

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

Table with 2 columns: RULE TITLES and RULE NOS.:
Duplicate Warrants 3A-10.081
Forgeries 3A-10.082

PURPOSE AND EFFECT: To adopt changes that have been made to the Affidavit for Duplicate Warrant and the Affidavit Attesting to Forgery.

SUBJECT AREA TO BE ADDRESSED: Forms for obtaining duplicate warrants and forged warrants.

SPECIFIC AUTHORITY: 17.14, 17.29 FS.

LAW IMPLEMENTED: 17.13, 17.14 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., June 7, 1999

PLACE: Room 434, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda Sharpton, Chief, Bureau of Accounting, Room 414, Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9951

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3A-10.081 Duplicate Warrants.

When a warrant has been lost, stolen, or otherwise cannot be located, and the payee is entitled to the proceeds, it is necessary for the agency to request that the Comptroller place a stop order on the warrant in order to obtain a duplicate. This is followed up by the agency with an Affidavit for Duplicate Warrant (Form DBF-AA-408) signed by the payee and notarized, or signed by an authorized agency employee if the warrant was never delivered to the payee. When it has been determined that the original warrant has not been paid, a new warrant bearing the exact information as the original is forwarded to the agency for delivery to the payee. Form DBF-AA-408 (revised 4/99 effective 4-28-96) is hereby incorporated by reference and is available from the Department of Banking and Finance, Reconciliation Subsection, Room 308B46, Fletcher Building, Tallahassee, Florida 32399-0350. The original warrant should not be cancelled when a duplicate has been issued. In the event that the original warrant is found, the agency is requested to return the original to the Comptroller to be voided.

Specific Authority 17.14, 17.29 FS. Law Implemented 17.13, 17.14 FS. History--New 10-21-75, Formerly 3A-10.81, Amended 4-28-96.

3A-10.082 Forgeries.

(1) An Affidavit Attesting to Forgery, Form DBF-AA-409 (revised 4/99 3-3-98), must be filed with the Department of Banking and Finance within 48 months of the date of the issuance of the original warrant. Form DBF-AA-409, which is hereby incorporated by reference, is available from the Department of Banking and Finance, Reconciliation Subsection, Room 308E, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Requests to the Comptroller for reissuance of forged warrants should include three original Affidavits Attesting to Forgery. The affidavits should be signed by the payee and notarized. The original warrant will be charged back for collection. When notice of collection and credit to the appropriate fund is made, the agency may issue a new warrant in lieu of the original. If the agency has sufficient cash and budget, the warrant may be reissued upon notification that the warrant has been charged back. Section 117.05(3)(a), Florida Statutes, lists the requirements of the State of Florida for notarizing documents. On forgery affidavits that are notarized in another state whose notary laws do not mandate a notary commission number, the State Treasurer requires that a letter with a copy of that state's notary laws be attached to the affidavit for forgery before they will process that request.

Specific Authority 17.14, 17.29 FS. Law Implemented 17.13, 17.14, 95.11(3)(p), 117.03(3)(a) FS. History--New 10-21-75, Formerly 3A-10.82, Amended 4-28-96, 5-3-98.

DEPARTMENT OF EDUCATION

State Board of Education

Table with 2 columns: RULE TITLE and RULE NO.:
Definitions of Terms Used in Vocational Education Program 6A-6.055

PURPOSE AND EFFECT: The purpose of this rule development is to comply with changes made by the Legislature. Definitions related to adult and vocational education were altered and new definitions have been added. The effect will be a rule which reflects current statutory language and legislative intent.

SUBJECT AREA TO BE ADDRESSED: Changes made by the Legislature relating to definitions for adult and vocational education programs.

SPECIFIC AUTHORITY: 229.053(1), 239.205 FS.

LAW IMPLEMENTED: 228.061(4), 229.551(1)(g), 233.068 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.

