

PLACE: The Radisson Resort in Coral Springs, 11775 Heron Bay Blvd., Coral Springs, FL, (954)753-5598

GENERAL SUBJECT MATTER TO BE DISCUSSED: Major business climate issues influencing the state's competitive economic future in the areas of tourism, international trade and economic development.

For further information contact: Katherine Morrison, Office of Tourism, Trade and Economic Development, The Capitol, Tallahassee, FL 32399-0001 or by telephone (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison (850)487-2568, at least seven (7) days prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCIL

The **North Central Florida Regional Planning Council** announces a meeting of the Tourism Task Force to which all persons are invited.

DATE AND TIME: May 20, 1999, 10:00 a.m.

PLACE: Aqua Penn Springs Water Bottling Plant, 7100 N. E. CR 340, Gilchrist County, Florida

PURPOSE: To carry out business as it pertains to promotion of the 11-county north central Florida region.

A copy of the agenda may be obtained by calling (352)955-2200 or writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Any person deciding to appeal any decision of the Task Force with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **North Central Florida Regional Planning Council** announces a meeting of the Clearinghouse Committee to which all persons are invited.

DATE AND TIME: May 20, 1999, 7:00 p.m.
PLACE: City Hall, 15001 N. W. 140 Street, Alachua, Florida
PURPOSE: To conduct the regular business of the Clearinghouse Committee.

A copy of the agenda may be obtained by writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603.

Any person deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, May 20, 1999, 6:30 p.m.
PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Spill/Incident Review Subcommittee
DATE AND TIME: Monday, May 24, 1999, 9:15 a.m. – 9:45 a.m.

COMMITTEE NAME: Local Emergency Planning Committee
DATE AND TIME: Monday, May 24, 1999, 10:00 a.m. – 12:00 noon

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates and other organizational matters regarding the committees. If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of

the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 9:00 a.m.
PLACE: ECFRPC, 1011 Wymore Road, Winter Park, Florida
PURPOSE: Regular meeting of the East Central Florida Regional Planning Council, Bylaws Committee.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 10:00 a.m.
PLACE: ECFRPC, 1011 Wymore Road, Winter Park, Florida
PURPOSE: Regular meeting of the East Central Florida Regional Planning Council. The Executive and Finance committees will also meet, beginning at 9:30 a.m.

In the event a quorum is not present, the Executive Committee will convene to discuss the business of the Council.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee (LEPC) to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 1999, 10:00 a.m.
PLACE: Southwest Florida Water Management District Conference Room, 170 Century Boulevard, Bartow, Florida 33830

PURPOSE: Regular Bi-monthly Meeting of the LEPC
A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Central Florida Regional Planning Council** announces a public meeting of the Hardee County Transportation Disadvantaged Local Coordinating Board, to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 9:00 a.m.
PLACE: Hardee County Commission Chambers, 412 West Orange Street, Rm. A204, Courthouse Annex, Wauchula, Florida

PURPOSE: Regular Quarterly LCB Meeting

To receive information regarding the agenda or if there are any questions contact Marcia Staszko, (941)534-7130, Ext. 103.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the date given on the notice.

The **Central Florida Regional Planning Council** announces a public meeting of the Highlands County Transportation Disadvantaged Local Coordinating Board, to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 1999, 1:30 p.m.
PLACE: Highlands County Agri-Civic Center, 4509 West George Boulevard, Conference Room #3, Sebring, Florida

PURPOSE: Regular Quarterly Meeting

To receive information regarding the agenda or if there are any questions contact: Marcia Staszko, (941)534-7130, Ext. 103.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the date given on the notice.

The **Central Florida Regional Planning Council** announces a public meeting of the Okeechobee County Transportation Disadvantaged Local Coordinating Board, to which all persons are invited.

DATE AND TIME: Friday, May 21, 1999, 10:00 a.m.
PLACE: Okeechobee County Health Department, 1728 N. W. 9th Avenue, Okeechobee, Florida

PURPOSE: Regular Quarterly LCB Meeting

To receive information regarding the agenda or if there are any questions contact: Marcia Staszko, (941)534-7130, Ext. 103.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the date given on the notice.

The **Region IX – Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: May 27, 1999, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: To discuss and implement provisions of the Emergency Planning and Community Right to Know Act. An LEPC Subcommittee meeting will be held immediately following the LEPC meeting.

A copy of the Agenda may be obtained by contacting: Executive Director, Wayne E. Daltry, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: May 20, 1999, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: Regular meeting of the Regional Planning Council
A copy of the proposed agenda may be obtained by writing: Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. Wayne Daltry, (941)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: May 20, 1999, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE ADDRESSED: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X, LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATE AND TIME: May 13, 1999, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: May 21, 1999, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

REGIONAL TRANSPORTATION AUTHORITIES

The **Central Florida Regional Transportation Authority** (LYNX) announces the following public meeting of the Governing Board of the Authority to which all persons are invited.

DATE AND TIME: May 27, 1999, 2:30 p.m.

PLACE: Educational Leadership Center, Board Room, 1st Floor, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: Regularly Scheduled Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Call to Order; 2) Presentations, if any; 3) Approval of Minutes; 4) Consent Items; 5) Action Items; 6) Chairman's Report; 7) Executive Director's Report; 8) Other Business.

A copy of the detailed agenda may be obtained by contacting: Sandy Bazinet, Assistant Secretary, Central Florida Regional Transportation Authority, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279.

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 Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

The **Loxahatchee River Environmental Control District** announces a Public Meeting to which all persons are invited.

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

PLACE: District Administrative Building, 2500 Jupiter Park Drive, Jupiter, Florida 33458

PURPOSE: Regular Meeting of the Governing Board to conduct such business as specifically itemized on the Agenda.

A copy of the Agenda may be obtained by writing: Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458-8964.

If a person decides to appeal any decision made by the Board with respect to any matter considered at such Meeting or Hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

STATE FAIR AUTHORITY

The **Florida State Fair Authority** announces a meeting of the Mills Committee to which all persons are invited.

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

PLACE: Governor's Inn, Cracker Country, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE ADDRESSED: To discuss the proposal presented to the committee on March 18th by the Mills Corporation.

A copy of the Agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821 as soon as possible.

DEPARTMENT OF CORRECTIONS

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Friday, June 4, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Hardee Correctional Institution, 6901 State Road 62, Bowling Green, Florida 33834-9505

PURPOSE: The Commission will hold a site visit and meeting. A copy of the agenda may be obtained by writing: Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

GAME AND FRESH WATER FISH COMMISSION

You are hereby notified that the **Florida Advisory Council on Environmental Education** will meet on:

DATE AND TIME: Thursday, May 20, 1999, 10:00 a.m. – completion of business

PLACE: Second Floor Auditorium, Farris Bryant Building, 620 South Meridian Street, Tallahassee, Florida

PURPOSE: Selection of topics for next funding cycle. If an accommodation is needed for a disability in order to participate in this activity, please notify staff, (850)487-0123, at least seven (7) days prior to the activity. If you are hearing or speech impaired, please contact staff by using the Florida Relay Service, 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces public workshops to which all persons are invited.

DATE AND TIME: May 5, 1999, 6:00 p.m.
PLACE: Southwest Florida Water Management District, Tampa Service Office, 7601 Highway 301, North, Tampa, Florida
PURPOSE: Water Well Contractor Training and Point Reduction Workshop

DATE AND TIME: May 8, 1999, 10:00 a.m.
PLACE: Southwest Florida Water Management District, Venice Office, 115 Corporation Way, Venice, Florida

PURPOSE: Water Well Contractor Training and Point Reduction Workshop
DATE AND TIME: May 12, 1999, 6:00 p.m.

PLACE: Southwest Florida Water Management District, Bartow Office, 170 Century Blvd., Bartow, Florida
PURPOSE: Water Well Contractor Training and Point Reduction Workshop

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, Brooksville Headquarters, 2379 Broad Street, Brooksville, FL 34609-6899 or by calling Deanna Naugler, (352)796-7211, Extension 4312.

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: Deanna Naugler, (352)796-7211.

If you are hearing or speech impaired, please contact the agency by calling TDD number of 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 5, 1999, 10:00 a.m.
PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, Florida
PURPOSE: Selection Committee meeting to discuss the evaluation of proposals submitted in response to RFP C-10595, QA Field Sampling Audits.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should it be necessary to cancel the meeting, an alternate meeting date is May 11, 1999, 2:30 p.m., Office of Counsel Conference Room, 3rd Floor West, District Headquarters, B-1 Building.

For more information, contact: Marilyn Ivory, Contract Administrator, (561)682-6381.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 11, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Lorida Community Center, 1909 Oak Avenue, Lorida, Florida

PURPOSE: A subcommittee meeting of the Lake Istokpoga/Indian Prairie Basin to discuss the issues surrounding the existing and long-term availability of water for agricultural and public supply uses in the Lake Istokpoga/Indian Prairie Basin. This is a subcommittee to the ongoing Kissimmee Basin Water Supply Plan Advisory Committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who require assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For additional information, contact: Chris Sweazy, Planning Department, (407)858-6100.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 12, 1999, 8:00 a.m. – 4:00 p.m.

PLACE: District Headquarters, B-1 Building, Richard Rodgers Conference Room, 2nd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations by firms selected to provide presentations in conjunction with the evaluation of proposals submitted in response to RFP C-10750, Aerial Photo Mapping Survey – Henderson Creek – Belle Creek area.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who require assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Jim Robinson, Senior Contract Administrator, (561)682-6373, to ascertain if the meeting will take place as scheduled.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: May 17, 1999, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, B-1 Building, Conference Room 3A, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Public meeting to discuss Indian River Lagoon License Plate Funding Program.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who require assistance may contact: Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Laura Gesebracht, (561)833-4226.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIMES: May 17, 1999, 8:00 a.m. – 7:30 p.m.; May 18, 1999, 8:00 a.m. – 9:00 p.m.; May 19, 1999, 8:00 a.m. – 1:00 p.m.

PLACE: Embassy Suites Hotel, I-95 and Yamato Road, Boca Raton, Florida

PURPOSE: A South Florida Restoration Forum to highlight the powerful connection between science and management in the restoration and management of South Florida's ecosystems. This will present an opportunity to learn more about this research and interact with the scientists conducting the research.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements. For more information, contact: Nick Aumen, (561)682-6601, or by e-mail, naumen@sfwmd.gov

Persons with disabilities who require assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements. For more information, contact: Laura Gesebracht, (561)833-4226.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:
DATE AND TIME: May 20, 1999, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 S. W. 58th Street, Miami, Florida

PURPOSE: A meeting of the Dade County Lake Belt Plan Implementation Committee consisting of a workshop session for the Lake Belt Detailed Master Plan, Wellfield Protection, and Non-Rockmining Issues Subcommittees.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact: Jim Jackson, Project Manager, (561)682-6334.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:
DATE AND TIME: May 27, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Orange County Eastern Water Supply Facility, 9100 Curry Ford Road, Orlando, Florida

PURPOSE: The Kissimmee Basin Water Supply Plan Advisory Committee will meet to receive public input in development of the Kissimmee Basin Water Supply Plan. The Water Supply Plan will project future water demands and develop strategies to meet these demands for portions of Orange, Osceola, Polk, Highlands and Glades Counties (that are within the South Florida Water Management District) through the year 2020.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Chris Sweazy, Planning Department, (407)858-6100.

The **South Florida Water Management District** announces a public meeting to which all interested persons are invited:

DATE AND TIME: May 20, 1999, 10:00 a.m. – 12:00 Noon (alternate date).

PLACE: South Florida Water Management District Headquarters, B-1 Building, Richard Rodgers Conference Room, 2nd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Public meeting to discuss Indian River Lagoon License Plate Funding Program.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

NOTICE OF CORRECTION – The **South Florida Water Management District** announces a regular and special public workshop and meeting which may be conducted by means of or in conjunction with communications technology, specifically by telephone conference, to which all interested parties are invited:

DATE AND TIME: June 8, 1999, 3:00 p.m. – 7:00 p.m.

PLACE: Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, Florida

PURPOSE: Possible office hours for those who require it in advance of the special workshop/meeting to be held on June 9, 1999.

DATE AND TIME: June 9, 1999, 8:00 a.m. – 10:00 a.m.

PLACE: Southwest Florida International Airport Training Facility, 16000 Chamberlin Parkway, Ft. Myers, Florida

PURPOSE: Possible continental breakfast with members of the public, followed by special workshop/meeting for consideration of District business other than regulatory matters. Possible offsite tour which will leave from workshop/meeting site. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

DATE AND TIME: June 9, 1999, 3:00 p.m. – 7:00 p.m.

PLACE: Southwest Florida International Airport Training Facility, 16000 Chamberlin Parkway, Ft. Myers, Florida

PURPOSE: Possible Governing Board members' office hours for those who require it in advance of the special workshop/meeting to be held this date.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact: Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATES AND TIMES: June 9, 1999, 9:00 a.m. – 12:00 Noon; June 11, 1999, 1:30 p.m. – 3:30 p.m.; June 21, 1999, 9:00 a.m. – 3:00 p.m.; June 23, 1999, 12:00 Noon – 3:00 p.m.

PLACE: District Headquarters B-50 Building, Employee Development Training Room, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Evaluation Committee meetings to discuss and tabulate scores of evaluations of proposals submitted in response to Request for Proposals (RFP) C-10535, Competency Implementation, Skills Based Human Resources Management Software.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Donna Lavery, (561)682-6420.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 10, 1999, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Selection Committee meeting to discuss the evaluation of proposals submitted in response to RFP C-10740, Field Studies on Atmospheric Deposition of Phosphorus.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should it be necessary to cancel the meeting, the alternate meeting date is June 11, 1999, 10:00 a.m., same location.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 21, 1999, 8:00 a.m.

PLACE: South Florida Water Management District, Headquarters, Building B-1, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations in response to RFP C-10740, Field Studies on Atmospheric Deposition of Phosphorus.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Procurement Division, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements. Should it be necessary to cancel the meeting, the alternate meeting date is June 22, 1999, 8:00 a.m., same location. For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

MARINE FISHERIES COMMISSISON

The **Marine Fisheries Commission** announces its regular public meeting to which all interested persons are invited. DATES AND TIMES: May 26-27, 1999, 9:00 a.m. – 5:00 p.m. PLACE: FDLE Building, 2331 Phillips Road, Classrooms B and C, Tallahassee, Florida PURPOSE: Regular meeting of the Florida Marine Fisheries Commission. There will be a review of the outcome of this year’s legislative session, consideration of a request for a declaratory statement and a discussion of various federal issues. In addition, the Commission will meet jointly with the Florida Game and Fresh Water Fish Commission to discuss procedural and management issues regarding the creation of the Fish and Wildlife Conservation Commission.

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, he will need a record of proceedings, and for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Special accommodations at this meeting for person with disabling conditions should be requested in writing at least 7 days in advance. Contact: Lisa Rubenstein, Marine Fisheries Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301.

For further information or to receive a copy of the agenda for this meeting, contact: Lee Schlesinger, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301, (850)487-0554.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Board Workshop to which all persons are invited: DATE AND TIME: Monday, May 17, 1999, 10:00 a.m. PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761 PURPOSE: FY 1999/2000 Budget Workshop

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may

need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Tampa Bay Water** announces the following Public Meeting to which all persons are invited:

DATE AND TIME: Monday, May 17, 1999, 1:30 p.m. PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761 PURPOSE: Regularly Scheduled Board Meeting

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing: Tampa Bay Water or accessing the Web at www.tampabaywater.org after 5/10/99.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular February meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, May 19, 1999, 4:30 p.m. PLACE: Ocala City Hall, City Council Chambers, 151 S. E. Osceola Ave., 2nd Floor, Ocala, FL 34471 GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF THE LOTTERY

The Florida **Department of the Lottery** announces a meeting of the Florida Lottery Commission to which all interested parties are invited.

DATE AND TIME: Thursday, May 20, 1999, 10:00 a.m. – 12:00 noon PLACE: Lottery Central Building, 250 Marriott Drive, Tallahassee, Florida

PURPOSE: Quarterly meeting to discuss issues relating to the Lottery.

Any person requiring a special accommodation at the meeting because of a disability should call Doug Roberts, (850)487-7777, Ext. 2469 (Voice), or use the Florida Relay Service, 1(800)955-8771 (TDD), at least seven (7) working days prior to the meeting date.

INTERLOCAL AGENCIES

The **New River Solid Waste Association** announces a meeting to which all persons are invited.

DATE AND TIME: May 13, 1999, 6:00 p.m.

PLACE: New River Regional Landfill Office, Raiford, Florida

PURPOSE: To conduct the regular business of the New River Solid Waste Association. The 6:00 p.m. Board Meeting will be preceded by a general workshop at 5:00 p.m. All persons deciding to appeal any decision of the New River Solid Waste Association with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

DEPARTMENT OF VETERANS' AFFAIRS

The **Department of Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 24, 1999, 2:15 p.m.

PLACE: Jacksonville Hilton, 1201 Riverplace Boulevard, Jacksonville, FL 32207

PURPOSE: Present revised draft Site Selection Criteria for new State Veterans' Nursing Home, and to conduct discussion and solicit recommendations regarding same.

A copy of the draft revised criteria may be obtained by calling Lyndette Aguirre, (727)319-7407. Information concerning the subject matter may be obtained by contacting: Rocky McPherson, Director of Administration and Public Information, (727)319-7407, P. O. Box 31003, St. Petersburg, FL 33731.

Any person requiring a special accommodation at this public meeting because of a disability or physical impairment should contact (727)319-7407, at least five calendar days prior to the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the District 10, Managed Care Ombudsman Committee to be held in Ft. Lauderdale, Florida, to which all persons are invited.

DATE AND TIME: May 12, 1999, 9:30 a.m.

PLACE: The Healthcare Building, Room #195, 1400 West Commercial Blvd., Ft. Lauderdale, Florida

PURPOSE: Regular monthly meeting.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone at (904)921-0625.

The **Agency for Health Care Administration** announces a meeting of the District 9, Managed Care Ombudsman Committee Meeting to be held in West Palm Beach, Florida, to which all persons are invited.

DATE AND TIME: May 13, 1999, 12:00 noon – 4:00 p.m.

PLACE: 1710 E. Tiffany Drive, Medicaid Conference Room, 2nd Floor, West Palm Beach, Florida

PURPOSE: The purpose of this meeting is routine business.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone, (904)921-0625.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **Capitol Center Planning Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 1999, 9:30 a.m.

PLACE: The Florida Room, 2nd Floor, City Hall, 300 S. Adams St., Tallahassee, FL 32301

PURPOSE: This will be a regular monthly meeting of the Commission to discuss and act on its agenda for that meeting. The agenda includes matters pertaining to the approval of building construction within the district and other matters affecting the Capitol Center located in Tallahassee, Florida. Copies of the agenda may be obtained by writing The Capitol Center Planning Commission, Suite 380, 4030 Esplanade Way, Tallahassee, FL 32399-0950.

RECORD OF PROCEEDINGS: If a person anticipates that she/he may appeal any decision made by the Commission with respect to any matter considered at this meeting, she/he will need to ensure that a written verbatim record of the proceedings shall have been made, at no cost to the Commission, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any attendee requiring special accommodation because of a disability or physical impairment should contact Kay Clement, (850)488-2074, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired can contact the Commission at the above number 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 Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, May 12, 1999, 6:00 p.m.

PLACE: The access point where a person may go for purpose of attending the meeting is: Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303. The meet-me telephone number is (850)488-5778 or Suncom 298-5778.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be discuss general and administrative issues of the Commission.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, telephone (850)488-7082, Extension 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Extension 1036, at least five calendar days prior to the meeting.

The **Florida Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting will be held:

DATE AND TIME: Friday, May 28, 1999, 11:00 a.m.

PLACE: Richman, Greer, Weil, Brumbaugh, Mirabito & Christensen, P.A., 201 South Biscayne Blvd., 10th Floor, Miami Center, Miami, FL 33133

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for the Business Leaders Advisory Committee formed by the Commission to assist in educating business on the aspects of Chapter 760, Florida Statutes, and to assist the commission in building alliances with the business community.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 telephone (850)488-7082, Extension 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation because of a disability or physical impairment should contact the Clerk of the Commission at (850)488-7082, Extension 1036 at least five calendar days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: May 17, 1999, 9:00 a.m. and 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 N. Monroe Street, Ste. 60, Tallahassee, FL 32399, (850)488-0062

PURPOSE: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Dorese Gibson, Administrative Assistant, Department of Business and Professional Regulation, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-0792, or by phone, (850)487-2127.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Real Estate Appraisal Board** announces a meeting of its Probable Cause Panel.

DATE AND TIME: Monday, May 3, 1999, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801

PURPOSE: Official business of the Appraisal Board Probable Cause Panel. PROBABLE CAUSE IS NOT OPEN TO THE PUBLIC.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Real Estate Appraisal Board, (407)317-7251, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Appraisal Board 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 **Real Estate Appraisal Board** announces a meeting to which everyone is invited.

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

PLACE: Department of Business & Professional Regulation, Division of Real Estate – Room 301, Third Floor, 400 W. Robinson Street, North Tower, Orlando, FL 32801, (407)245-0800

PURPOSE: Official business of the Appraisal Board - Including but not limited to: Rule/statute amendments, and Disciplinary actions.

Any person who decides to appeal a decision made by the Board with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Real Estate Appraisal Board, (407)317-7251, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Appraisal Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Deputy Clerk of the Florida Real Estate Appraisal Board, P. O. Box 1900, Orlando, Florida 32802-1900.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

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

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

DATE AND TIME: May 26, 1999, 1:00 p.m.

PLACE: Orange County Public Library, Oak Room, 101 E. Central Boulevard, Orlando, Florida

PURPOSE: To discuss and receive public comment on the proposed revisions to Florida's 303(d) list of impaired waters. Revisions are being proposed to reflect the findings supported by the release of Florida's 1998 305(b) report and reflect a more rigorous data evaluation procedure adopted by the Department (as described at the Public Workshop held June 30, 1998).

A copy of the agenda may be obtained by writing: Mr. Jan Mandrup-Poulsen, Department of Environmental Protection at 2600 Blair Stone Road, Water Quality Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling him at (850)921-9488.

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

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**, Division of Air Resource Management, announces a public workshop (40 CFR 51.102 hearing) to which all persons are invited.

DATE AND TIME: Wednesday, June 9, 1999, 10:00 a.m. – 12:00 noon

PLACE: Department of Environmental Protection, Division of Air Resource Management, Conference Room, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is providing an opportunity for public comment on its intent to submit to the U.S. Environmental Protection Agency (EPA), as a proposed revision to Florida's State Implementation Plan under the Clean Air Act, a set of amendments to Florida Administrative Code Chapter 62-204 which are being considered for adoption by the Department. The proposed rule amendments would update, at Rule 62-204.800, F.A.C., Florida's adoption by reference of the National Ambient Air Quality Standards and associated monitoring methodologies promulgated by the EPA and would also include necessary conforming amendments to Rules 62-204.200 and 62-204.240, F.A.C. The Department is not proposing to adopt the new National Ambient Air Quality Standard for particles less than 2.5 microns in diameter at this time.

A copy of the workshop agenda and proposed rule amendments may be obtained by writing: Ms. Sandy Ladner, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400 or by calling (850)921-9590.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a DEP Advisory Group meeting.

DATE AND TIME: Friday, May 21, 1999, 9:00 a.m. (EDT)

PLACE: Dunedin Public Library, 223 Douglas Avenue, Dunedin, Florida 34698

PURPOSE: To discuss the current draft management plan for Honeymoon Island State Recreation Area.

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 4 Administration, 1843 South Tamiami Trail, Osprey, Florida 34229.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Thursday, May 20, 1999, 7:00 p.m. (EDT)

PLACE: Dunedin Public Library, 223 Douglas Avenue, Dunedin, Florida 34698

PURPOSE: To present the current management plan for Honeymoon Island State Recreation Area 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 4 Administration, 1843 South Tamiami Trail, Osprey, Florida 34229.

DEPARTMENT OF HEALTH

The third meeting of the **Scientific Advisory Committee** for the Florida Birth Defects Registry will be held as follows:

DATE AND TIME: May 18, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

PURPOSE: The function of the Advisory Committee is to: 1) Review and provide advisement regarding criteria for case definition and content of the master data file; 2) Review and provide advice regarding prospective studies; 3) Be appraised of clusters and review results of any cluster analysis; 4) Review and provide advisement about information dissemination and web site activities; 5) Review and provide advice regarding enhancement of the surveillance system; 6) Review drafts of all reports published by the consortium; 7) Assist in the identification of birth defects due to environmental exposures.

The preliminary agenda for this meeting is: I) WELCOME: Dr. Cynthia Harris; II) UPDATE ON THE ANNUAL REPORT: Dr. Russell Mardon; III) UPDATE ON THE FOLIC ACID CAMPAIGN: Ms. Jane Correia; IV) SCIENCE OF FOLIC ACID AND PREVENTION OF NEURAL TUBE DEFECTS: Dr. Jaime Frias; V) PHYSICIAN NEEDS ASSESSMENT SURVEY: Dr. Jaime Frias; VI) UPDATE ON THE REPORTING RULE: Dr. Russell Mardon; VII) PRESENTATION ON HEALTHY PEOPLE 2000 AND ICD-10: Mr. Larry Edmonds; VIII) ENVIRONMENTAL EQUITY JUSTICE COMMISSION: Ms. Suzi Ruhl; IX) DISCUSSION OF FUTURE FUNDING FOR FBDR: Advisory Committee and Consortium; X) OTHER BUSINESS FROM THE FLOOR; XI) ADJOURNMENT: Advisory Committee and Consortium.

For further information, please contact: Perry Brown, Telephone (850)599-8839

The **Physician Assistant Formulary Committee** announces a meeting via telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 20, 1999, 12:30 p.m. or soon thereafter

PLACE: Meet Me Number (850)488-5776

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Physician Assistant Formulary Committee, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Physician Assistant Formulary Committee using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Rena' Coffield, Regulation Administrator, Physician Assistant Formulary Committee, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Council on Physician Assistants** announces a meeting via telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 21, 1999, 12:00 noon or soon thereafter

PLACE: Meet Me Number (850)488-5776

PURPOSE: To conduct general business of the Council.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Council on Physician Assistants, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Council on Physician Assistants using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Rena' Coffield, Regulation Administrator, Council on Physician Assistants, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the

proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Advisory Council on Respiratory Care** gives notice that it will hold a telephone conference on:

DATE AND TIME: May 25, 1999, 11:00 a.m. or shortly thereafter

PLACE: The conference call "meet me" number is (850)921-5400 or SunCom (850)291-5400, if you wish to participate

PURPOSE: To discuss penalty guidelines set forth in Subsection (3) of Rule 64B8-74.001.

Any person requiring a special accommodation at this telephone conference because of a disability or physical impairment should contact the Council's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Credentials Committee of the Florida **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, May 15, 1999, 8:00 a.m. or soon thereafter

PLACE: The Hilton Miami Airport & Towers, 5101 Blue Lagoon Drive, Miami, Florida 33126 (305)262-1000

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Executive Director, Dept. of Health/Medical Quality Assurance, 2020 Capital Circle, S. E., BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Probable Cause Panel, **Board of Osteopathic Medicine**, announces a meeting.

DATE AND TIME: Monday, May 17, 1999, 5:00 p.m. or soon thereafter

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202-4403, (904)355-6664

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 at: 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 **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: May, 21, 1999, 10:00 a.m. (EDT)

PLACE: The meeting will be held by telephone conference call at the following locations:

Marina Garcia Wood, Ft. Lauderdale, FL, (954)983-9666

Lucius Noyes, Palatka, FL, (904)325-7576

James Norris, St. Cloud, FL, (407)892-2135

Gene R. Motley, St. Augustine, FL, (904)829-5693

Leonard Inge, Tallahassee, FL, (850)599-3474

Juan Mora, Miami, FL, (954)924-2032

Helen Fong, Orlando, FL, (407)248-1826

Daniel Fucarino, Tampa, FL, (813)961-8798

Michael Stamitoles, Pensacola, FL, (904)434-4990

Edwin Bayo, Att. Gen. Office, Tallahassee, FL, (850)414-3300

John Taylor, Dept. of Health, Tallahassee, FL, (850)488-6526

PURPOSE: To approve candidates for licensure and examination. Review any applicants with disciplinary action.

A copy of the agenda may be obtained by writing: Board of Pharmacy, 2020 Capital Circle, S. E., BIN #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)487-9833, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting, he will need to ensure a verbatim record 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 Nine, Health and Human Services Board announces the following public meetings to which all persons are invited:

- DATE AND TIME: May 4, 1999, 8:00 a.m.
- PLACE: 111 South Sapodilla Avenue, West Palm Beach, FL
- PURPOSE: Executive Committee Meeting
- DATE AND TIME: May 11, 1999, 8:30 a.m.
- PLACE: American Lung Association, 2701 Australian Avenue, West Palm Beach, FL
- PURPOSE: Mentoring Workgroup
- DATE AND TIME: May 13, 1999, 4:00 p.m.
- PLACE: 111 South Sapodilla Avenue, West Palm Beach, FL
- PURPOSE: Legislative Committee Meeting
- DATE AND TIME: May 18, 1999, 1:00 p.m.
- PLACE: 111 South Sapodilla Avenue, West Palm Beach, FL
- PURPOSE: Health Care Committee
- DATE AND TIME: May 18, 1999, 2:00 p.m.
- PLACE: 111 South Sapodilla Avenue, Conference Room 2, West Palm Beach, FL
- PURPOSE: Health and Human Services Board Meeting

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 111 South Sapodilla Avenue, West Palm Beach, FL 33401

Anyone needing interpreters or other disability related accommodations should notify Jackie Jansen, 5 working days prior to the meeting, (561)837-5590 or TDD line 1(800)453-5145.

The Florida **Department of Children and Family Services** announces meetings of the District 8, Health and Human Services Board Subcommittees will be held:

- MEETING: Developmental Services and Gulf Coast Center
- DATE AND TIME: Not Meeting
- MEETING: Children's Services
- DATE AND TIME: May 10, 1999, 12:15 p.m.
- PLACE: Shoney's Restuarant, 26580 Jones Loop Road, I-75, Exit 28, Punta Gorda, Florida
- MEETING: Economic Self-Sufficiency
- DATE AND TIME: Not Meeting
- MEETING: Children's Substance Abuse Services
- DATE AND TIME: Not Meeting
- MEETING: G. Pierce Wood, Adult Mental Health and Substance Abuse Services:

- DATE AND TIME: May 10, 1999, 11:30 a.m.
- PLACE: Charlotte County Public Health Unit, 514 Grace Street, Punta Gorda, Florida
- PURPOSE: Monthly committee meetings.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Planning and Evaluation, 2295 Victoria Avenue, Fort Myers, Florida 33901, in writing or by telephone, (941)338-1435, one week prior to meeting.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings should contact the Consumer Relations Unit, (941)338-1431 or 1(800)342-0825, Florida Relay Service 1(800)955-8770 (Voice), 1(800)955-8771(TDD).

The **Department of Children and Family Services**, District Nine, Family Care Council, Palm Beach County announces their monthly scheduled meetings for the year 1999 for persons who are developmentally disabled to which all persons are invited:

- DATES AND TIME: May 17, 1999; June 21, 1999; July 19, 1999; August 16, 1999; September 20, 1999; October 18, 1999; November 15, 1999; December 20, 1999, 7:00 p.m.
- PLACE: Palm Beach Habilitation Center, Inc., 4522 South Congress Avenue, Lake Worth, Florida 33461
- PURPOSE: The meetings will focus on issues and planning for persons who are developmentally disabled.

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

- DATE AND TIME: May 18, 1999, 9:30 a.m. (EDT)
- PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950
- A copy of the agenda may be obtained by contacting: Pearlle Clark, HRAC Liaison, (561)467-4176.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Family Care Council announces a public meeting to which all persons are invited.

- DATE AND TIME: May 20, 1999, 10:00 a.m.
- PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Ave., 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 announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 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 at 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.

FLORIDA INLAND NAVIGATION DISTRICT

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 21, 1999, 8:30 a.m.

PLACE: The Harbourside Inn, 300 Clubhouse Drive, Palm Coast, Flagler County, Florida

PURPOSE: A meeting and workshop of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Nomination of Officers and the Land Acquisition and Management Committees will meet.

Please contact the District office at 1314 Marcinski Road, Jupiter, FL 33477, telephone (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

PINELLAS WAGES COALITION

The **Pinellas WAGES Coalition** announces an Executive Committee Retreat on:

DATE AND TIME: Friday, May 7, 1999, 8:00 p.m. – 2:00 p.m.

PLACE: Holiday Inn SunSpree, Marina Cove Conference Center, 6800 Sunshine Skyway Lane, St. Petersburg, FL 33711

PURPOSE: Retreat with Coalition staff members.

SUBJECT MATTER: Review of Coalition processes, formats, calendar for the purposes of planning for the upcoming program year.

Members of the public are invited to attend.

Agendas can be obtained seven days in advance of the meeting at: Suite 304, Pinellas WAGES Coalition, 13770 58th Street, North, Clearwater, FL, or by calling (727)507-6197.

Persons needing special accommodations to participate in the meeting should call at least 3 days in advance at (727)507-6197.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition, with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she 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 **Pinellas WAGES Coalition** announces the following meetings on:

DATE AND TIME: Tuesday, May 18, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: 13770 58th Street, North, Suite 312, Clearwater, Florida 33760

PURPOSE: Regular meeting of the Nominating Committee

ISSUES TO BE DISCUSSED: Accept and review applications and make recommendations for nomination to the Coalition.

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.

SUNSHINE STATE ONE-CALL OF FLORIDA

The **Sunshine State One-Call of Florida, Inc.** announces the Annual Membership Meeting, Board of Directors Meeting, Operations Committee Meeting and Safety & Compliance Committee Meeting to which all interested persons are invited.

Annual Membership Meeting

DATE AND TIME: May 13, 1999, 8:00 a.m.

PLACE: Sunshine State One-Call of Florida, Inc., 11 Plantation Road, DeBary, FL 32713, (407)575-2000

Board of Directors Meeting

DATE AND TIME: May 13, 1999, 10:30 a.m.
PLACE: Sunshine State One-Call of Florida, Inc., 11
Plantation Road, DeBary, FL 32713, (407)575-2000
Operations Committee Meeting

DATE AND TIME: May 14, 1999, 8:00 a.m.
PLACE: Sunshine State One-Call of Florida, Inc., 11
Plantation Road, DeBary, FL 32713, (407)575-2000
Safety and Compliance Committee Meeting

DATE AND TIME: May 14, 1999, 1:00 p.m.
PLACE: Sunshine State One-Call of Florida, Inc., 11
Plantation Road, DeBary, FL 32713, (407)575-2000

FLORIDA SMALL EMPLOYERS HEALTH REINSURANCE PROGRAM

The Florida Small Employers Health Reinsurance Program announces a meeting to which all persons are invited:

DATE AND TIME: May 14, 1999, 9:00 a.m.
GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Small Employers Health Reinsurance Program Board.
PLACE: Hyatt Regency, Orlando International Airport, Orlando, Florida

A copy of the agenda may be obtained by contacting: Minnie Green, Florida Small Employers Health Reinsurance Program, Post Office Box 14645, Tallahassee, FL 32317, (850)422-7766.