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Stephens, Director, Division of Workforce Development, Department of Education, 325 West Gaines Street, Room 744, Tallahassee, Florida 32399-0400, (850)488-8961

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: RULE NO.:

Responsibilities for the School Food Service Program 6A-7.042

PURPOSE AND EFFECT: The purpose of this rule development is to review the responsibilities of the district school board as they relate to the sale of food and beverage items in competition with the district approved school food service program. In addition, forms incorporated by reference in the rule will be reviewed to determine if they should be retained as part of the rule. The effect may be a change in the procedures approved by the district school boards and an elimination of unnecessary forms.

SUBJECT AREA TO BE ADDRESSED: The responsibility of the district school boards related to the sale of food and beverage items.

SPECIFIC AUTHORITY: 228.195(2), 229.053(1) FS.

LAW IMPLEMENTED: 228.195, 229.053(1)(2), 230.23(16) 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., June 7, 1999

PLACE: 325 West Gaines Street, Room 1703, Tallahassee, Florida 32399-0400

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Deputy Commissioner of Planning, Budgeting and Management, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Wayne V. Pierson, Deputy Commissioner of Planning, Budgeting and Management, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400, (850)488-6539

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-7.042 Responsibilities for the School Food Service Program.

(2) Each district school board shall have the following responsibilities:

(c) To ~~control~~ prohibit the sale of food and beverage items in competition with the district approved food service program, including those classified as "foods of minimum nutritional value," listed in Code of Federal Regulations 210, Appendix B. These items may be sold in secondary schools only, with the approval of the school board, one (1) hour following the close of the last lunch period. A school board may allow the sale of carbonated beverages to students in high schools by a school activity or organization authorized by the principal, at all times if a beverage of one hundred (100) percent fruit juice is sold at each location where carbonated beverages are sold. However, carbonated beverages may not be sold where breakfast or lunch is being served or eaten. Non-carbonated beverages, including one hundred (100) percent fruit juice, may be sold at all times during the day at any location. Consideration should be given to allowing only the sale of nutritious food and beverage items which meet at least United States Department of Agriculture dietary guidelines for Americans.

(4) Forms ESE 156, Preaward Nondiscrimination Compliance Review Summer Food Service Program for Children; ESE 195, Monthly Claim for Reimbursement Summer Food Service Program for Children; ESE 196, Summer Food Service Program for Children Application for Participation; ESE 197, Summer Food Service Program for Children Site Information Sheet; ESE 198, Summer Food Service Program for Children Agreement; ESE 473, Request for Advance Funds – 1985 Summer Food Service Program for Children; ESE 486, Summer Food Service Program for Children Monitor's Site Review Form; ESE 176, Child Care Food Program Start-Up Application/Agreement for Recruiting Day Care Homes; ESE 367, Monthly Reimbursement Voucher Child Care Food Program; ESE 490, Child Care Food Program Application, Agreement & Policy Statement; ESE 535, Child Care Food Program Change in Food Service Program Application; ESE 003, Food Service Special Revenue Financial Report; ESE 157, Application for Change in Food Service Program; ESE 160, Requisition for Reimbursement; ESE 174, Monthly Reimbursement Voucher School Lunch and Breakfast Programs; ESE 177, Monthly Reimbursement Voucher Special Milk (Only) Program; ESE 178, Nonprofit Private School/Institution Financial Statement; ESE 299, Civil Rights Compliance Annual Report, and ESE 491, Child Nutrition Program Application, Agreement & Policy

Statement, are incorporated by reference in this rule to become effective July, 1985. Form ESE 080, Breakfast Program Supplement Report is hereby incorporated by reference and made a part of this rule to become effective May, 1990. These forms may be obtained from the Administrator of Information Services and Accountability, Division of Technology and Administration, Public Schools, Department of Education, 325 West Gaines Street, The Florida Education Center, Tallahassee, Florida 32399.