ENTERPRISE FLORIDA

The Enterprise Florida, Quick Response Training Advisory Committee announces a conference call meeting to which all persons are invited.

DATE AND TIME: Monday, May 17, 1999, 10:30 a.m.
PLACE: Conference Call Number (850)921-5400 or Suncom 291-5400

PURPOSE: The purpose of the meeting is for the committee to make recommendation on a pending application and approve occupations for submission to the occupational forecasting list. A copy of the agenda may be obtained by writing: Judy Culbreath, Program Director, Enterprise Florida, Quick Response Training Program, 325 John Knox Road, Building 200, Tallahassee, Florida 32303.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jayne Burgess, (850)922-8645, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited:

DATE AND TIME: May 19, 1999, 8:00 a.m.
PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida
PURPOSE: General Business Meeting.

FLORIDA HISTORY ASSOCIATES

The Florida History Associates, Inc. announces a Board of Director's Meeting to which all persons are invited.

DATE AND TIME: Monday, May 17, 1999, 12:15 p.m.
PLACE: Museum of Florida History, R. A. Gray Building, 500 S. Bronough Street, Room 307, Tallahassee, Florida 32399
PURPOSE: Regularly scheduled meeting
Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact Penny Lord, (850)922-5299, at least 48 hours prior to the meeting in order to request any special assistance.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN that on April 16, 1999, the State of Florida, Department of Citrus, received a Petition to Initiate Rulemaking from Florida Orange Groves, Inc. a licensed citrus dealer located in South Pasadena, Florida. The petition requests that Chapter 20-111, Florida Administrative Code, be amended to extend use of the "Made With Florida Citrus" trademark to include citrus wines when made with Florida citrus.

A copy of the Petition may be obtained from: Joan B. Martin, Administrative Assistant, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

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 Richard Parrott. Petitioner requested an amendment of Florida Administrative Code Rule 33-3.018(5) that would require that all money transfers be sent to an inmate's final destination rather than to a reception center. The Department denied the petition, reasoning that the concerns of petitioner could be addressed without amending the current rule.

A copy of the Order, Case No. DC 99-17, 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 Milton Garey. Petitioner requested an amendment of Florida Administrative Code Chapter 33-29 that would require that grievance responses be logged and receipt acknowledged by the inmate grievant by signature. The Department denied the petition, reasoning that the number of cases where inmate receipt of grievance responses is delayed was minimal and did not justify the additional manpower hours that would be required in implementing the procedure envisioned by Petitioner.

A copy of the Order, Case No. DC 99-16, 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 the quantity of comfort items to be provided to inmates as well as the frequency that such items would be distributed. The Department denied the petition, reasoning that promulgation of such a rule at this time was unwarranted. The Department explained, however, that officials from the central office of the Department would meet with the superintendents of the various female facilities in the near future to address the issues contained in the petition.

A copy of the Order, Case No. DC 99-20, 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 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 Re: Petition for Declaratory Statement, Justo E. Gomez, Unit Owner, Arlen Beach Condominium Association, Inc., Petitioner. The Petitioner requests an interpretation as to whether the Arlen Beach Condominium Association Board may hold the voting process open for 90 days to allow unit owners to vote for/against an amendment to the condominium's declaration.

A copy of the Petition for Declaratory Statement, Docket Number Docket Number DS1999096, 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: Martha F. Barrera, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-1007.

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 723 Homeowners Association at Strawberry Ridge, Inc., Petitioner; Docket Number DS99075, by and through Lee L. Lewis, Registered Agent, 723 Homeowners Association at Strawberry Ridge, Inc. The Petitioner requests the Division's interpretation of whether one association conforming to section 723.075, Florida Statutes, can only represent one mobile home park to have full protection of chapter 723, Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number DS99075, 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.

**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:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

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.firm.edu/doe/bin00051/>

Hardcopy or formats for the disabled – telephone 1(800)342-9271

NOTICE TO CONSTRUCTION MANAGERS

The State of Florida, Board of Regents, Office of Facilities Planning, announces that Construction Management services will be required for the project listed below:

Project No.: BR-057

Project: FAMU-FSU Challenger Learning Center.

Project Location: FAMU/FSU College of Engineering, Innovation Park, Tallahassee, Florida.

Project Description: This project consists of the construction of Phase I of a multi phased project. Phase I consists of preparing the site, extending necessary utilities and constructing space to house a mission simulator, aerospace exhibit hall, orientation/distance learning room, gift shop, and support areas. The construction will consist of approximately 9,000 gross square feet. The estimated construction cost is \$1,100,000. Contingent upon availability of funds and successful performance on Phase I, the construction manager may be retained for construction of subsequent phases.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of 30% Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered

consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Kim Ball, AIA, Architect, Board of Regents, Office of Facilities Planning, 1602 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950, Telephone (850)488-5251, Fax (850)922-2964

Five (5) bound copies of the required proposal data shall be submitted to: Kim Ball, AIA, Architect, Board of Regents, Office of Facilities Planning, 1602 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Submittals must be received by 3:00 p.m. local time, Friday, June 4, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida for and on behalf of the Board of Regents, a public corporation of the State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: 180, Project and Location: WUFT TV/FM Weimer Hall Addition. The project consists of 13,790 GSF addition to the Weimer Hall to include new television and radio broadcast spaces with advanced broadcasting and recording technology. The construction budget is \$2,148,500.00 and total project budget is \$3,250,00.00. The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$250,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated September 15, 1997. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Janie Heidler, Office Assistant, Campus Planning & Construction Management, 232 Stadium, P. O. Box 115050, Gainesville, FL 32611-5050, Telephone (352)392-1256., Fax (352)392-6378, Internet: www.admin.ufl.edu/division/cp

Submittals must be received in the Campus Planning & Construction Management office by 3:00 p.m. local time, on Friday, June 4, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

INVITATION TO BID

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Purchasing Department
Suite A1400 University Center
Florida State University
Tallahassee, FL 32306-1055

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Facsimile Submittals are not acceptable. For information relating to this Invitation to Bid, contact Purchasing Agent referenced below at (850)644-6850.

K 3814-5: Carraway Building Roofing Project
Plans & Specifications: \$100.00 Non Refundable
Rolando J. Gutierrez, Architects
2017 Delta Boulevard, Suite 201
Tallahassee, Florida 32308
Telephone (850)386-2674

Public Bid Opening: 11:00 a.m., Tuesday, May 25, 1999
 Purchasing Department Conference Room
 Suite A1400, University Center

Bid Documents: Purchasing Department
 Florida State University

CALL FOR BIDS

Made by Florida A & M University, on behalf of the State of Florida, Board of Regents.

PROJECT NAME: Pharmaceutical Research Facility-Phase I, Third Bay; NO.: BR-324, LOCATION: Florida A & M University, Tallahassee, Florida

PROJECT BUDGET: \$2,283,175.00

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: June 10, 1999, until 2:00 p.m., local time

PLACE: Plant Operations Facility, Office of Facilities Planning and Construction, Room 100, 2400 Wahnish Way, Florida A & M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in Conference Room 120.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Drawings and Project Manual, which may be obtained or examined at local plan rooms and by contacting Jim Womack, Associate Director, at the Office of Facilities Planning and Construction, Room 100, 2400 Wahnish Way, Florida A & M University, Tallahassee, FL, Phone (850)599-8005, Fax (850)561-2289, locally or the office of the Architect/Engineer: Karl Thorne Associates, Inc., 1216 N. W. 9th Avenue, Gainesville, FL 32601, Phone (352)377-8343, Fax (352)377-2872

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING:

Pre-solicitation/pre-bid meeting attendance is mandatory. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: May 20, 1999, 2:00 p.m., local time

PLACE: Florida A & M University, Plant Operations Facility, Building A, Conference Room 120, 2400 Wahnish Way, Tallahassee, FL

DEPOSIT: \$TBA per set of Drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work and who return the Drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for TBA per set for the printing and handling cost. Partial sets may be purchased at \$TBA per sheet of the Drawings and \$TBA per page per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Invitation To Bid

Sealed bids will be received and publicly opened at Florida A & M University.

Bid No. 7211 Opening Date: 5/25/99 Time: 2:00 p.m.

Title: Charter Flights for Athletics

Bid No. 7210 Opening Date: 5/25/99 Time: 2:00 p.m.

Title: Maintenance of Elevators

All bidders are required to attend a mandatory pre-bid conference for ITB #7210, which will be held on May 18, 1999, 3:00 p.m., at the University's Operation and Maintenance Facility, Conference Room 120, 2400 Wahnish Way, Tallahassee, FL 32307. University's representative will be available to answer questions relative to the Invitation to Bid and conduct a site visit as necessary. Any suggestions or modifications may be presented in writing to or discussed with the University's representative (s) at this meeting and may be considered by said representative (s) as possible amendments to the Invitation to Bid.

Accommodations for Disabilities: Please indicate if special accommodation because of a disability is needed. If an accommodation is needed in order to participate in this activity, please contact the Purchasing Department at least seven days prior to the activity.

Bid Specifications: The bid document may be obtained at Florida A & M University, Purchasing Department, Foote-Hilyer Administrative Center, Room 210, Tallahassee, FL 32307-3200, (850)599-3203. Contact person: Larry J. Mosley, Assistant Purchasing Director. The University reserves the right to reject any and all bids.

**INVITATION TO BID
BID NO. 7209**

BID TITLE: Telecommunications for Student Services Center
QUALIFICATION: All bidders must be qualified at the time of bid opening in accordance with the Instruction to Bidders, Article B-2. Sealed bids will be received on June 8, 1999 until 2:00 p.m., local time at Florida A & M University, Facilities Planning and Construction, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, Florida, immediately after which time and place they will be publicly opened and read aloud down the hall in Conference Room 120.
PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be obtained or examined at the office of the Architect/Engineer: Akin & Associates Architects, Inc., 2603 West Tharpe Street, Suite A, Tallahassee, Florida 32303, Phone (850)385-2546, Fax (850)385-7063

MINORITY PROGRAM: At least Twenty-One (21) percent of the project contracted amount will be expended with Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security as set forth under the Florida Small Business Assistance Act, Chapter 287, Florida Statutes. If the Twenty-One (21) percent is not attainable, the University will recognize Good Faith Efforts by the bidder.

The bidder is advised to review these requirements in the Special Conditions section immediately, in order to schedule the necessary tasks to accomplish Good Faith Efforts.

MANDATORY PRE-BID MEETING: The bidder is required to attend the pre-bid meeting. Failure to attend will result in disqualification. Minority Business Enterprises are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for: May 21, 1999, at 2:00 p.m. local time at Florida A & M University, Plant Operations Facility, Building A, Conference Room 120, 2400 Wahnish Way, Tallahassee, Florida.

DEPOSIT: \$50.00 per set of Drawings and Project Manuals is required with a limit of three (3) sets per General Contractor or Prime bidder; and two (2) sets of Drawings and Project Manuals for Electrical Contractors acting as Subcontractors.

REFUND: The deposit shall only be refunded to those General Contractors, Prime Bidders, or Electrical Contractors acting as either Prime or Subcontractors, who after having examined the Drawings and Specifications submit a bonafide bid, or provide written evidence that they have submitted bids as Subcontractors and who return the Drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$50.00 per set for the printing and handling cost.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a Contractor may not submit a bid for this project if it is on the Convicted Vendor list for a Public Entity Crime committed within the past 36 months. The successful Contractor must warrant that it will neither utilize the services of, nor contract with, any Supplier, Subcontractor, or Consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the Convicted Vendor list.

ACCOMMODATION FOR DISABILITIES: If a special accommodation is required to permit attendance, contact the Facilities Planning and Construction Office seven (7) days prior to the scheduled meeting.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida International University, on behalf of the FIU Foundation, announces that Professional Services FOR Minor Projects are solicited in the following discipline: Two (2) Campus Service Architects. Minor Projects are specific project for renovations, alterations, and additions that have a basic construction budget estimated to be \$500,000 or less, or a planning study for which the fee for professional services is \$25,000 or less. Campus Service Contracts for Minor Projects provide that the consultant will be available on an as-needed basis for the upcoming Fiscal Year, July 1 – June 30.

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 five (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.

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 7, 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 log on the web at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF CORRECTIONS

NOTICE TO BIDDERS

Sealed proposals will be received by the Florida Department of Corrections, 2601 Blair Stone Road, Room B410, Tallahassee, Florida 32399-2500, until 2:00 p.m., June 24, 1999, Bid No. 700:0817, for 50,421 SQUARE FEET OF OFFICE SPACE. A pre-proposal conference will be held at 10:00 a.m., May 27, 1999 at 2601 Blair Stone Road, Room B410, Tallahassee, Florida 32399-2500.

Any person with a qualified disability requiring special accommodations at the pre-proposal conference and/or proposal opening shall contact the Bureau of General Services at the phone number below at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

Bid sheets, specifications and general conditions may be secured from the Bureau of General Services, Tallahassee, Florida 32399-2500, (850)488-2810. Right is reserved to reject any or all bids.

DEPARTMENT OF MANAGEMENT SERVICES

BUILDING CONSTRUCTION

PUBLIC ANNOUNCEMENT FOR

CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: DCF-98047000

PROJECT NAME: New District 6 Offices

PROJECT LOCATION: Tampa, Florida

The Department of Management Services, Building Construction, request qualifications from construction management firms to provide Construction Management at Risk services (for interior renovation for an 115,000 S.F. building). The construction budget for this project is up to \$3,000,000.00. Construction start date is August 1999.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

Firms interested in being considered for this project must submit an application with the following information:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit four copies of your application to the Department of Management Services, Building Construction Project Director, Richard N. Arcuri, (813)744-6288, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610.

Response Due Date: June 3, 1999, 4:30 p.m.

The short list meeting will be schedule for June 10, 1999. A workshop is planned for the shortlist firms on June 17, 1999 with presentations schedule for June 24, 1999 with times and location to be determined.

The results of this selection will be posted at 4508 Oak Fair Blvd., Suite 200, Tampa, Florida during regular business hours starting June 21, 1999. Any protest on the selection must be made within 72 hours of posting this notice. If no protest is

received within 72 hours, contract award and negotiation will proceed with the selection firm. The selection results will be published in the Florida Administrative Weekly.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Sealed bids will be received by the Department of Children and Family Services, District Five, until 10:00 a.m. on June 10, 1999 for Moving Services. Bid conditions and specifications may be obtained by contacting Manuel Lambrinos, Property Administrator, (727)588-6616 or Robert McCraney, Purchasing Director, (727)588-6612, Largo State Office Building, 11351 Ulmerton Road, Suite 125, Largo, FL 33778-1630.

The State of Florida, Department of Children & Families, reserves the right to reject any and all bids received and to award the bid judged to be in the best interest of the State of Florida.

Bid #CF98/99-V05.

INVITATION TO BID

SEALED BIDS ARE SOUGHT FOR HOUSEKEEPING SERVICES FOR THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES, DISTRICT ELEVEN, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER. THERE WILL BE A MANDATORY PRE-BID CONFERENCE ON FRIDAY, MAY 14, 1999, 10:00 A.M. EST. SEALED BIDS WILL BE RECEIVED UNTIL 11:30 A.M. EST. FRIDAY, MAY 27, 1999. BID CONDITIONS AND SPECIFICATIONS MAY BE OBTAINED FROM AMY NEGRIN, FINANCE AND ACCOUNTING DIRECTOR, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER, 2200 N.W. 7TH AVENUE, MIAMI, FLORIDA 33127, TELEPHONE NUMBER IS (305)637-2505.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS OF APPLICATIONS FOR LICENSES AND MERGERS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526,

Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 28, 1999):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: FAA Credit Union
Expansion Includes: Employees of Aeromar Airlines and Sextant Avionique, Inc., who work in Miami, Florida.

Received: April 23, 1999

Correspondent and Telephone Number: Marla Falero, Vice President, (305)821-7060, Ext. 350

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

NOTICE OF APPROVAL FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P4A, P56, P7A, and P8A funding cycles. The project plans were reviewed in accordance with Rule 9K-4.011, F.A.C., at its April 30, 1999, meeting by the Trust governing body, which authorized that the project plans be approved, that the Chair execute the

agreements for acquisition of the project sites and all other documents necessary to close the projects and that funds be released as follows:

Project: 94-042-P4A/Sun'n Lake Preserve
 Grantee: Highlands County
 Amount of Approved Funds: the lesser of 50% of the final total project costs or \$1,129,300.00.

Project: 95-052-P56/Indrio North Savannahs
 Grantee: St. Lucie County
 Amount of Approved Funds: the lesser of 50% of the final total project costs or \$1,175,000.00.

Project: 96-039-P7A/Green Springs
 Grantee: Volusia County
 Amount of Approved Funds: the lesser of 90% of the final total project costs or \$490,734.00, contingent on final approval of management plan by FCT staff.

Project: 96-046-P7A/Fort Myers Beach Cultural and Environmental Learning Center
 Grantee: Town of Ft. Myers Beach
 Amount of Approved Funds: the lesser of 100% of the final total project costs or \$1,031,000.00, contingent on final approval of management plan by FCT staff.

Project: 98-048-P8A/Fort Brooke Park
 Grantee: City of Tampa
 Amount of Approved Funds: the lesser of 50% of the final total project costs or \$3,135,877.50, contingent on final approval of management plan by FCT staff.

Project: 98-054-P8A/Alafia Scrub Preserve
 Grantee: Hillsborough County
 Amount of Approved Funds: the lesser of 50% of the final total project costs or \$1,093,000.00, contingent on final approval of management plan by FCT staff.

Project: 98-083-P8A/River to Sea Preserve at Marineland
 Grantee: Flagler County–Town of Marineland
 Amount of Approved Funds: the lesser of 100% of the final total project costs or \$8,383,475.00.

Project: 98-094-P8A/Julington Creek Headwaters Park & Preserve–Phase II
 Grantee: City of Jacksonville
 Amount of Approved Funds: the lesser of 87.44% of the final total project costs or \$3,134,050.50, contingent on final approval of management plan by FCT staff.

Project: 98-097-P8A/Berg Property Acquisition
 Grantee: City of Key West
 Amount of Approved Funds: the lesser of 50% of the final total project costs or \$1,765,065.92, contingent on final approval of management plan by FCT staff.

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant

to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 9K-1.008, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

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, Freightliner Corporation, intends to allow the establishment of Freightliner of Tampa, Inc., as a dealership for the sale of Freightliner Trucks at 8211 Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after May 1, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner of Tampa, Inc. are: dealer operator: John Barker and Jim Niedringhaus, 1716 Chapel Tree

Circle #F, Brandon, Florida 33511; principal investor(s): FMDC, P. O. Box 2980, Portland, OR 97208. John Barker, 1716 Chapel Tree Circle #F, Brandon, Florida 33511. Jim Niedringhaus, 1804 Chapel Tree Circle #D, Brandon, Florida 33511.

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. Laura Konecny, Manager Distribution Finance Dealer Operations.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Fuso Truck of America, Inc., intends to allow the establishment of Palm Peterbilt-GMC Trucks, Inc., as a dealership for the sale of Mitsubishi Fuso FE, FG, FH, FK and FMM model vehicles, at 5750 Orange Avenue, Ft. Pierce (St. Lucie County), Florida 34947, on or after April 26, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Palm Peterbilt-GMC Trucks, Inc. are: dealer operator: David Weiger, 4611 S. W. Laurel Oak Terr., Palm City, Florida 34990; principal investor(s): Victor Weiger, 470 Bontona Avenue, Ft. Lauderdale, Florida 33301. David Weiger, 4611 SW Laurel Oak Terr., Palm City, Florida 34990. Deborah Demers, 7001 N. W. 7 Ct., Plantation, Florida 33317. Diane Thornhill, 5930 N. E. 14 Terr., Ft. Lauderdale, Florida 33334.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Deborah Mctyre, Supervisor, Dealer Administrator, Mitsubishi Fuso Truck of America, Inc., P. O. Box 464, 100 Center Square Road, Bridgeport, NJ 08014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors Corporation, intends to allow the establishment of Champion Chevrolet East, Inc., as a dealership for the sale of Chevrolet vehicles, at 1850 Capital Circle, N. E., Tallahassee (Leon County), Florida 32308, on or after April 1, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Champion Chevrolet, Inc. are: dealer operator: Larry, O. Strom, 3127 W. Tennessee Street, Tallahassee, Florida 32304; principal investor(s): Larry O. Strom, 3127 W. Tennessee Street, Tallahassee, Florida 32304. Harrell T. Revell, 3127 W. Tennessee Street, Tallahassee, Florida 32304. James L. Hewitt, 3127 W. Tennessee Street, Tallahassee, Florida 32304.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Cynthia M. Harrison, Dealer Contractual Manager, General Motors Corporation, 100 Renaissance Center, Detroit, MI 48265.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Motorrad of North America, intends to allow the establishment of West Volusia Cycle d/b/a West Volusia Cycle, as a dealership for the sale of motorcycles & scooters, at 1520 S. Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after April 22, 1999.

The name and address of the dealer operator(s) and principal investor(s) of West Volusia Cycle d/b/a West Volusia Cycle is Mr. William Chalk, 1520 S. Woodland Boulevard, Deland, Florida 32720.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Ray Campanile, Vice President/GM, Motorrad of North America, 4 Signal Avenue, Suite C, Ormond Beach, Florida 32174.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ducati North America, Inc., intends to allow the establishment of Intracoastal Motorcycles, Inc. d/b/a BMW Motorcycles of Daytona, as a dealership for the sale of Ducati motorcycles, at 118 East Fairview Avenue, Daytona Beach (Volusia County), Florida 32114, on or after May 27, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Intracoastal Motorcycles, Inc. d/b/a BMW Motorcycles of Daytona are: Douglas S. Widnall, Jr., and Daria Widnall, 7 Shawnee Trail, Ormond Beach, Florida 32174.

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: Donald S. Wood, Industry Compliance Manager, Ducati North America, Inc. 237 West Parkway, Pompton Plains, NJ 07444-1028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Saturn Distribution Corporation ("Saturn"), intends to allow the establishment of Saturn of Ft. Walton, as a dealership for the sale of Saturn vehicles, at 520 Mary Esther Boulevard, Mary Esther (Okaloosa County), Florida 32548, on or after July 1, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Saturn of Ft. Walton are: dealer operator: Joel B. Bullard, Jr., 1147 S. Beltline Highway,

Mobile, AL 36606; principal investor(s): Larry U. Sims, James M. Harrison and Stephen G. Crawford, 1147 S. Beltline Highway, Mobile, AL 36606.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: John F. Minarick, Manager, Retail Network Planning, Saturn Corporation, 100 Saturn Parkway, P. O. Box 1500, Spring Hill, TN 37174-1500.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

On April 27, 1999, Cynthia A. Henderson, Secretary of the Department of Business and Professional Regulation, issued an Order of Emergency Suspension of Licensure with regard to

the license of Michael William Johnson, Community Association Manager, license number CAM021345. Mr. Johnson's last known address is 625 Celia Bay Boulevard, Suite 8, Palmetto, Florida 34221. This Emergency Suspension Order was predicated upon the Secretary's finding of an immediate and serious danger to the public health, safety, and welfare pursuant to Sections 455.225(8) and 120.60(6), 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 ENVIRONMENTAL PROTECTION

**NOTICE OF AVAILABILITY
FLORIDA FINDING OF NO SIGNIFICANT IMPACT
CITY OF NEW SMYRNA BEACH
STORMWATER FACILITIES**

The Florida Department of Environmental Protection has determined that the proposed City of New Smyrna Beach's Stormwater Facilities will not have a significant adverse affect on the environment. The total project cost is estimated at \$3,673,100. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Mr. Troy Mullis, P. E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 20, 1999
and April 26, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

4-137.010	4/22/99	5/12/99	24/43	25/1
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DEPARTMENT OF EDUCATION

University of Florida

6C1-3.007	4/20/99	5/10/99	Newspaper	
6C1-3.009	4/20/99	5/10/99	Newspaper	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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PUBLIC SERVICE COMMISSION

25-12.005	4/23/99	5/13/99	25/7	
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GAME AND FRESH WATER FISH COMMISSION

39-9.004	4/23/99	5/13/99	25/6	25/13
39-14.002	4/23/99	5/13/99	25/6	25/13
39-15.005	4/23/99	5/13/99	25/6	25/13
39-15.061	4/23/99	7/1/99	25/6	25/13
39-15.062	4/23/99	7/1/99	25/6	25/13
39-15.065	4/23/99	7/1/99	25/6	25/13

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-4.150	4/22/99	5/12/99	25/4	
59G-4.160	4/22/99	5/12/99	25/4	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

60S-1.0045	4/20/99	5/10/99	24/50	25/10
60S-4.008	4/20/99	5/10/99	24/50	25/10

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

61G4-18.001	4/21/99	5/11/99	24/53	25/10
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Board of Pilot Commissioners

61G14-11.001	4/21/99	5/11/99	25/8	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Marine Resources

62R-5.900	4/20/99	5/10/99	25/4	25/11
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-9.001	4/23/99	5/13/99	25/4	25/12
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64B3-9.006	4/23/99	5/13/99	25/4	25/12
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Board of Physical Therapy Practice

64B17-6.0042	4/23/99	5/13/99	24/25	25/9
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64B17-6.0044	4/23/99	5/13/99	24/25	25/9
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Board of Podiatric Medicine

64B18-11.002	4/23/99	5/13/99	25/10	
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**Section XIV
List of Rules Affected**

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w – Signifies Withdrawal of Proposed Rule(s)
- c – Rule Challenge Filed
- v – Rule Declared Valid
- x – Rule Declared Invalid
- d – Rule Challenge Dismissed
- w – Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
				3E-301.002	25/15		
				3E-600.004	25/15		
				3E-600.008	25/15		
				3E-600.019	25/15		
				3F-5.0015	21/2c		
				3F-5.0016	21/2c		
				3F-6.003	25/9		
				3F-7.016	25/9		25/16
				3F-8.005		21/41	
					21/39c		
					22/51	23/9	
					INSURANCE		
				4-121.035	21/5c		
				4-127.001	25/15		
				4-127.002	25/15		
				4-127.003	25/15		
				4-137.001	25/2		25/12
1B-6.001	22/18			4-137.010	24/43	25/1	25/18
1T-1.001	25/15					25/12	25/18
				4-138.001	25/2		25/12
				4-138.002	23/33	24/18	
				4-138.005	24/52		25/12
2-11.001	21/30c			4-138.044	25/2		25/12
2-11.002	21/30c			4-141.020	20/11c		
2-11.003	21/30c				20/11c		
2-11.004	21/30c			4-141.021	20/11c		
2-11.006	21/30c				20/11c		
2-11.007	21/30c				20/11c		
				4-149	24/3c		
					24/3c		
					24/28c		
3A-68.005	20/40			4-149.001	23/45		
3C-1.022	21/25				24/46		
3C-560.106		23/30		4-149.002	23/45		
3C-560.607	23/12				24/46		
3D-30.0051	22/43c			4-149.003	23/45		
3D-30.0052	22/43c				24/46		
3D-30.0053	22/43c			4-149.004	23/45		
3D-30.0054	22/43c				24/46		
3D-30.0055	22/48c			4-149.005	23/45		
	23/20c				24/46		
	24/53			4-149.006	23/45		
3D-30.025	24/18		25/12w		24/46		
	25/12			4-149.007	23/45		
3D-30.026	24/18		25/12w		24/46		
	25/12			4-149.008	23/45		
3D-40.099	22/29c				24/46		
3D-40.100	22/29c			4-149.009	23/45		
3D-40.101	22/29c				24/46		
3D-40.105	22/29c			4-149.010	23/45		
3D-40.106	22/29c				24/46		
3D-40.201	22/29c			4-149.020	23/45		
3D-40.202	22/29c				24/46		
3D-40.210	22/29c						
3D-40.290	22/29c						
3E-200.001(7)(a)(b)	20/8c						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.021	20/49c 23/45 24/46			4-149.105	23/45 24/3c 24/3c 24/46	24/31	
4-149.022	23/45 24/46			4-149.106	23/45 24/3c 24/3c 24/46	24/31	
4-149.023	23/45 24/46			4-149.107	23/45 24/3c 24/3c 24/46	24/31	
4-149.024	23/45 24/46			4-149.108	23/45 24/3c 24/3c 24/46	24/31	
4-149.030	23/45 24/46			4-149.109	23/45 24/3c 24/3c 24/46	24/31	
4-149.031	23/45 24/46			4-149.110	23/45 24/3c 24/3c 24/46	24/31	
4-149.032	23/45 24/46			4-149.1105	23/45 24/3c 24/3c 24/46	24/31	
4-149.033	23/45 24/46			4-149.111	23/45 24/3c 24/3c 24/46	24/31	
4-149.034	23/45 24/46			4-149.112	23/45 24/3c 24/3c 24/46	24/31	
4-149.035	23/45 24/46			4-149.113	23/45 24/3c 24/3c 24/46	24/31	
4-149.037	23/45 24/46			4-149.114	23/45 24/3c 24/3c 24/46	24/31	
4-149.038	23/45 24/46			4-149.115	23/45 24/3c 24/3c 24/46	24/31	
4-149.039	23/45 24/46			4-149.116	23/45 24/3c 24/3c 24/46	24/31	
4-149.040	23/45 24/46			4-149.117	23/45 24/3c 24/3c 24/46	24/31	
4-149.041	23/45 24/46			4-149.118	23/45 24/3c 24/3c 24/46	24/31	
4-149.043	23/45 24/46			4-149.119	23/45 24/3c 24/3c 24/46	24/31	
4-149.051	23/45 24/46			4-149.120	23/45 24/3c 24/3c 24/46	24/31	
4-149.052	23/45 24/46			4-149.121	23/45 24/3c 24/3c 24/46	24/31	
4-149.053	23/45 24/46			4-149.122	23/45 24/3c 24/3c 24/46	24/31	
4-149.101	23/45 24/3c 24/3c 24/46	24/31					
4-149.102	23/45 24/3c 24/3c 24/46	24/31					
4-149.103	23/45 24/3c 24/3c 24/46	24/31					
4-149.104	23/45 24/3c 24/3c 24/46	24/31					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.123	23/45 24/3c 24/3c 24/46	24/31		4-150.114		22/10 25/8	
4-149.124	24/3c			4-150.114(1)	24/40c		
4-149.125	24/3c			4-150.117		22/10	
4-149.126	24/3c			4-150.118	24/30		
4-149.127	24/3c			4-150.119	20/43	21/38 22/10	
4-149.128	24/3c				24/30		
4-149.129	24/3c			4-150.120	24/30		
4-149.130	23/45 24/3c 24/3c 24/46	24/31		4-150.202	24/30	25/8	
				4-150.203	24/30	25/8	
				4-150.205	24/30		
				4-150.213	24/30	25/8	
				4-150.215	24/30		
4-149.131	23/45 24/3c 24/3c 24/46	24/31		4-150.216	24/30		
				4-150.217	24/30		
				4-150.218	24/30		
				4-154.101	24/45		
4-149.132	23/45 24/3c 24/3c 24/46	24/31		4-154.102	24/45		
				4-154.104	24/45		
				4-154.106	24/52		25/11
				4-154.108	24/45		
4-149.1325	24/20	24/20		4-154.109	24/45		
4-149.133	23/45 24/3c 24/3c 24/46	24/31		4-154.110	24/45		
				4-154.111	24/45		
				4-154.112	24/45		
				4-154.113	24/45		
4-149.150	23/45	24/31		4-154.114	23/52c		
4-149.151	23/45 24/46	24/31		4-154.115	24/45		
				4-154.116	24/45		
4-149.152	23/45	24/20 24/31		4-154.201	24/41		25/14
				4-154.202		25/7	25/14
	24/46			4-154.203	24/41	25/1	25/14
4-149.190	23/45 24/3c 24/46			4-154.204		25/7	25/14
				4-154.205	24/41		25/14
				4-154.206	24/41		25/14
4-150.002	24/30	25/8		4-154.210	24/41		25/14
4-150.003	24/30	25/8		4-154.410	23/52c		
4-150.005	24/30	25/8		4-154.512	23/52c		
4-150.006	24/30			4-154.520	24/3c		
4-150.013	24/30	25/8			24/49	25/8	
4-150.016	24/30	25/8			25/5c		
4-150.016(4)	24/40c				25/5c		
4-150.017	24/30				25/5c		
4-150.018	24/30			4-156.003	25/16		
4-150.019	24/30			4-156.007	25/16		
4-150.102	24/30	25/8		4-156.008	25/16		
4-150.102(2)(a)	24/40c			4-156.009	25/16		
4-150.103		22/10		4-156.0095	25/16		
	24/30	25/8		4-156.011	25/16		
4-150.105		22/10		4-156.014	25/16		
	24/30	25/8		4-157.001	23/10	23/42	
4-150.106		22/10		4-157.002	23/10	23/42	
	24/30	25/8		4-157.002(2)	23/19c		
4-150.107		22/10		4-157.004	23/10	23/42	
				4-157.004(2)(b)	23/19c		

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4-157.004(4)	23/19c			4-196.002	20/43c		
4-157.017	23/10	23/42			20/43c		
4-157.022	23/10	23/42			20/43c		
4-157.022(1)(b)	23/19c				20/49c		
4-157.022(1),				4-196.003	20/43c		
(2)(c),(4)	23/52c				20/43c		
4-157.022(2)	23/19c				20/49c		
4-157.022(3)	23/19c				25/13		
4-157.022(4)	23/19c			4-196.004	20/43c		
4-157.022(5)	23/19c			4-196.005	20/43c		
4-157.023	23/10	23/42			25/13		
4-157.023(1)(b)	23/52c			4-196.006	20/43c		
4-162.005	25/15				20/49c		
4-162.007	25/15			4-196.007	20/43c		
4-170.016	22/36c				20/49c		
4-170.0165	22/36c				25/13		
4-171.003	24/41	25/17		4-196.008	20/43c		
4-171.005	24/41	25/17		4-196.009	20/43c		
4-171.006	24/41	25/17			20/49c		
4-175.011	20/8c			4-196.009(2)	20/43c		
	20/20c			4-196.010	20/43c		
4-175.013	21/5c				20/43c		
4-190.030	24/44	24/51			20/49c		
4-190.031	24/44			4-196.011	20/43c		
4-190.035	24/44			4-196.012	20/43c		
4-190.036	24/44			4-196.013	20/43c		
4-190.037	24/44			4-196.014	20/43c		
4-190.038	24/44			4-196.015	20/43c		
4-190.039	24/44				25/13		
4-190.056	24/44			4-196.016	20/43c		
4-190.057	24/44			4-196.017	20/43c		
4-190.058	24/44			4-196.018	20/43c		
4-190.059	24/44			4-196.019	20/43c		
4-190.0591	24/44			4-196.020	20/43c		
4-190.060	24/44				25/13		
4-190.061	24/44			4-196.021	20/43c		
4-190.062	24/44			4-196.022	20/43c		
4-190.063	24/44			4-196.023	20/43c		
4-190.064	24/44			4-196.024	20/43c		
4-190.065	24/44				20/43c		
4-190.066	24/44	24/51			20/43c		
4-190.067	24/44				20/43c		
4-190.068	24/44			4-196.025	20/43c		
4-190.069	24/44			4-196.026	20/43c		
4-190.071	24/44			4-196.027	20/43c		
4-190.072	24/44			4-196.028	20/43c		
4-190.073	24/44				20/43c		
4-190.074	24/44				20/43c		
4-192.023	18/17c				20/49c		
4-192.038	18/17c			4-196.029	20/43c		
4-192.053	18/17c			4-196.030	20/43c		
4-192.058	18/17c				20/43c		
4-196.001	20/43c				20/49c		
	20/43c			4-196.030(5),			
	20/49c			(8)(b)(d)(e)	20/43c		