Specific Authority 228.195(2), 229.053(1) FS. Law Implemented 228.195, 229.053(2)(1), 230.23(16) FS. History—Amended 3-26-66, 4-17-72, 4-19-73, 10-20-73, Revised 6-17-74, Repromulgated 12-5-74, Amended 5-4-76, 10-18-77, 12-11-79, 1-7-81, 7-28-81, 9-23-81, 6-28-83, 10-15-84, 7-10-85, Formerly 6A-7.42, Amended 5-3-88, 5-16-90, 6-30-92, \_\_\_\_\_, c.f. National School Lunch Act as amended (42 USC) Sections 4 and 11, and Child Nutrition Act of 1966 as amended (42 USC) Sections 4 and 5, 7 CFR, Part 210, Section 210.6, CFR 210, Appendix B, CFR Parts 215, 220, 225, 226, 227, 235, 240, 245, 250, and 252

**DEPARTMENT OF EDUCATION**

**Board of Regents**

RULE TITLE:

RULE NO.:

Definition and Process for Establishing Educational Sites

6C-8.009

PURPOSE AND EFFECT: To modify the rule governing the offering of lower-division course work on branch campuses, centers and sites. Lower-division courses can only be offered at the main campuses unless the Board of Regents specifically approves the offering of such courses at branch campuses, centers and sites.

SUBJECT AREA TO BE ADDRESSED: The rules regarding the delivery of lower-division courses to branch campuses, centers and sites would be altered. Currently, only two branch campuses are allowed to offer lower-division courses.

SPECIFIC AUTHORITY: 240.209(1), (3)(o) FS.

LAW IMPLEMENTED: 240.209(1), (3)(o), 240.2011 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6C-8.009 Definition and Process for Establishing Educational Sites.

(1) The following definitions and processes for establishment shall apply to educational locations of public universities within the state:

(a) Main campus is defined as the focal point of university educational and administrative activities, authorized by Section 240.2011, F.S. Lower-division courses are offered only on the main campus of each university unless the university receives specific Board of Regents' approval to offer lower-division courses at a branch campus, center or site.

(b) Branch campus is defined as an instructional and administrative unit of a university that offers students upper-division and graduate programs as well as a wide range of support services. ~~The North Miami campus of Florida International University and the New College campus of the University of South Florida shall be exceptions to this definition as these campuses offer lower-division coursework.~~ Distance learning techniques may be used to complement on-site instruction at all types of campuses. Branch campuses may be of various types to meet the particular needs of a region:

Specific Authority 240.209(1),(3)(q) FS. Law Implemented 240.209(1),(3)(o), 240.2011 FS. History—New 4-9-87, Amended 6-8-92, 2-15-94, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Community Colleges**

RULE TITLE:

RULE NO.:

Florida Academic Improvement Trust Fund for Community Colleges

6H-1.042

PURPOSE AND EFFECT: The purpose is to amend the rule to improve the procedures related to approval of users of funds from the community colleges' academic improvement trust funds. The effect will be to make the process more efficient for the individual community colleges and the State Board of Community Colleges.

SUBJECT AREA TO BE ADDRESSED: The process for approving uses of funds from the community colleges' academic improvement trust funds.

SPECIFIC AUTHORITY: 240.36(7),(8) FS.

LAW IMPLEMENTED: 240.36(7),(8) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AS NOTICED IN A FUTURE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges, Division of Community Colleges, 325 West Gaines St., Tallahassee, FL 32399-0400

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

RULE CHAPTER TITLE: Florida Building Commission –

Operational Procedures 9B-3

RULE TITLE: State Minimum Electrical Code Adopted 9B-3.049

PURPOSE AND EFFECT: Adopt the most recent version of the National Electric Code for use statewide.

SUBJECT AREA TO BE ADDRESSED: Electrical standards for building construction.