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4-196.031	20/43c			4-223.006	18/31c		
4-196.032	20/43c				18/31c		
4-196.033	20/43c				18/31c		
4-196.034	20/43c				18/31c		
4-196.035	20/43c				18/31c		
	20/49c				18/31c		
4-196.036	20/43c				18/31c		
4-196.037	20/43c			4-223.006(2)(d)	18/31c		
4-196.038	20/43c			4-223.007	18/31c		
4-196.039	20/43c				18/31c		
4-196.040	20/43c				18/31c		
	20/49c				18/31c		
4-211.002	24/40	25/14			18/31c		
4-213.050	19/30c				18/31c		
4-213.080	19/30c			4-223.008	18/31c		
4-213.090	19/30c				18/31c		
4-213.100	19/30c				18/31c		
4-213.120	19/30c				18/31c		
4-223.001	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.009	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.002	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.010	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.003	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.011	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
4-223.004	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.011(4)(a)3.	18/31c		
	18/31c			4-223.038	21/35		
	18/31c			4-224.002	23/33c		
	18/31c			4-224.004	23/33c		
	18/31c				23/33c		
4-223.005	18/31c				23/33c		
	18/31c			4-224.012	23/33c		
	18/31c				23/33c		
	18/31c				23/33c		
	18/31c			4-224.013	23/33c		
	18/31c				23/33c		
4-223.005(1)(g)	18/31c				23/33c		

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4-224.014	23/33c			5F-11.002	24/53	25/14	
	23/33c			5F-11.004	24/53	25/14	
	23/33c			5F-11.028	24/53	25/14	
4-228.180	19/51	20/13		5H-1.001	22/11c		
4A-45.001	25/1		25/14		22/11c		
4A-45.004	25/1		25/14		22/11c		
4A-45.006	25/1		25/14		22/12c		
4A-45.007	25/1		25/14		22/12c		
4A-45.008	25/1		25/14		22/12c		
4A-45.009	25/1		25/14	5H-12.001	21/10		
4A-45.010	25/1		25/14	5I-3.004	21/11		
4A-45.011	25/1		25/14	5I-4.008	20/47		
4A-45.012	25/1		25/14	5I-4.009	20/47		
4A-45.013	25/1		25/14	5I-4.010	20/47		
4A-45.014	25/1		25/14	5J-3.005	19/48		
4A-45.015	25/1		25/14	5J-3.006	19/48		
4A-45.016	25/1		25/14	5J-9.006	19/26		
4A-45.017	25/1		25/14	5J-12.005	25/2		25/16w
4A-53.001	16/25			5J-13.004	25/18		
4A-53.002	16/25			5K-4.010	25/18		
4A-53.003	16/25						
4A-53.004	16/25						
4C-2.004	24/45	25/5	25/13				
4C-2.009	24/45		25/13	6A-1.0011	20/34		
4C-2.0095	24/45	25/5	25/13	6A-1.043	24/53		25/10
4C-2.022	24/45		25/13	6A-1.04512	25/7		25/17
4C-2.023	24/45		25/13	6A-1.0761	24/17		
4C-2.026	24/45	25/5	25/13	6A-1.09411	24/53		25/10
4C-2.032	24/45		25/13	6A-1.09412	25/7		25/17
4J-1.021	20/30c			6A-1.09441	25/7		25/17
	20/30c			6A-1.095	24/53		25/10
	20/30c			6A-1.0951	24/53		25/10
4J-1.022	25/6		25/13	6A-1.0953	24/53		25/10
4J-2.002	20/30c			6A-1.09532	24/53		25/10
	20/30c			6A-3.075	20/38		
4J-5.006	20/15c			6A-4.0006(2)(b), (3)(c)	23/4c		
				6A-4.006(2)(b), (3)(c)	24/28c		
					25/5c		
				6A-4.0161	24/17		
				6A-4.01761	24/28c		
					25/5c		
				6A-6.03012(5)(6)	25/5c		
5B-57.007	25/15			6A-6.03030	19/40		
5C-3.002	21/7			6A-6.03031	19/40		
5C-3.003	21/7			6A-6.080	16/30		
5C-3.004	21/7			6A-7.0321	20/34		
5C-3.005	21/7			6A-7.065	24/53		25/10
5C-3.008	21/7			6A-7.075	24/53		25/10
5C-3.013	21/7			6A-7.097	24/53		25/10
5C-3.014	21/7			6A-10.013	24/53		25/10
5C-3.015	21/7			6A-10.020	24/53		25/10
5C-24.001	25/18			6A-10.021	24/53		25/10
5C-24.002	25/18			6A-10.0243	19/36	19/42	
5C-24.003	25/18			6A-10.037	24/53		25/10
5D-1.003	21/38						
5D-1.0061	21/13						
5E-9.021	25/12						
5E-9.024	25/12						
5E-9.029	25/12						

AGRICULTURE AND CONSUMER SERVICES

EDUCATION

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6A-10.060	25/18			6C8-3.012	Newspaper		25/13
6A-14.072	25/10			6C8-4.021	Newspaper		25/13
6A-16.004	24/53		25/10	6C8-7.001	Newspaper		25/13
6A-16.006	19/36	19/42		6C8-7.002	Newspaper		25/13
6A-16.008	19/36	19/42		6C8-7.003	Newspaper		25/13
6A-16.009	19/36	19/42		6C8-7.004	Newspaper		25/13
6A-16.016	19/36	19/42		6C8-7.005	Newspaper		25/13
6B-4.006	25/18			6C8-7.006	Newspaper		25/13
6B-4.007	25/18			6C8-7.007	Newspaper		25/13
6B-4.008	25/18			6C8-7.008	Newspaper		25/13
6C-5.910	25/17			6C8-7.009	Newspaper		25/13
6C-5.915	25/17			6C8-7.010	Newspaper		25/13
6C-5.920	25/17			6C8-7.011	Newspaper		25/13
6C-5.925	25/17			6C8-7.012	Newspaper		25/13
6C-5.935	25/17			6C8-7.014	Newspaper		25/13
6C-5.940	25/17			6C8-7.015	Newspaper		25/13
6C-5.945	25/17			6C8-7.017	Newspaper		25/13
6C-5.950	25/17			6C8-7.018	Newspaper		25/13
6C-5.955	25/17			6C8-7.019	Newspaper		25/13
6C-7.001	25/17			6C8-7.020	Newspaper		25/13
6C-8.007	21/33			6C8-7.023	Newspaper		25/13
6C-14.005	24/43			6C8-7.024	Newspaper		25/13
6C1-3.007	Newspaper		25/18	6C8-7.0241	Newspaper		25/13
6C1-3.009	Newspaper		25/18	6C8-7.025	Newspaper		25/13
6C2-5.0021	20/47c			6C8-7.026	Newspaper		25/13
6C3-4.008	Newspaper		25/11	6C8-7.027	Newspaper		25/13
6C4-6.0021	Newspaper		25/13	6D-3.003	21/35		
6C7-1.001	Newspaper		25/11	6D-5.003	25/17		
6C7-1.002	Newspaper		25/11	6D-13.001	24/33		
6C7-1.003	Newspaper		25/11	6E-1.003	24/42		
6C7-1.004	Newspaper		25/11	6E-1.0031	24/42		
6C7-1.006	Newspaper		25/11	6E-1.0032	24/42		
6C7-1.007	Newspaper		25/11	6E-1.0034	24/42		
6C7-1.008	Newspaper		25/11	6E-1.0035	24/42		
6C7-1.009	Newspaper		25/11	6E-1.0045	24/42		
6C7-1.010	Newspaper		25/11	6E-2.008	24/42		
6C7-1.0111	Newspaper		25/11	6H-1.004	15/41		
6C7-1.012	Newspaper		25/11	6H-1.015	25/4		25/12w
6C7-3.0011	Newspaper		25/15	6H-1.021	24/32		
6C7-3.005	Newspaper		25/15	6H-1.031	24/32		
6C7-3.0125	Newspaper		25/15				
6C7-3.0141	Newspaper		25/11				
6C7-3.0201	Newspaper		25/15				
6C7-3.0202	Newspaper		25/15	9BER99-1			25/15
6C7-3.022	Newspaper		25/11	9BER99-2			25/17
6C7-3.025	Newspaper		25/15	9B-43.003	25/5	25/14	
6C7-3.0263	Newspaper		25/15			25/18	
6C7-3.027	Newspaper		25/15	9B-43.004	25/5	25/14	
6C7-3.028	Newspaper		25/15			25/18	
6C7-3.029	Newspaper		25/15	9B-43.005	21/7c		
6C7-3.031	Newspaper		25/15	9B-43.006	25/5	25/14	
6C7-4.002	Newspaper		25/11			25/18	
6C7-5.014	Newspaper		25/11	9B-43.007	25/5	25/14	
6C7-6.001	Newspaper		25/11	9B-43.009	25/5	25/14	
6C7-6.004	Newspaper		25/11	9B-43.011	21/43	22/46	
6C8-3.005	Newspaper		25/13				

COMMUNITY AFFAIRS

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9B-43.014	22/38 25/5	25/14		9J-5.0053	24/33	24/49 25/2	25/10 25/10
9B-50.003	24/51		25/10	9J-5.0055	18/40		25/10
9B-50.004	24/51		25/10	9J-5.006	24/33	19/19	25/10
9B-50.022	24/51		25/10		24/33		25/10
9I-29.001	18/49			9J-5.011		19/20 19/25	25/10 25/10
9I-29.0085	18/49				24/33		25/10
9I-29.0086	18/49			9J-5.015	24/33		25/10
9I-31.005	16/35			9J-5.019	24/33		25/10
9I-31.011	16/35			9J-5.022	24/33	24/49	25/10
9I-34.009	19/22	19/29			24/33	25/2	25/10
9I-35.006	19/31	19/43		9J-5.023	24/33	24/49	25/10
9I-38.002	23/46	24/7		9J-5.024	24/33	24/49	25/10
9I-38.0025	23/46	24/7			24/33	25/2	25/10
9I-38.003	23/46	24/7		9J-8.004	22/39		
9I-38.004	23/46	24/7		9J-8.006	22/39		
9I-38.005	23/46	24/7		9J-9.004	23/12		25/10w
9I-38.006	23/46	24/7		9J-9.006	19/6		25/10w
9I-38.007	23/46	24/7		9J-9.010	20/16		25/10w
9I-38.008	23/46	24/7		9J-9.011	21/31		25/10w
9I-38.009	23/46	24/7			21/39c		
9I-38.010	23/46	24/7		9J-9.012	21/31		25/18w
9I-38.011	23/46	24/7			21/39c		
9I-38.012	23/46	24/7		9J-11.004	24/45	25/7	25/13
9I-38.013	23/46	24/7		9J-11.006	24/45	25/7	25/13
9I-38.014	23/46	24/7		9J-11.008	24/45	25/7	25/13
9I-38.0145	23/46	24/7		9J-11.009	24/45	25/7	25/13
9I-38.015	23/46	24/7		9J-11.010	24/45	25/7	25/13
9I-38.016	23/46	24/7		9J-11.011	24/45	25/7	25/13
9I-38.065	23/46	24/7		9J-11.012	24/45	25/7	25/13
9I-44.001	23/47	24/7		9J-11.0131	24/45	25/7	25/13
9I-44.002	23/47	24/7		9J-11.015	24/45	25/7	25/13
9I-44.003	23/47	24/7		9J-11.018	24/45	25/7	25/13
9I-44.004	23/47	24/7		9J-11.019	24/45	25/7	25/13
9I-44.005	23/47	24/7		9J-11.021	24/45	25/7	25/13
9I-44.006	23/47	24/7		9J-14.017	19/44c		
9I-44.007	23/47	24/7		9J-14.027	21/13	22/42	
9I-44.008	23/47	24/7		9J-33.003	25/2		25/11
9I-44.009	23/47	24/7		9J-33.004	25/2		25/11
9I-44.010	23/47	24/7		9J-33.005	25/2		25/11
9I-44.011	23/47	24/7		9J-41.003	20/47		
9I-45.006	21/17			9M-1.002	24/51		
9I-47.035	23/25			9M-1.003	24/51		
9J-5.001	24/33		25/10	9M-1.004	24/51		
9J-5.003		18/48 18/51 19/19 19/19 19/20 19/49	25/10 25/10 25/10 25/10 25/10	9M-1.0045	24/51		
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9J-5.005		19/20 19/25	25/10 25/10	9M-1.009	24/51		
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11-3.006	25/14			11B-18.0052	25/14		
11-3.007	25/14			11B-18.007	25/14		
11-3.008	25/14			11B-18.0071	25/14		
11-3.009	25/14			11B-18.008	25/14		
11-3.010	25/14			11B-18.009	25/14		
11-3.011	25/14			11B-20.001	25/14		
11-3.012	25/14			11B-20.0012	25/14		
11-3.013	25/14			11B-21.001	25/14		
11-3.014	25/14			11B-21.002	25/14		
11-3.015	25/14			11B-21.004	25/14		
11-4.001	25/14			11B-21.005	25/14		
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11-4.003	25/14			11B-21.017	25/14		
11-4.004	25/14			11B-21.018	25/14		
11-5.001	25/14			11B-27.0011	25/14		
11-5.002	25/14			11B-27.002	25/14		
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11-6.008	25/14			11B-27.005	25/14		
11-6.009	25/14			11B-27.007	25/14		
11-6.010	25/14			11B-27.010	25/14		
11-6.011	25/14			11B-27.011	25/14		
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11A-1.002	25/14			11B-30.0045	25/14		
11A-1.003	25/14			11B-30.006	25/14		
11A-1.004	25/14			11B-30.007	25/14		
11A-1.005	25/14			11B-30.008	25/14		
11A-1.006	25/14			11B-30.009	25/14		
11A-6.001	25/14			11B-30.010	25/14		
11A-6.0011	25/14			11B-30.011	25/14		
11A-6.004	25/14			11B-30.012	25/14		
11A-6.005	25/14			11B-30.013	25/14		
11A-6.006	25/14			11B-30.014	19/40		
11A-6.007	25/14			11B-34.001	25/14		
11A-6.008	25/14			11B-34.002	25/14		
11A-6.009	25/14			11B-34.003	25/14		
11A-6.010	25/14			11B-34.004	25/14		
11A-6.011	25/14			11B-34.005	25/14		
11A-6.014	25/14			11B-34.006	25/14		
11A-6.015	25/14			11B-34.007	25/14		
11B-14.001	25/14			11B-34.008	25/14		
11B-14.002	25/14			11B-34.009	25/14		
11B-14.003	25/14			11B-34.010	25/14		
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11B-35.0024	25/14			11E-1.003	25/14		
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11B-35.004	25/14			11E-6.002	25/14		
11B-35.005	25/14			11F-7.001	25/14		
11B-35.006	25/14			11F-7.002	25/14		
11B-35.007	25/14			11F-8.001	25/14		
11B-35.008	25/14			11F-8.002	25/14		
11B-35.0085	25/14			11F-9.001	25/14		
11B-35.009	25/14			11F-9.002	25/14		
11B-35.010	25/14			11F-10.001	25/14		
11C-1.001	25/14			11F-10.002	25/14		
11C-1.002	25/14			11G-1.001	25/14		
11C-1.003	25/14			11G-1.003	25/14		
11C-2.001	25/14			11G-1.004	25/14		
11C-2.002	25/14			11G-2.001	25/14		
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11C-3.002	25/14			11I-1.002	25/14		
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11C-4.002	25/14			11I-1.004	25/14		
11C-4.003	25/14			11I-1.005	25/14		
11C-4.004	25/14			11I-1.006	25/14		
11C-4.005	25/14			11I-1.007	25/14		
11C-4.006	25/14			11I-1.008	25/14		
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11C-4.007	25/14			11I-1.011	25/14		
11C-4.008	25/14			11I-1.014	25/14		
11C-5.001	25/14			11I-2.001	25/14		
11C-5.002	25/14			11I-2.002	25/14		
11C-6.001	25/14			11I-2.003	25/14		
11C-6.002	25/14			11I-2.004	25/14		
11C-6.003	25/14			11I-3.001	25/14		
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11C-6.005	25/14			11I-3.003	25/14		
11C-6.006	25/14			11J-1.001	25/14		
11C-6.007	25/14			11J-1.002	25/14		
11C-6.008	25/14			11J-1.003	25/14		
11C-6.009	25/14			11J-1.004	25/14		
11C-7.005	25/14			11J-1.005	25/14		
11C-7.006	25/14			11J-1.006	25/14		
11C-7.007	25/14			11J-1.007	25/14		
11C-8.001	25/14			11J-1.008	25/14		
11C-9.001	25/14			11J-1.009	25/14		
11C-9.002	25/14			11J-1.010	25/14		
11C-9.003	25/14			11J-1.011	25/14		
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11D-2.002	25/14			11M-1.002	25/14		
11D-2.003	25/14			11M-1.003	25/14		
11D-6.001	25/14			11M-1.004	25/14		
11D-6.002	25/14			11M-2.001	25/14		
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11M-4.002	25/14			12D-13.057	25/13		
11M-4.003	25/14			12E-1.007	25/17		
				12E-1.010	25/17		
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12-18.001	24/50			14ER99-1			25/2
12-18.002	24/50			14-12.021	25/15		
12-18.003	24/50			14-14.004	19/40		
12-18.004	24/50			14-15.0081	21/43		
12-18.005	24/50					22/14	25/16
12-18.006	24/50				25/3		25/16
12-18.008	24/50				25/13		
12-21.050	24/50		25/12	14-17.011	17/49	17/50	
12-21.201	24/50		25/12	14-26.009	24/29	24/32	
12-21.203	24/50		25/12	14-40	24/19c		
12-21.204	24/50		25/12	14-43.001	23/20	24/25	25/12w
12-21.205	24/50		25/12		25/12	25/13	
12-21.206	24/50		25/12	14-46.001	22/25c		
12-21.207	24/50		25/12		22/39c		
12-25.009	25/13				25/2		
12-26.009	21/6c			14-46.0011	25/2		
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12A-1.001(3)	20/43c			14-60.011	20/12		
12A-1.001(3)(g)	20/43c			14-63.011	25/7	25/18	
12A-1.0091	25/13			14-78.007	25/12		25/18w
12A-1.043	25/18			14-78.0071	25/12		25/18w
12A-1.044	25/13			14-78.008	25/12		25/18w
12A-1.051	25/18			14-84.0011	25/12		
12A-1.055	19/43			14-85.004	25/6	25/14	
12A-1.061	25/13			14-96	21/2c		
12A-1.064	25/13			14-96.0011	25/7		
12A-1.070	20/17c			14-96.007	25/7	25/16	
12A-1.096	25/13			14-96.011	25/7	25/16	
12A-1.097	25/13			14-96.012	25/7	25/16	
12A-1.098	25/13			14B-1.001	25/6		
12B-4.052	25/13			14B-1.002	25/6		
12B-4.053	25/13			14B-1.003	25/6		
12B-4.054	25/13			14B-1.004	25/6		
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12B-8	23/8c			14B-1.007	25/6		
12B-8.001	19/39c			HIGHWAY SAFETY AND MOTOR VEHICLES			
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	19/39c			15A-8.0081	21/43	22/7	
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12B-8.003	23/7c			15A-10	22/2c		
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12B-8.016	23/7c			15A-10.005(1)	22/2c		
12B-8.016(3)				15A-10.017	19/43		
(a)6.f.	23/8c			15A-10.027(8)	22/2c		
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	19/50c						