SPECIFIC AUTHORITY: 553.19(1) FS. (1998 Supplement)

LAW IMPLEMENTED: 553.19 FS. (1998 Supplement)

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

DATE AND TIME: 8:00 a.m. – 4:00 p.m., June 8, 1999

PLACE: Clarion Hotel, 9700 International Drive, Orlando, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani,

Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-3.049 State Minimum Electrical Code Adopted.

(1) In order to authorize the use of the most recent advances in technology and materials pertaining to the electrical requirements for building construction, the Commission hereby adopts the “National Electric Code, 1999 Edition” NFPA 70-1999, as the State Minimum Electrical Code.

(2) On or after the effective date of this rule, each local government and state agency with building construction regulation responsibilities shall enforce the standards and procedures contained in the National Electric Code, 1999 Edition, as the minimum electrical standards in the state.

Specific Authority 553.19 FS. Law Implemented 553.19 FS. History–New

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

RULE CHAPTER TITLE: Florida Building Commission –

Handicapped Accessibility Standards 9B-7

RULE TITLE: Florida Accessibility Code for Building Construction 9B-7.0042

PURPOSE AND EFFECT: To adopt by reference the 1999 revisions to the 1997 Florida Accessibility Code for Building Construction (the Code). The proposed 1999 revisions consist of amending Section 4.17.3 (Exception: New Construction) to reference Figure 30(e), and amending Figure 30 to add the new proposed Figure 30(e). The main reason for this proposed revision is to eliminate perceived confusion among the building design professionals regarding whether a lavatory must be contained in a new accessible stall. The proposed revision will provide the building designers with a new illustration “Figure 30(e)” which will clearly depict the intent of the Code requirement that a new accessible stall must contain a lavatory.

SUBJECT AREA TO BE ADDRESSED: Requirement for a lavatory in accessible restroom stall.

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 lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 553.503 FS.

LAW IMPLEMENTED: Chapter 553, Part V, 553.503 FS.

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

TIME AND DATE: 8:00 a.m. – 4:00 p.m., June 8, 1999

PLACE: Clarion Hotel, 9700 International Drive, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact Mo Madani. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-7.0042 Florida Accessibility Code for Building Construction.

The 1997 Florida Accessibility Code for Building Construction (the Code) is adopted by reference as the rule of this Commission, effective October 1, 1997. The 1999 revisions to the Code are herein incorporated into this rule by reference and shall take effect on the effective date of this rule. Copies of the Code and the 1999 revisions are available by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Specific Authority 553.503 FS, Law Implemented Ch. 553, Part V, 553.503 FS, History--New 9-14-97, Amended.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Hazardous Materials Risk Management

RULE CHAPTER NO.: 9G-21

Planning Fee Schedule
RULE TITLE: Approved Forms

RULE NO.: 9G-21.004

PURPOSE AND EFFECT: The purpose of this amendment to Rule Chapter 9G-21, Hazardous Materials Risk Management Planning Fee Schedule, is to clarify fee forms previously adopted pursuant to Chapter 252, Part IV, Florida Statutes. The changes to forms RMP-001, Annual Registration Fee Form, and RMP-002, Multiple Source Location Annual Registration Fee Form, include: clarification of the Stationary Source Information section to ensure consistency in content and format between the forms and the rule text.

SUBJECT AREA TO BE ADDRESSED: Hazardous Materials Risk Management Planning Fee Schedule, Approved Forms.

SPECIFIC AUTHORITY: 252.937(2)(b) FS.

LAW IMPLEMENTED: 252.939(1) 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., June 11, 1999

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 305, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT RULE IS AVAILABLE FROM: Beth Hardin, Risk Management Program Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2149, (850)413-9930

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program is asked to advise the Department at least five (5) calendar days before the program by contacting Priscilla Knight, (850)413-9970. 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

RULE TITLE: Delegation of Authority
RULE NO.: 40D-1.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to incorporate by reference Well Construction Permitting Agreements between the Southwest Florida Water Management District and Sarasota and Manatee Counties which delegate limited authority for well construction permitting to Sarasota and Manatee Counties.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments will incorporate by reference Well Construction Permitting agreements between the Southwest Florida Water Management District and Sarasota and Manatee Counties.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 253.002, 373.026, 373.427, 403.812(1) 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: 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-1.002 Delegation of Authority.

(1) through (2) No change.

(3) The Governing Board hereby incorporates by reference the following documents:

(a) "Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Manatee County" dated , 1999.

(b) "Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County" dated , 1999.



F.A.C., within 48 hours after making oral application. Rule 40D-3.411, F.A.C., shall apply to construction performed under an emergency permit.

Specific Authority 373.044, 373.171, 373.309, 373.326, 373.342 FS. Law Implemented 373.306, 373.308, 373.309, 373.313, 373.342 FS. History-Readopted 10-5-74, Formerly 16J-3.12, Amended 7-1-90, 9-30-91, Formerly 40D-3.451, Amended 7-2-98,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Procedural  
RULE CHAPTER NO.: 40D-2

RULE TITLE: Publications Incorporated by Reference  
RULE NO.: 40D-2.091

PURPOSE AND EFFECT: Each applicant for a water use permit is required to submit a list of property owners that may be affected by the proposed withdrawal in accordance with the provisions of the District’s Rule 40D-2.101, FAC. The District provides notice of agency action on each Water Use Permit application to such potentially affected property owners. The purpose and effect of the proposed rule amendment is to provide a reference to the provisions of certain 40D-2.101(3), FAC, in the Water User Permitting Basis of Review.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments will incorporate the District’s current noticing practices into rule.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.103, 373.113 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0421, 373.0831, 373.103, 373.1963, 373.219, 373.239, 373.243 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-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications” July 28, 1998, the “Agricultural Water Use Form, Form: WUP-15 (8/90),” and the “Agricultural Water Allotment Form, Form: WUP-11 (8/90),” are hereby incorporated by reference into this Chapter and are available from the District upon request.

Specific Authority 120.54, 373.044, 373.103, 373.113 FS. Law Implemented 373.036, 373.0361, 373.0421, 373.0831, 373.103, 373.1963, 373.219, 373.239, 373.243 FS. History-New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98,\_\_\_\_\_.

**BASIS OF REVIEW FOR WATER USE PERMIT APPLICATIONS**

**1.0 PERMITTING PROCEDURES**

1.1 through 1.6 No change.

**1.7 POTENTIALLY AFFECTED PARTIES**

Upon receipt of a permit application, the District will publish notice in a newspaper of general circulation near the location of the proposed withdrawal. Interested persons may request to be provided notice of agency action on a permit application.

Permit Applicants must submit a list of names and addresses of property owners that may be affected by the proposed withdrawals as indicated on the application form, and required by 40D-2.101(3), F.A.C.

The District will provide a Notice of Agency Action on each permit to potentially affected property owners as determined pursuant to subsection 40D-2.101(3), F.A.C., and interested persons, as well as the permit applicant. Affected persons may request a hearing on the agency action within 21 days of receipt of the notice in accordance with Chapter 120, F.S. and Chapter 28-106, F.A.C.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Regulation of Wells  
RULE CHAPTER NO.: 40D-3

RULE TITLE: Exemptions  
RULE NO.: 40D-3.051

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to allow the District to receive requests for and grant certain exemptions from well construction requirements orally. Such a procedure is necessary to allow the District to ameliorate various emergencies encountered during well construction, repair or abandonment when strict adherence to the rule requirements of Chapter 40D-3, FAC, would cause undue hardship.

SUBJECT AREA TO BE ADDRESSED: The proposed rule language establishes the procedure for orally requesting and obtaining emergency exemptions from water well construction requirements from the District.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.303, 373.308, 373.309, 373.313, 373.316, 373.326 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.