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	25/11			25-6.0438	24/53		
19-8.027	25/11			25-6.049	25/7		
19-8.029	25/11			25-6.093	24/46	25/8	25/14
19B-4.001	25/14			25-12.005	25/7		25/18
19B-4.003	25/14			25-14.003	15/52		
19B-5.003	25/14			25-17.015	25/7		25/17
19B-6.001	22/13			25-17.087	24/53		
19B-8.001	25/4		25/11	25-21.001	25/9		25/16
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20-2.005	24/45	24/53	25/18w	25-21.003	25/9		25/16
20-34.007	21/24			25-21.004	25/9		25/16
20-35.005	21/24			25-21.005	25/9		25/16
	25/9		25/18w	25-21.006	25/9		25/16
20-39.014	22/20			25-21.007	25/9		25/16
20-42.001	18/20			25-21.020	25/9		25/16
20-64.024	20/29c			25-21.021	25/9		25/16
20-94.006	15/41	15/48		25-21.022	18/24		
20-104.001	21/32			25-21.023	25/9		25/16
20-104.002	21/32			25-21.024	25/9		25/16
20-111.0021	25/5			25-21.026	25/9		25/16
PROFESSIONAL REGULATION				25-21.027	25/9		25/16
21-6.017	17/45			25-21.028	25/9		25/16
21-12.025	21/31			25-21.028	25/9		25/16
21-15.009	12/45			25-21.0301	25/9		25/16
21-17.001	15/47			25-21.031	25/9		25/16
21B-11.0017	19/31c			25-21.032	25/9		25/16
	19/31c			25-21.033	25/9		25/16
21G-17.011	18/43c			25-21.040	25/9		25/16
21M-49.002	19/6c			25-21.041	25/9		25/16
21M-50.002	19/6c			25-21.042	25/9		25/16
21M-50.003	19/6c			25-21.043	25/9		25/16
21M-50.007	18/53	20/24		25-22.001	25/9		25/17
	19/6c			25-22.002	25/9		25/17
21M-50.009	19/6c			25-22.003	25/9		25/17
21P-16.003	18/14			25-22.004	25/9		25/17
FLORIDA PAROLE COMMISSION				25-22.005	25/9		25/17
23-15.050	24/31		25/14w	25-22.008	25/9		25/17
23-21.023	25/1		25/16	25-22.012	25/9		25/17
23-23.011	20/8			25-22.013	25/9		25/17
PUBLIC SERVICE COMMISSION				25-22.014	25/9		25/17
25-4.005	25/12			25-22.015	25/9		25/17
25-4.141	24/53			25-22.016	25/9		25/17
25-4.202	24/53			25-22.017	25/9		25/17
25-4.300	25/13			25-22.018	25/9		25/17
25-4.301	25/13			25-22.020	25/9		25/17
25-4.302	25/13			25-22.021	25/9		25/17
25-6.002	24/53			25-22.022	25/9		25/17
				25-22.025	25/9		25/17
				25-22.026	25/9		25/17
				25-22.028	25/9		25/17
				25-22.029	25/9		25/17
				25-22.034	25/9		25/17
				25-22.035	25/9		25/17

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25-22.036	25/9		25/17	29D-4.001	25/15		
25-22.037	25/9		25/17	29F-1.004	24/45		25/16
25-22.0375	25/9		25/17	29F-1.0042	24/45	25/5	25/16
25-22.038	25/9		25/17	29F-1.005	24/45		
25-22.0405	25/9		25/17	29F-1.104	24/45		25/16
25-22.0406	25/9		25/17	29F-1.1042	24/45		25/16
25-22.0407	25/9		25/17	29F-1.105	24/49	25/10	
25-22.041	25/9		25/17	LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT			
25-22.042	25/9		25/17				
25-22.045	25/9		25/17	31-10.005	25/17		
25-22.046	25/9		25/17	31-10.007	25/17		
25-22.048	25/9		25/17	31-16	20/8c		
25-22.049	25/9		25/17		20/8c		
25-22.056	25/9		25/17		20/8c		
25-22.059	25/9		25/17	CORRECTIONS			
25-24.555	24/53						
25-24.835	25/17						
25-30.010	24/53			33-2.001	23/25		
25-30.011	24/53			33-3.002	25/7	25/13	
25-30.060	22/38			33-3.004(3)(d)	24/8c		
25-30.420	24/24	25/8	25/14		24/8c		
25-30.425	24/24	25/8	25/14		24/8c		
25-30.431	22/31	23/27		33-3.004(3)(d),(15)	24/7c		
25-30.436	24/53			33-3.005(8)(b)	24/7c		
25-30.450	24/53			33-3.0051	24/18		
25-30.455	24/53			33-3.0084	25/2		25/11
25-30.456	24/53			33-3.015	21/43		
25-30.570	24/53			33-3.018	17/14		
25-30.580	24/53			33-4.016	24/50	25/2	25/11
25-40.001	25/9		25/16	33-5.001	22/23c		
EXECUTIVE OFFICE OF THE GOVERNOR				33-5.002	22/23c		
27E-4.001	20/11			33-5.003	22/23c		
27E-4.002	20/11			33-5.004	22/23c		
27E-4.003	20/11			33-5.005	22/23c		
27E-4.004	20/11			33-5.006	22/23c		
27E-4.005	20/11			33-5.007	22/23c		
27E-4.006	20/11			33-5.008	22/23c		
27E-4.007	20/11				24/18		
27E-4.008	20/11			33-5.009	22/23c		
ADMINISTRATION COMMISSION				33-5.0091	25/2		25/11
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28-20.100	25/18			33-5.011	22/23c		
28-24.029	19/40	19/43			22/23c		
28-24.030	19/40	19/43		33-5.012	22/23c		
28-24.031	19/40	19/43		33-5.013	22/23c		
28-24.032	19/40	19/43		33-5.014	22/23c		
28-24.036	19/40	19/43		33-6.005	23/34		
28-24.037	19/40			33-6.006	24/18		
REGIONAL PLANNING COUNCILS				33-7.006	25/3	25/9	25/16
29D-3.0002	25/15			33-8.0142	19/43		
				33-11.0065	24/18		
				33-15.001	22/23c		
				33-15.002	22/23c		

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33-15.004	22/23c			38J-1.006	23/46		
33-22.003	17/12				23/46c		
33-22.009	17/12			38J-1.006(2)	24/10c		
33-22.011	17/12			38J-1.007	23/46		
33-24.011	25/3		25/16		23/46c		
33-25.031	20/11c			38J-1.007(1)	24/10c		
33-32.021	19/5			38K-1.0045	23/27		
33-32.022	19/5						

GAME AND FRESH WATER FISH COMMISSION

COMMISSION ON ETHICS

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LABOR AND EMPLOYMENT SECURITY

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38F-6.008	24/47	25/4	
38F-6.009	24/47	25/4	
38F-6.012	24/47	25/4	
38F-6.014	24/47	25/4	
38F-6.015	24/47	25/4	
38F-7.501	25/9		
38F-8.055	22/4		
38H-11.005	25/1		25/12
38H-14.010	25/1		25/12
38H-14.011	25/1		25/12
38I-60.200	20/7		
38J-1.002	23/46		
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38J-1.002(7),(8),(9)	24/10c		
38J-1.003	23/46		
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38J-1.003(2)	24/10c		
38J-1.004	23/46		
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38J-1.004(1)	24/10c		
38J-1.005	23/46		
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38J-1.005(1)(b), (3)(a)(d)	24/10c		

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39-4.007	25/15		
39-5.005	25/15		
39-9.004	25/6	25/13	25/18
39-9.007	25/6		25/14
39-12.010	25/15		
39-13.003	25/15		
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39-14.002	25/6	25/13	25/18
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39-14.003	25/15		
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39-14.006	25/15		
39-14.007	25/15		
39-14.008	25/15		
39-14.009	25/15		
39-15.004	25/6		25/14
39-15.005	25/6	25/13	25/18
	25/15		
39-15.061	25/6	25/13	25/18
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39-15.062	25/6	25/13	25/18
39-15.063		23/42	
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	25/15		
39-15.064	25/6		25/14
39-15.065	25/6	25/13	25/18
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39-25.004	19/48c			40B-3.902	24/52	25/8	
39-25.031	20/11c			40B-4	20/26c		
39-25.047	25/6		25/14		20/26c		
39-25.052	25/6		25/14	40B-400	20/26c		
39-27.001	25/15				20/26c		
39-27.002	25/15			40C-1	20/26c		
39-27.0021	25/15				20/26c		
39-27.003	25/15				21/47c		
39-27.004	25/15			40C-1.181	20/18		
39-27.005	19/33c			40C-2	21/47c		
	19/33c			40C-2.101	25/5c		
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39-27.005(26)(27)	19/33c				20/26c		
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				40C-4.051	24/52		
				40C-4.091	24/52	25/8	
				40C-6	20/26c		
40B-1	20/26c				20/26c		
	20/26c			40C-20	21/47c		
40B-1.706	24/52			40C-22	21/47c		
40B-1.901	24/52			40C-40	20/26c		
40B-3.011	24/52	25/8			20/26c		
		25/18		40C-41.011	23/12c		
40B-3.021	24/52	25/8			23/12c		
40B-3.032	24/52	25/8		40C-41.023	23/12c		
40B-3.035	24/52	25/8			23/12c		
		25/18		40C-41.033	23/12c		
40B-3.037	24/52	25/8			23/12c		
		25/18		40C-41.043	23/12c		
40B-3.038	24/52	25/8			23/12c		
40B-3.039	24/52	25/8		40C-41.051	23/12c		
40B-3.0391	24/52	25/8			23/12c		
40B-3.040	24/52	25/8		40C-41.063	23/12c		
40B-3.041	24/52	25/8			23/12c		
40B-3.051	24/52	25/8		40C-42	20/26c		
40B-3.0511	24/52	25/8			20/26c		
40B-3.101	24/52	25/8		40C-43	20/26c		
40B-3.201	24/52	25/8			20/26c		
		25/18		40C-44	20/26c		
40B-3.301	24/52	25/8			20/26c		
40B-3.321	24/52	25/8		40C-400	20/26c		
40B-3.341	24/52	25/8			20/26c		
40B-3.411	24/52	25/8		40C-400.201	21/48	21/48	
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40B-3.461	24/52	25/8		40D-1.1001	25/16		
40B-3.492	24/52	25/8		40D-1.1021	25/16		
40B-3.500	24/52	25/8		40D-1.1022	25/16		
40B-3.502	24/52	25/8		40D-1.1023	25/16		
40B-3.504	24/52	25/8		40D-1.202	19/36	19/42	
40B-3.507	24/52	25/8		40D-1.602	20/29c		
40B-3.512	24/52	25/8		40D-1.659	25/16		
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40B-3.521	24/52	25/8					

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	20/44c			40D-2.621	20/44c		
	20/44c				20/48		
	20/44c			40D-2.628	20/44c		
	20/44c			40D-2.801	20/44c		
	20/44c				20/48	21/44	
	20/44c					24/7	
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	20/47c			40D-4.051	20/24c		
	20/47c			40D-4.091	20/24c		
	20/47c				20/24c		
	20/47c				22/48		
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	20/47c				25/3		
	20/47c				25/16		
	20/47c			40D-4.201	21/22		
	20/47c			40D-4.301	20/24c		
	20/47c				20/24c		
	20/47c			40D-4.381	20/24c		
	21/5c			40D-6.521	24/50		
	21/5c			40D-8	20/44c		
	21/5c				20/44c		
	21/5c				20/44c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c			40D-8.011	24/48		
	21/5c			40D-8.021	24/48		
	21/5c			40D-8.031	24/48		
	21/26c			40D-8.041	21/5c		
40D-2.031	20/48				23/38	24/48	25/10w
40D-2.041	20/48				25/10		
40D-2.091	20/44c			40D-8.0410	24/48		
	20/48	20/52		40D-8.603	24/48		
	22/48			40D-8.605	24/48		
	24/48			40D-8.611	24/48		
40D-2.101	20/48			40D-8.613	24/48		
40D-2.301	22/48			40D-8.616	24/48		
	24/48			40D-8.621	24/48		
40D-2.321	20/48			40D-8.623	24/48		
40D-2.331	20/48			40D-8.624	23/38	24/48	
40D-2.381	20/48				24/48		
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	20/47c				20/26c		
	20/47c				20/26c		
	20/47c				20/26c		
	20/47c						
	20/47c						
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	20/47c						
	20/47c						
	20/47c						
	20/47c						
	20/47c						
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	21/21c						
	21/21c						
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40D-80.011	24/48						
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40E-1	20/24c						
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40E-1.510	20/18	21/36					
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40E-4.091	25/18						
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46-17.0031	20/8c				LOTTERY		
46-17.005	20/8c			53ER98-63			25/1
46-17.007	20/8c			53ER98-65			25/1
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46-22.005	23/44			53ER99-2			25/5
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46-24.007	21/6c			53ER99-12			25/11
46-27.014	25/3			53ER99-13			25/14
46-27.017	25/3	25/11		53ER99-14			25/12
46-29.0036	19/8c			53ER99-15			25/17
46-31.006	25/3			53ER99-16			25/16
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46-36.002	21/6c			53ER99-19			25/16
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46-37.002	20/18	20/25		53ER99-21			25/16
46-37.003	20/18			53-1.018	24/53		25/11
46-37.004	23/44			53-28.006	25/12		
46-37.005	20/18			53-28.007	25/12		
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46-37.006	20/18	20/25		INTERLOCAL AGENCIES			
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46-37.007	23/29	24/27		VETERANS' AFFAIRS			
46-38.002	25/3	25/11		55-11.006	25/4		
46-39.002	21/6c			55-11.007	25/4		
46-39.0035	21/6c			55-11.008	25/4		
46-39.0047	22/39c			55-11.011	25/4		
46-39.005	21/6c			ELDER AFFAIRS			
46-39.006	21/6c			58-14.001	20/1c		
46-39.007	21/6c			58-14.003	20/1c		
46-39.008	21/6c			58-14.005	20/1c		
46-39.009	21/6c			58-14.007	20/1c		
46-39.010	21/6c			58-14.009	20/1c		
46-39.011	21/6c			58A-1	20/43c		
46-39.012	21/6c			58A-1.001	24/30		
46-42.001	25/3			58A-1.004	24/30		
46-42.003	20/35			58A-1.006	24/30		
46-42.004	25/3			58A-1.007	24/30		
46-42.006	25/3			58A-1.008	24/30		
46-42.007	21/6c			58A-5.0131	25/12		
46-42.008	25/3	25/11		58A-5.014	25/12		
46-43.005	21/6c						
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58A-5.0161	25/12			59A-4.1295	20/1c		
58A-5.0181	25/12			59A-5.001	21/26c		
58A-5.0182	25/12			59A-5.002	21/26c		
58A-5.0184	25/12			59A-5.003	21/26c		
58A-5.0185	25/12			59A-5.004	21/26c		
58A-5.019	25/12			59A-5.005	21/26c		
58A-5.0191	25/12			59A-5.006	21/26c		
58A-5.020	25/12			59A-5.007	21/26c		
58A-5.021	25/12			59A-5.008	21/26c		
58A-5.022	25/12				21/26c		
58A-5.0221	25/12			59A-5.009	21/26c		
58A-5.0223	25/12				21/26c		
58A-5.023	25/12			59A-5.010	21/26c		
58A-5.024	25/12			59A-5.011	21/26c		
58A-5.025	25/12			59A-5.012	21/26c		
58A-5.026	25/12			59A-5.013	21/26c		
58A-5.030	25/12			59A-5.014	21/26c		
58A-5.031	25/12			59A-5.015	21/26c		
58A-5.033	25/12			59A-5.016	21/26c		
58A-14.002	25/9	25/16		59A-5.017	21/26c		
58A-14.003	25/9	25/16		59A-5.018	21/26c		
58A-14.004	25/9			59A-5.019	21/26c		
58A-14.0061	25/9	25/16		59A-7.020	20/25		
58A-14.0062	25/9			59A-7.034	21/45c		
58A-14.007	25/9	25/16		59A-7.035	21/45c		
58A-14.008	25/9			59AA-2.001	22/48c		
58A-14.0085	25/9			59AA-2.002	22/48c		
58A-14.009	25/9	25/16		59AA-2.003	22/48c		
58A-14.0091	25/9			59AA-3.001	22/48c		
58A-14.010	25/9	25/16		59AA-10.001	22/48c		
58C-1.003	24/30			59AA-17.004	21/46		
58C-1.004	24/30			59B-7.020	19/30		
58C-1.005	24/30			59B-7.021	19/30		
58C-1.007	24/30			59B-7.022	19/30		
58D-1.002	24/30			59B-7.022(5)	19/36c		
58D-1.005	24/30			59B-7.023	19/30		
58D-1.006	24/30			59B-7.024	19/30		
58E-1.008	24/30			59B-7.024(1)	19/36c		
58H-1.003	24/30			59B-7.025	19/30		
58H-1.004	24/30			59B-7.026	19/30		
58H-1.006	24/30			59B-7.027	19/30		
58H-1.007	24/30				19/36c		
				59B-7.028	19/30		
				59B-7.029	19/30		
				59B-10.050	21/45c		
				59B-10.051	21/45c		
				59B-10.052	21/45c		
				59B-10.053	21/45c		
				59B-10.054	21/45c		
				59B-10.055	21/45c		
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59-1.009	25/10						
59-1.010	25/10						
59-1.021	22/2c						
59-1.073	25/10						
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	23/8c			59E-7.207	19/50c		
	24/27		25/14w	59E-7.208	19/50c		
	25/14			59EE-1.001	22/29c		
59C-1.036	22/48c				22/29c		
	22/48c				22/39c		
	22/48c				22/39c		
	22/48c			59F-1.002	20/33		
	22/48c			59F-1.005(2),(3),(4)	20/43c		
	22/48c			59G-3.010	24/7		
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	23/12c			59G-4.055	21/39	21/45	
	23/12c			59G-4.060	25/8		
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	23/12c			59G-4.150	25/4		25/18
	23/12c			59G-4.150(4)(b)4.	22/2c		
	23/12c			59G-4.160	25/4		25/18
	23/12c			59G-4.200	20/30c		
	23/12c				25/5		25/17
	24/3c			59G-4.210	25/7		
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59C-1.036(2)(i)	22/48c			59G-4.340	25/7		
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59C-1.044	19/44c			59G-5.020	23/12c		
	19/44c			59G-5.110	25/7		25/17
	19/44c			59G-6.010	20/49c		
	19/44c				20/49c		
59D-1.004(4)	19/47c				21/33c		
59D-1.004(5)	19/47c				22/34c		
59D-1.007(1)(d)	19/47c				25/16		
59D-2.003(10)(b)	19/48c			59G-6.020	22/2c		
59D-2.003(12)	19/48c			59G-7.056	22/34c		
59D-2.003(15)	19/48c			59G-8.100	21/45c		
59D-2.003(16)	19/48c			59G-11.010	24/50		
59D-2.011(1)(2)	19/48c			59G-11.020	24/50		
59E-1.001	20/27			59G-11.030	24/50		
59E-1.002	20/27			59M-3.001	22/11c		
59E-1.003	20/27				22/11c		
59E-1.004	20/27				22/11c		
59E-1.005	20/27			59M-3.005	21/25		
59E-1.006	20/27			59O-2	22/42c		
59E-1.007	20/27			59O-2.002	20/47c		
59E-5.201	24/52		25/11		22/34	24/49	
59E-5.204	24/52		25/11	59O-2.002(7)	20/47c		
59E-5.205	24/52		25/11	59O-2.003	22/34	24/49	
59E-5.206	24/52		25/11	59O-3	22/42c		
59E-7.201	19/50c			59O-3.002	22/34	24/49	
59E-7.202	19/50c			59O-3.003	20/47c		
59E-7.203	19/50c			59O-5	22/42c		
59E-7.204	19/50c						