Florida 32399-0950, or from the appropriate Agency. The Contractor's financial condition must demonstrate that adequate liquid assets and equipment are available to properly perform this project as follows: The value of liquid assets must be less than one-twentieth of the amount of the base bid. Liquid assets shall include cash, stocks, bonds, pre-paid expenses and receivables, but shall not include the value of equipment.

- f. through j. No change.
- 2. No change.

Specific Authority 255.29 FS. Law Implemented 255.05, 255.051, 255.29 FS. History--New 5-26-76, Amended 6-7-77, 7-14-81, 7-7-83, 9-2-85, Formerly 13D-11.04, Amended 1-1-87, 11-5-91, Formerly 13D-11.004, Amended 8-28-96,\_\_\_\_\_.

60D-5.0082 Competitive Selection.

When authorized under Rule 60D-5.008 or Rule 60D-5.0081, the Agency shall determine the prime contractor most able to perform the work as follows:

- (1) No change.
- (2) No change.

(3) The Selection Committee shall determine the relative ability of each firm to perform the services required for each project. Determination of ability shall be developed utilizing the evaluation criteria set forth in the evaluation scoring form, number DBC-5033 entitled "Evaluation Summary Sheet - General Contractor/Construction Manager Selection", effective 2/99 3/22/95 which is hereby incorporated by reference. The form with instructions for its use may be obtained from the Division of Building Construction, Department of Management services, Building 4030, Suite 335, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

- (4) No change.

Specific Authority 255.29(3) FS. Law Implemented 255.29 FS. History--New 1-2-89, Amended 11-5-91, Formerly 13D-11.0082, Amended 8-28-96,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Safety Guidelines

RULE NO.: 61G14-15.003

PURPOSE AND EFFECT: Rule 61G14-15.003 is being amended within subsection (5) to ensure statutory compliance with Sections 310.075(4) and 310.101(1)(d), Florida Statutes, and to remove portions of the rule for which statutory authority may be questionable.

SUBJECT AREA TO BE ADDRESSED: Safety Guidelines.

SPECIFIC AUTHORITY: 310.185 FS.

LAW IMPLEMENTED: 310.075(4), 310.101, (1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John P. Currie, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-15.003 Safety Guidelines.

- (1) through (4) No change.

(5) The pilots in each port shall submit to the Board for its review and approval, the current maximum allowable draft of vessels calling at the port and operational guidelines of each port giving consideration to maritime interests and other regulatory agencies in each port area. The operational guidelines will provide for safe and prudent handling of commercial vessels and be subject to an annual review. It shall include, but not be limited to, restrictions on bottom clearance or maximum draft for each berth and channel, as required by Sections 310.075(4) and 310.101(1)(d), Florida Statutes wind and tide restrictions, agreements, port regulations, and guidelines for radio communications of vessel traffic. The Board of Pilot Commissioners shall provide this information on each port to the publishers of the U.S. Coast Pilot.

- (6) No change.

Specific Authority 310.185 FS. Law Implemented 310.075(4), 310.101(1)(d) FS. History--New 11-6-89, Amended 6-26-90, 12-30-91, 10-25-92, Formerly 21SS-9.001, 21SS-15.003, Amended 11-15-93, 1-26-99,\_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 99-18R

RULE CHAPTER TITLE: Stationary Sources - Emission

RULE CHAPTER NO.: 62-296

Standards 62-296

RULE TITLE: Incinerators

RULE NO.: 62-296.401

PURPOSE AND EFFECT: The Department is developing amendments to Florida Administrative Code Rule 62-296.401(4), to clarify how the Biological Waste Incineration Rule is to be applied during the implementation of the emission guidelines for existing hospital/medical/infectious waste incinerators codified at title 40, part 60, subpart Ce, of the Code of Federal Regulations.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would amend the Biological Waste Incineration Rule to reflect the adoption of the new federal standards applicable to hospital/medical/infectious waste incinerators.

SPECIFIC AUTHORITY: 403.061, 403.716 FS.  
LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.716, 470.025 FS.