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59O-5.001(1)(b), (2)(a)2.(b)	20/47c			60R-1.0043	24/51		
59O-5.002	22/42c			60R-1.0044	24/51		
59O-5.003	22/42c			60R-1.0046	24/51		
59O-5.004	22/42c			60R-1.0048	24/51		
59O-5.006	20/47c			60R-1.00481	24/51		
	20/47c			60R-1.0052	24/51		
59O-7	22/42c			60S-1.0045	24/50	25/10	25/18
59O-9	22/42c			60S-4.008	24/50	25/10	25/18
59O-9.002	20/47c			60S-9.001	25/5		25/16
59O-9.002(4)	20/47c			60T-25.001	18/41	18/44	
59O-9.003	22/34	24/48		60T-25.002	18/41	18/44	
59O-9.004	20/47c			BUSINESS AND PROFESSIONAL REGULATION			
59O-9.004(7)	20/47c			61-11.008	25/1		
59O-10	22/42c			61-11.017	25/4		
59O-10.004	20/47c			61-20.503	25/11		
59O-10.005	22/42c			61-20.5083	25/11	25/17	
59O-13.006	20/47c			61-25.004	22/12c		
59P-31.006	22/36c			61A-4.0271	22/47		
	22/36c			61B-17.001		23/2	25/14
59Q-9.002	20/39				24/53		25/14
59R-9.012	20/39c			61B-18.001	24/53		25/14
59R-62.010	21/5			61B-23.001	24/53		25/14
59R-62.040	21/5			61B-23.002		23/2	25/14
59T-11.013	23/22	23/35			24/53		25/14
59T-14.004	23/22	23/35		61B-23.0021	24/53		25/14
59T-15.002	23/22	23/35		61B-29	20/26c		
59T-16.001	23/22	23/35		61B-29.001	20/26c		
59T-16.002	23/22	23/35		61B-29.001(5)	20/26c		
59U-11.019	20/51	21/7		61B-30	20/26c		
59U-14.002	23/24	23/35		61B-30.004	20/19		
59U-16.002	23/14c				20/36c		
59V-3.007	20/34	20/48		61B-30.006	22/45		
	20/40c			61B-31	20/26c		
59X-28.150	21/2c			61B-31.001	23/2		
59Y-5.001	23/11			61B-31.001(3),(5)	20/36c		
					20/44c		
	MANAGEMENT SERVICES			61B-31.002	23/2		
60A-7.005	25/8		25/16	61B-32	20/26c		
60D-7.005	25/15			61B-32.001	21/30		
60D-13.006	24/6c			61B-32.002(1)	21/12c		
60L-24.008	25/5		25/14	61B-37.001		20/31	
60Q-2.004	21/5c			61B-39.001	22/33		
	22/25c			61B-39.002	22/33		
60R-1.002	24/51			61B-50.114	22/46		
60R-1.0021	24/51			61B-60.001	24/33		25/13w
60R-1.0022	24/51			61B-60.002	24/33		25/13w
60R-1.0023	24/51			61B-60.003	24/33		25/13w
60R-1.0024	24/51			61B-60.004	24/33		25/13w
60R-1.0025	24/51			61B-60.005	24/33		25/13w
60R-1.003	24/51			61B-60.006	24/33		25/13w
60R-1.004	24/51			61B-60.008	24/33		25/13w
60R-1.0041	24/51			61B16-26.606	23/50		
60R-1.0042	24/51			61C-1.002	22/23	22/36	
				61C-3.002	22/23	22/36	

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61C-76.0062	21/35			61E8-2.004	19/46c		
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61D-2.001	22/12c			61F5-16.001	19/44c		
61D-2.002	22/11c			61F5-17.015	20/9c		
	22/12c			61F6-27.003(3)	19/41c		
61D-2.003	22/12c			61F6-34.001	20/7		
61D-2.004	22/12c			61F6-50.007	18/53	20/24	
61D-2.005	22/12c			61F8-3.001	20/3c		
61D-2.008	22/12c				20/3c		
61D-2.013	22/12c				20/3c		
61D-2.014	22/12c			61F8-3.003	20/3c		
61D-2.015	22/12c				20/3c		
61D-2.020	22/12c			61F8-3.008	20/3c		
61D-3.001	22/12c				20/3c		
61D-3.002	22/12c				20/3c		
61D-3.003	22/12c			61F9-6.0035	19/36		
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61D-3.004	22/12c			61F9-6.013	19/36		
	23/36	23/44		61F14-3.016	19/36		
61D-4.001	22/11c			61G1-12.004	25/10		
61D-4.002(1)	22/11c			61G1-12.005	25/10		
61D-5.001	22/12c			61G1-13.0021	25/10		
61D-5.003	22/12c			61G1-17.001	24/46	25/4	25/10
61D-5.007	22/12c			61G1-17.002	24/46	25/4	25/10
61D-6	22/11c			61G1-21.006	25/10		
61D-6.004	22/12c			61G1-21.008	25/10		
61D-6.005	22/12c			61G1-22.003	25/11		
61D-6.008	22/12c			61G2-2.002	25/13		
61D-6.009	22/12c			61G2-3.003	25/8		25/17
61D-7	22/11c			61G2-3.005	21/33		
	22/25c			61G2-3.0055	23/38	24/6	
61D-7.001(1)	22/11c			61G2-4.001	21/29		
61D-7.002	22/12c			61G3-16.006	24/42	24/53	
61D-7.020	22/12c				25/14		
61D-7.020(13)(a)(b)	22/11c			61G4-12.006	24/53		25/11w
61D-7.021	22/12c			61G4-16.001		22/7	25/14
61D-7.022	22/12c				25/1	25/4	25/14
61D-7.022(5)(b)2.	22/11c			61G4-16.002	25/1		
61D-7.023	22/12c			61G4-16.009	25/1		
61D-7.024	22/12c			61G4-17.001	19/29		
61D-8	22/11c			61G4-18.001	24/53	25/10	25/18
	22/25c				25/11		
61D-8.001	22/12c			61G4-18.002	24/53	25/13	
61D-8.001(1)	22/11c			61G4-18.003	24/53		25/14
61D-8.002	22/12c			61G4-18.007	24/53		25/14
61D-8.003	22/11c			61G4-18.009	24/53		25/14
61D-8.005	22/12c			61G4-18.011	19/38		
61D-9	22/11c			61G4-18.012	19/38		
	22/25c			61G4-18.014	24/53		25/14
61D-9.001	22/12c			61G4-19.001	24/53	25/10	25/16
61D-9.001(1)	22/11c			61G4-20.001	25/1	25/10	25/16
61D-9.003	22/12c			61G4-21.004	25/1	25/10	25/16
61D-9.004	22/12c			61G5-18.012	24/40	25/6	25/11
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61G5-29.014	24/40		25/13w	61G17-6.004	25/11		
61G5-32.001	24/40	25/6	25/11	61G17-9.007	25/11		
61G6-5.008	25/3		25/12	61G18-11.002	25/11		
61G6-6.002	25/3		25/11	61G18-12.002	25/11		
61G6-7.006	22/51	23/6		61G18-12.005	25/13		
		23/19		61H1ER99-1			25/16
		23/31		61H1ER99-2			25/16
		23/49		61H1ER99-3			25/16
61G6-9.005	25/3		25/11	61H1ER99-4			25/16
61G6-9.006	25/3		25/11	61H1ER99-5			25/16
	25/10		25/17	61H1ER99-6			25/16
61G6-9.009	25/3		25/11	61H1ER99-7			25/16
61G6-9.011	25/3		25/11	61H1-54.002	21/29		
61G6-11.001	25/53		25/10w	61J2-1.011	25/5		25/14
61G7-5.001	25/9		25/16	61J2-3.008	25/15		
61G7-5.001(4)	19/44c			61J2-10.025	25/5		25/14
61G7-6.006	25/9		25/16	61J2-10.039	24/46		25/14w
61G7-10.0011	25/9	25/18		61K1-1.001	25/1		
61G8-18.001	25/5			61K1-1.002	25/1		
61G8-18.002	25/5			61K1-1.0023	25/1		
61G8-24.031	25/5			61K1-1.0024	25/1		
61G8-24.040	25/5			61K1-1.0025	25/1		
61G8-24.041	25/5			61K1-1.0027	25/1		
61G8-24.042	25/5			61K1-1.0028	25/1		
61G8-24.043	25/5			61K1-1.003	25/1		
61G8-24.044	25/5	25/8		61K1-1.0035	25/1		
61G8-27.001	25/5			61K1-1.004	25/1		
61G10-11.001	24/24	21/50		61K1-1.0043	25/1		
61G10-11.002	24/24	25/10		61K1-1.005	25/1		
61G10-11.003	24/24	25/10		61K1-1.006	25/1		
61G10-11.004	24/24	25/10		61K1-1.007	25/1		
61G10-11.007	24/24			61K1-1.008	25/1		
61G10-11.009	24/24			61K1-1.009	25/1		
61G10-11.010	24/24			61K1-1.010	25/1		
61G10-12.001	25/17			61K1-1.011	25/1		
61G10-12.002	24/24	24/53	25/17	61K1-1.012	25/1		
		25/10	25/17	61K1-1.013	25/1		
61G10-14.003	24/24			61K1-1.017	25/1		
61G11-25.001	20/22			61K1-1.018	25/1		
61G14-11.001	25/8		25/18	61K1-1.019	25/1		
61G14-11.008	24/33	25/4	25/10	61K1-1.023	25/1		
61G15-21.006	25/1	25/16		61K1-1.030	25/1		
61G15-22.001	25/16			61K1-1.035	25/1		
61G15-24.001	24/40	25/16		61K1-1.037	25/1		
61G15-31.003	25/1	25/17		61K1-1.040	25/1		
61G16-2.001	23/12			61K1-1.042	25/1		
61G16-5.003	21/43	21/50		61K1-1.070	25/1		
61G16-5.004	25/7		25/14	61K1-1.080	25/1		
61G16-6.001	25/3		25/16				
61G16-6.006	25/3	25/15		ENVIRONMENTAL PROTECTION			
61G17-1.006	21/6			62-4.050	20/21	21/22	
61G17-4.002	25/11			62-4.090	21/6c		
61G17-5.0042	25/11						
61G17-6.002	25/11						

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62-17.161	24/45 25/3	24/45	25/10	62-343.120	21/22		
62-160	22/12c			62-343.130	21/22		
62-204.800	22/12c 25/4		25/13	62-343.140	21/22		
62-210.200	22/12c			62-343.900	21/22		
62-210.300	21/6c			62-503.200	25/14		
62-210.900(1),(5)	22/12c			62-503.300	25/14		
62-210.990	20/36			62-503.350	25/14		
62-212.400(6)	22/12c			62-503.400	25/14		
62-212.410	22/12c			62-503.420	25/14		
62-212.500	22/12c			62-503.430	25/14		
62-212.510	22/12c			62-503.500	25/14		
62-213.420(1)(b)2.	22/12c			62-503.600	25/14		
62-213.430	20/52 21/6c	21/7		62-503.650	25/14		
62-213.430(6)	22/12c			62-503.655	25/14		
62-296.401	22/32	22/38		62-503.680	25/14		
62-302.600	21/2c			62-503.700	25/14		
62-302.600(3)(b)62.	21/2c			62-520.100	22/11c		
62-302.700	21/17c 24/25			62-524.400	20/45		
62-302.700(9)(i)(38)	21/49c			62-528	21/6c		
62-312	21/34c			62-528.307	24/36		
62-312.122	24/18 24/18			62-528.310	24/36		
62-341.602	21/22	21/22		62-528.630	24/36		
62-342.100	24/36			62-550.200	22/11c		
62-342.200	24/36			62-550.310	20/47		
62-342.300	24/36			62-550.730	20/19		
62-342.400	24/36			62-551	22/12c		
62-342.450	24/36	24/45			22/42c		
62-342.470	24/36	24/45		62-551.200	22/11c		
62-342.500	24/36			62-555	22/12c		
62-342.550	24/36				22/42c		
62-342.600	24/36			62-560	22/12c		
62-342.650	24/36				22/42c		
62-342.700	24/36	24/45		62-561.100	24/52		
62-342.750	24/36			62-600	22/12c		
62-342.800	24/36				22/42c		
62-342.850	24/36			62-601	22/12c		
62-342.900	24/36				22/42c		
62-343	21/34c			62-603	22/12c		
62-343.010	21/22				22/42c		
62-343.020	21/22			62-604	22/12c		
62-343.030	21/22				22/42c		
62-343.040	21/22			62-610	25/5c		
62-343.050	21/22			62-610.100	24/52	25/11	
62-343.060	21/22			62-610.200	24/52	25/11	
62-343.070	21/22			62-610.300	24/52		
62-343.080	21/22			62-610.310	24/52		
62-343.090	21/22			62-610.320	24/52		
62-343.100	21/22			62-610.330	24/52		
				62-610.421	24/52		
				62-610.425	24/52		
				62-610.460	24/52		
				62-610.462	24/52		
				62-610.463	24/52	25/11	

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62-610.466	24/52			62-620.445	22/11c		
62-610.468	24/52	25/11		62-620.450	22/11c		
62-610.469	24/52	25/11		62-620.455	22/11c		
62-610.471	24/52			62-620.460	22/11c		
62-610.472	24/52			62-620.510	22/11c		
62-610.475	24/52			62-620.511	22/11c		
62-610.510	24/52			62-620.512	22/11c		
62-610.513	24/52			62-620.515	22/11c		
62-610.521	24/52			62-620.550	22/11c		
62-610.523	24/52			62-620.610	22/11c		
62-610.525	24/52			62-620.620	22/11c		
62-610.550	24/52			62-620.800	22/11c		
62-610.552	24/52			62-620.810	22/11c		
62-610.554	24/52			62-620.820	22/11c		
62-610.555	24/52			62-621	22/12c		
62-610.560	24/52				22/42c		
62-610.562	24/52			62-621.200	21/52		
62-610.563	24/52			62-650	22/12c		
62-610.564	24/52				22/42c		
62-610.565	24/52			62-650.120	22/11c		
62-610.567	24/52			62-660	22/12c		
62-610.568	24/52	25/11			22/42c		
62-610.571	24/52			62-660.300	22/11c		
62-610.573	24/52			62-670	22/12c		
62-610.574	24/52				22/42c		
62-610.621	24/52			62-671	22/12c		
62-610.651	24/52				22/42c		
62-610.652	24/52	25/11		62-672.100	25/12		
62-610.654	24/52			62-672.200	25/12		
62-610.656	24/52			62-672.300	25/12		
62-610.662	24/52	25/11		62-672.400	25/12		
62-610.668	24/52	25/11		62-672.500	25/12		
62-610.800	24/52			62-672.550	25/12		
62-610.810	24/52			62-672.570	25/12		
62-610.814	24/52			62-672.600	25/12		
62-610.830	24/52			62-672.620	25/12		
62-610.865	24/52	25/11		62-672.650	25/12		
62-610.870	24/52			62-672.670	25/12		
62-610.890	24/52			62-672.700	25/12		
62-611	22/12c			62-672.720	25/12		
	22/42c			62-672.750	25/12		
62-620	22/12c			62-672.760	25/12		
	22/42c			62-672.770	25/12		
62-620.100	22/11c			62-672.780	25/12		
	22/12c			62-672.800	25/12		
62-620.325	22/11c			62-672.850	25/12		
	22/12c			62-672.870	25/12		
62-620.330	22/11c			62-673	22/12c		
62-620.335	22/11c				22/42c		
62-620.400	22/11c				22/42c		
62-620.410	22/11c			62-701	22/12c		
62-620.412	22/11c				22/42c		
62-620.420	22/11c			62-701.720	22/11c		
62-620.425	22/11c			62-702	22/12c		
62-620.435	22/11c				22/42c		

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	22/42c				22/42c		
62-704	22/12c			62-770.140	25/16		
	22/42c			62-770.160	25/16		
62-707	22/12c			62-770.200	25/16		
	22/42c			62-770.250	25/16		
62-707.500	22/30			62-770.300	25/16		
62-709	22/12c			62-770.400	25/16		
	22/42c			62-770.490	25/16		
62-710	21/18c			62-770.600	25/16		
	22/12c			62-770.610	25/16		
	22/42c			62-770.650	25/16		
62-711	22/12c			62-770.680	25/16		
	22/42c			62-770.690	25/16		
62-712.100	21/34			62-770.700	25/16		
62-712.200	21/34			62-770.750	25/16		
62-712.300	21/34			62-770.800	25/16		
62-712.400	21/34			62-770.830	25/16		
62-712.410	21/34			62-770.890	25/16		
62-712.420	21/34			62-770.900	25/16		
62-712.430	21/34			62-771	22/12c		
62-712.440	21/34				22/42c		
62-712.450	21/34			62-771.300	21/52		
62-712.460	21/34			62-773.350(9),(10)	22/42c		
62-712.500	21/34			62-775	22/12c		
62-712.800	21/34				22/42c		
62-712.810	21/34			62-775.100	22/23c		
62-712.900	21/34				25/16		
62-713.100	25/16			62-775.200	25/16		
62-713.200	25/16			62-775.210	25/16		
62-713.210	25/16			62-775.300	25/16		
62-713.220	25/16			62-775.400	22/23c		
62-713.300	25/16				25/16		
62-713.400	25/16			62-775.410	22/23c		
62-713.500	25/16				25/16		
62-713.510	25/16			62-775.500	21/52	22/15	
62-713.520	25/16				25/16		
62-713.600	25/16			62-775.600	25/16		
62-713.800	25/16			62-775.610	25/16		
62-713.900	25/16			62-775.620	25/16		
62-722	22/12c			62-775.700	25/16		
	22/42c			62-775.710	25/16		
62-723	22/12c			62-775.900	25/16		
	22/42c			62-777.100	25/16		
62-728	22/11c			62-777.150	25/16		
62-730.050	23/7			62-777.170	25/16		
62-740	21/45c			62-782.100	25/16		
62-761	22/12c			62-782.150	25/16		
	22/42c			62-782.200	25/16		
	24/22c			62-782.300	25/16		
62-761.891	24/14			62-782.400	25/16		
62-762	22/12c			62-782.450	25/16		
	22/42c			62-782.500	25/16		
62-767	22/12c			62-782.600	25/16		
	22/42c			62-782.650	25/16		

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62-782.680	25/16			62R-7.020	21/17		
62-782.690	25/16			62R-7.022	21/17		
62-782.700	25/16			62R-7.025	21/17		
62-782.750	25/16			62R-7.026	21/17		
62-782.790	25/16			62R-7.028	21/17		
62-782.800	25/16				22/47		
62-782.900	25/16			62R-7.032	21/17		
62-785.100	25/16			62R-18.005	25/4		25/13
62-785.150	25/16			62R-18.010	25/4		25/13
62-785.200	25/16			62R-18.011	25/4		25/13
62-785.300	25/16			62R-18.012	25/4		25/13
62-785.400	25/16			62R-18.013	25/4		25/13
62-785.450	25/16			62R-18.014	25/4		25/13
62-785.500	25/16			62R-19.001	25/12		
62-785.600	25/16			62R-19.002	25/12		
62-785.650	25/16			62R-19.003	25/12		
62-785.680	25/16						
62-785.690	25/16						
62-785.700	25/16						
62-785.750	25/16						
62-785.900	25/16						
62-788.100	25/5		25/12	64-1.010	24/49		25/11
62-788.200	25/5		25/12	64-1.011	24/49		25/11
62-788.300	25/5		25/12	64-1.012	24/49		25/11
62-788.400	25/5		25/12	64-1.013	24/49		25/11
	25/5			64-1.014	24/49	25/2	25/11
62-788.900	25/5		25/12			25/4	25/11
62B-33.002	22/25c			64-1.015	24/49		25/11
62B-33.005	22/25c			64BER99-1			25/8
62B-33.0051	22/25c			64B-1.015	25/12		
62B-49	21/34c			64B-2.001	25/8		
62D-2.014	21/52	22/13		64B1-2.005	25/5		25/13
62N-3.002	21/43			64B1-2.006	25/5		25/13
62N-22.005	24/33	25/15		64B1-3.004	25/6		25/15
	24/45c			64B1-3.008	25/14		
62N-22.005(1),				64B1-3.009	25/9		25/16
(2),(3),(5)	24/45c			64B1-6.005	25/14		
62N-22.023	23/2c			64B2-10.0055	24/37	25/8	25/17
62N-24.011	25/16					25/10	25/17
62N-24.164	24/53	25/5	25/13	64B2-11.007	25/17		
62N-36.004	21/43			64B2-12.009	24/37	25/8	25/15
62R-5.900	25/4	25/11	25/18	64B2-12.010	25/10		
62R-7.001	25/5			64B2-12.020	25/17		
62R-7.002	21/17			64B2-13.004	25/17		
62R-7.003	25/5	25/18		64B2-15.001	25/10		
62R-7.004	25/2		25/10	64B2-15.002	25/17		
	25/16			64B2-17.0045	25/17		
62R-7.007	25/5	25/18		64B3-2.001	23/51		
62R-7.010	23/34			64B3-2.002	22/34	24/49	
	25/2		25/10	64B3-2.003	22/34	24/49	
	25/16				25/4		25/11
62R-7.011	24/53		25/10	64B3-3.003	23/51		
	25/5			64B3-3.004	23/51		
62R-7.015	25/5			64B3-3.7001	24/22c		
62R-7.016	25/5	25/12		64B3-5.002	25/14		
	25/18	25/18		64B3-7.001	25/4	25/14	
				64B3-7.006	25/14		
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64B3-9.001	25/4	25/12	25/18	64B12-15.001	24/47		25/15
	25/14			64B12-15.003	24/47	25/8	25/15
64B3-9.002	25/14			64B14-4.0015	24/48	25/14	
64B3-9.006	25/4	25/12	25/18	64B14-4.0035	25/14		
64B3-9.007	25/14			64B14-4.200	25/14		
64B4-3.010	25/5			64B15-6.001	25/3		25/10
64B4-7.002	24/7c			64B15-6.004	25/3		25/10
64B5-2.013	25/3		25/11	64B15-6.010	25/3		25/10
64B5-7.001	24/52		25/11	64B15-13.001	24/50		25/14
64B5-7.003	24/52		25/11	64B15-14.0015	24/50		25/11w
64B5-7.0035	25/3		25/11	64B15-15.002	25/11		
64B5-7.006	25/3		25/11	64B16-26.200	24/45		25/11
64B5-16.006	25/3		25/11	64B16-26.2035	24/45	25/5	25/11
64B7-25.004	25/11	25/18		64B16-27.300	25/13		
64B7-25.006	25/14			64B16-28.119	25/15		
64B7-27.002	25/18			64B16-28.140	24/38		
64B7-27.012	24/12			64B17-3.005	25/4		25/12
64B7-28.001	25/9		25/16	64B17-4.005	25/4		25/12
64B7-28.009	24/50		25/10	64B17-6.0042	24/25	25/9	25/18
64B7-30.004	25/14					25/12	25/18
64B8-2.001	24/53	25/7	25/13	64B17-6.0044	24/25	25/9	25/18
64B8-4.026	25/17					25/12	25/18
64B8-5.002	25/8		25/16	64B18-11.002	25/10		25/18
64B8-6.008	24/53	25/7	25/13	64B18-14.006	25/10		
64B8-6.010	24/53		25/13	64B23-1.001	25/5		25/17
64B8-8.017	24/53	25/7	25/13	64B23-2.001	25/5	25/15	
64B8-9.009	25/3	25/16		64B23-3.001	25/5		
64B8-13.005	24/53	25/11		64B23-3.002	25/5		
64B8-30.001	25/3		25/11	64B23-3.003	25/5		
64B8-30.009	25/3		25/11	64B23-3.004	25/5	25/15	
64B8-30.012		24/35	25/11	64B23-3.005	25/5		
	25/3		25/11	64B23-3.006	25/5		
64B8-41.001	25/16			64B23-3.007	25/5	25/15	
64B8-42.003	25/16			64B23-4.001	25/5	25/15	
64B8-72.002	25/15					25/18	
64B8-72.003	25/15			64B23-4.002	25/5	25/15	
64B8-74.0015	25/15					25/18	
64B8-75.001	25/15			64B23-5.001	25/5	25/17	
64B8-75.0041	25/15			64B23-5.002	25/5	25/17	
64B9-1.013	25/5		25/13	64B23-5.003	25/5	25/17	
64B9-3.007	25/9		25/16	64B23-6.001	25/5	25/17	
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64B9-8.001	25/9		25/16	64B23-6.003	25/5		
64B9-8.006	25/18			64B23-6.004	25/5		
64B10-10.014	25/11			64B23-6.005	25/5		
64B10-11.001	25/11			64B23-7.001	25/5	25/15	
64B10-11.004	25/11			64B23-7.002	25/5	25/15	
64B10-15.0021	25/11			64B23-7.003	25/5	25/15	
64B11-2.005	24/43	25/7	25/13	64B23-7.004	25/5		
64B11-3.003	24/43	25/7	25/13	64B23-7.005	25/5		
64B11-4.001	25/14			64B24-6.005	25/6		
64B11-4.002	25/14	25/16		64B24-7.013	25/8		25/16
64B11-5.007	25/12		25/17w	64C-13.018	24/22		
64B12-9.001	25/18			64D-3.002	25/17		

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64D-3.004	25/17					23/49	25/13w
64D-3.006	25/17					24/4	25/13w
64D-3.011	25/4	25/13			24/16		25/13w
64D-3.013	25/17			65C-5.004	23/32		25/13w
64D-3.015	25/17				24/16		25/13w
64D-3.016	25/17			65C-5.005	23/32	23/45	25/13w
64D-3.027	25/17					24/4	25/13w
64E-1	25/5c				24/16		25/13w
64E-2.001	25/18			65C-5.006	23/32	23/45	25/13w
64E-2.003	25/18					24/4	25/13w
64E-2.011	25/18				24/16		25/13w
64E-2.013	25/18			65C-5.007	23/32	23/45	25/13w
64E-2.015	25/18					24/4	25/13w
64E-2.018	25/18				24/16		25/13w
64E-14.002	24/46	25/7	25/16	65C-5.008	23/32	23/45	25/13w
	25/15					24/4	25/13w
64E-14.003	25/15				24/16		25/13w
64E-14.004	25/15			65C-5.009	23/32	23/45	25/13w
64E-14.005	25/15					24/4	25/13w
64E-14.016	25/15				24/16		25/13w
64E-14.019	25/15			65C-5.010	23/32	24/4	25/13w
64E-14.020	25/15				24/16		25/13w
64E-14.021	25/15			65C-10.001	23/32		25/13w
64F-17.001	25/10			65C-10.002	23/32		25/13w
64F-17.002	25/10			65C-10.003	23/32		25/13w
64F-17.003	25/10			65C-10.004	23/32		25/13w
64F-17.004	25/10			65C-10.005	23/32		25/13w
64F-17.005	25/10			65C-10.006	23/32		25/13w
				65C-11.001	23/32		25/13w
				65C-11.002	23/32		25/13w
				65C-11.003	23/32		25/13w
				65C-11.004	23/32		25/13w
				65C-11.005	23/32		25/13w
				65C-12.001	23/32		25/13w
				65C-12.002	23/32		25/13w
				65C-12.003	23/32		25/13w
				65C-12.004	23/32		25/13w
				65C-12.005	23/32		25/13w
				65C-12.006	23/32		25/13w
				65C-12.007	23/32		25/13w
				65C-12.008	23/32		25/13w
				65C-12.009	23/32		25/13w
				65C-12.010	23/32		25/13w
				65C-12.011	23/32		25/13w
				65C-12.012	23/32		25/13w
				65C-13.001	25/18		
				65C-13.002	25/18		
				65C-13.003	25/18		
				65C-13.004	25/18		
				65C-13.005	25/18		
				65C-13.006	25/18		
				65C-13.007	25/18		
				65C-13.008	25/18		
				65C-13.009	25/18		
				65C-13.010	25/18		
CHILDREN AND FAMILY SERVICES							
65A-1.301	24/52	25/8	25/14				
65A-1.5061	24/48	25/12					
65A-1.705	24/51	25/6	25/13				
65A-1.730	24/51		25/13				
65A-4.100	25/1	25/13					
65A-4.201(3)	24/19c						
65A-4.203	24/50	25/9	25/16				
65A-4.213	25/3	25/15					
65A-4.214	25/6		25/16				
65A-4.216	25/6						
65A-4.301	24/48	25/5					
		25/16					
65C-5.001	23/32	23/41	25/13w				
		23/45	25/13w				
		24/4	25/13w				
	24/16		25/13w				
65C-5.002	23/32	23/41	25/13w				
		23/45	25/13w				
		23/47	25/13w				
		24/4	25/13w				
	24/16		25/13w				

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65C-13.011	25/18			NAVIGATION DISTRICTS			
65C-13.012	25/18			66B-1.004	24/52		25/12
65C-13.013	23/32		25/13w	66B-1.005	24/52		25/12
65C-13.014	23/32		25/13w	66B-1.008	24/52		25/12
65C-13.015	23/32		25/13w	66B-1.011	24/52		25/12
65C-13.016	23/32		25/13w	66B-2.004	24/52		25/12
65C-13.017	23/32		25/13w	66B-2.008	24/52		25/12
65C-13.019	23/32		25/13w	66B-2.011	24/52		25/12
65C-13.020	23/32		25/13w	66B-3.001	24/52		
65C-13.021	23/32		25/13w	66B-3.002	24/52		
65C-14.004	25/2		25/14w	66B-3.003	24/52		
65C-15.004	25/2		25/14w	66B-3.004	24/52		
65C-17.001	24/48		25/13	66B-3.005	24/52		
65C-17.002	24/48	25/7	25/13	66B-3.006	24/52		
65C-17.003	24/48		25/13	66B-3.007	24/52		
65C-17.004	24/48	25/7	25/13	66B-3.008	24/52		
65C-17.005	24/48	25/7	25/13	66B-3.009	24/52		
65C-20.010	25/11			66B-3.010	24/52		
65C-21.001	23/20			66B-3.011	24/52		
65C-21.003	24/48	25/7	25/16	66B-3.012	24/52		
65C-22.001	24/44	25/3	25/10	66B-3.013	24/52		
65C-22.002	24/44	25/3	25/10	66B-3.014	24/52		
65C-22.003	24/44	25/3	25/10	66B-3.015	24/52		
65C-22.004	24/44	25/3	25/10	66B-3.016	24/52		
65C-22.005	24/44	25/3	25/10	FLORIDA HOUSING FINANCE CORPORATION			
65C-22.006	24/44	25/3	25/10	67-16.001	25/11		
65C-23.001	25/2		25/16	67-16.002	25/11		
65C-24.001	25/7			67-16.004	25/11		
65C-24.002	25/7			67-16.005	25/11		
65C-24.003	25/7	25/13		67-16.006	25/11		
65C-24.004	25/7	25/13		67-16.007	25/11		
65C-24.005	25/7			67-16.008	25/11		
65C-24.006	25/7			67-16.009	25/11		
65C-24.007	25/7			67-16.010	25/11		
65C-24.008	25/7			67-21.019	24/46	24/46	
65C-24.009	25/7			67-32.009	24/28		
65C-24.010	25/7						
65C-24.011	25/7						
65C-24.012	25/7						
65D-16.004	24/12	25/3	25/14				