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

TIME AND DATE: 10:00 a.m. to 3:00 p.m., Thursday, June 10, 1999

PLACE: Department of Environmental Protection, Central District Office, Conference Room A of the Lexington Building, 3319 Maguire Boulevard, Orlando, Florida

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

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Beaches and Shores**

Docket No.: 99-12R

RULE CHAPTER TITLE: Administrative Fines and Damage Liability  
RULE CHAPTER NO.: 62B-54

PURPOSE AND EFFECT: To provide a method for determining the amount of fines or damages to be assessed for violations pursuant to 161.054, F.S., and the procedure for imposing and collecting such fines or damages.

SUBJECT AREA TO BE ADDRESSED: The assessment of fines and damages for violations pursuant to 161.054, F.S.

SPECIFIC AUTHORITY: 161.052, 161.053 FS.

LAW IMPLEMENTED: 161.054 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: Ms. Ann Kiefert, Environmental Specialist, The Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, Tallahassee, Florida 32399-3000, (850)487-1262, extension 186

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Law Enforcement**

DOCKET NO: 99-11R

RULE TITLE: Pinellas County Boating Restricted Areas  
RULE NO.: 62N-24.010

PURPOSE AND EFFECT: This rule has been in continuous existence for the past ten years. The City of Clearwater cites as justification for amendment, vessel traffic congestion, public boat ramps and a marina that provides fuel.

By codifying these zones by rule, all zones established heretofore by the Department (or by the Department of Natural Resources, DNR) other than by rulemaking are disestablished, and any regulatory markers other than those installed to implement this rule will be removed.

The local office of the Florida Marine Patrol has concurred with this action. This action is being coordinated with the City of Clearwater, United States Army Corps of Engineers and the United States Coast Guard.

SUBJECT AREA TO BE CONSIDERED: The amendment of the existing Slow Speed Minimum Wake zones is as follows: the waters of the Florida Intracoastal Waterway 500 feet southwest of the S. R. 60 (Memorial Causeway) to 3,180 feet northeast of the centerline of S. R. 60 (Memorial Causeway) including all waters from the western right-of-way of the Florida Intracoastal Waterway to the shoreline of the City of Clearwater. The City of Clearwater will be authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within the boating restricted area and shall install and maintain "Resume Normal Safe Operation" markers at the boundaries of the boating restricted areas.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED FOR A LATER DATE TO BE ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Tara Alford, Division of Law Enforcement, Office of Enforcement Planning and Policy Coordination, Mail Station 650, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)488-5600, Extension 136

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62N-24.010 Pinellas County Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on and adjacent to the Florida Intracoastal Waterway in Pinellas County, Florida, the following boating restricted areas ~~are~~ is amended:

(a)1. through 6. No change.

7. Memorial Causeway, ~~S.R. State Road 60 – A Slow Speed Minimum Wake zone from the centerline of S. R. 60, to 500 feet southwest of S. R. 60 to 3,180 feet northeast of the centerline of S. R. 60 to include all waters from the western right-of-way of the Florida Intracoastal Waterway to the shoreline of the City of Clearwater. All waters lying within the right of way of the Intracoastal Waterway between a line drawn perpendicular to the center line of the waterway 500 feet northeast of the Memorial Causeway at Clearwater and a line drawn perpendicular to center line of the waterway 500 southwest of said bridge,~~ as depicted in drawing G.

8. through (b)1.2. No change.

(2) Pinellas County ~~and the City of Clearwater are is~~ authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within the boating restricted areas, ~~and shall install and maintain the “Resume Normal Safe Operation” markers at the northern and southern boundaries of the boating restricted areas.~~

(3) The boating restricted areas are depicted in the following drawings:

INSERT MAP

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 9-18-88, Amended 12-7-89, Formerly 16N-24.010, Amended 10-1-96,

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Practice Guidelines for Pain Management  
 RULE NO.: 64B8-9.013  
 PURPOSE AND EFFECT: The Board proposes the development of a rule to address practice guidelines for pain management.  
 SUBJECT AREA TO BE ADDRESSED: Practice guidelines for pain management.  
 SPECIFIC AUTHORITY: 458.331(1)(v) FS.  
 LAW IMPLEMENTED: 458.331(1)(v) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Medicinal Drugs Which May be Ordered by Pharmacists  
 RULE NO.: 64B8-36.003  
 PURPOSE AND EFFECT: The Board intends to develop an amendment to the rule to conform the rule to the current pharmacy rule and to address additions made by the pharmacists formulary committee.  
 SUBJECT AREA TO BE ADDRESSED: Revisions to conform the rule to the current pharmacy rule and additions to the formulary.  
 SPECIFIC AUTHORITY: 465.186(2) FS.  
 LAW IMPLEMENTED: 465.186 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

64B8-36.003 Medicinal Drugs Which May be Ordered by Pharmacists.

A Pharmacist may order and dispense from the following formulary, subject to the stated conditions:

(1) Oral analgesics: ~~The following may be ordered~~ for mild to moderate pain: magnesium salicylate/phenyltoloxamine citrate, acetylsalicylic acid (Zero order release, long acting tablets), choline salicylate and magnesium salicylate, naproxen sodium, naproxen, and ibuprofen ~~IBUPROFEN~~ (no more than 400 mg per dosage unit for minor pain and menstrual cramps for patients with no history of peptic ulcer disease; limited to a six (6) day supply for one treatment). When appropriate, such prescriptions shall be labeled to be taken with food or milk.

(2) Urinary analgesics: ~~The following may be ordered:~~ phenazopyridine, not exceeding a two (2) day supply. Such prescriptions shall be labeled as to the tendency to discolor urine and when appropriate shall be labeled to be taken after meals.

(3) Otic analgesics: ~~The following may be dispensed:~~ antipyrine 5.4%, benzocaine 1.4%, glycerin, which shall be labeled for use in the ear only.

(4) Hemorrhoid medications: ~~The following may be dispensed:~~ 0.5% hydrocortisone acetate and 0.5% dibucaine ointments and creams, limited to a seven (7) day supply.

(5) Leg cramps: ~~The following may be ordered:~~ quinine sulfate tablets, except to patients with cardiac arrhythmias, and not to patients currently using anticoagulant or digitalis containing drugs. When appropriate, such prescriptions shall be labeled to be taken with or after meals.

(4)(6) Anti-nausea preparations: ~~The following may be dispensed:~~ Meclizine up to 25 mg., except for a patient currently using a central nervous system (CNS) depressant. The prescription shall be labeled to advise of drowsiness ~~side effects~~ and caution against concomitant use with alcohol or other depressants. Scopolamine not exceeding 1.5 mg. per dermal patch. Patient to be warned "if eye pain develops, seek appropriate medical attention."

(5)(7) Antihistamines and decongestants. The following, including their salts, either as a single ingredient product or in combination, including nasal decongestants, may be ordered for patients above (6) years of age:

- (a) Diphenhydramine
- (b) Carbinoxamine
- (c) Clemastine ~~1.34 mg.~~
- (c)(d) Pyrilamine
- (e) ~~Chlorpheniramine~~
- (d)(f) Dexchlorpheniramine
- (e)(g) Brompheniramine
- (f) Loratadine (maximum 14 days supply only)

The patient should be warned that antihistamines should not be used by patients with bronchial asthma or other lower respiratory symptoms, glaucoma, cardiovascular disorders, hypertension, prostate conditions and urinary retention. Antihistamines shall be labeled to advise of drowsiness ~~side effect~~ and caution against the concomitant use with alcohol or other depressants.

- (g) Fexofenadine
- (h) Azelastine
- (h) Triprolidine
- (i) Pseudoephedrine
- (j) Phenylpropanolamine
- (i)(k) Ephedrine
- (j)(l) Phenylephrine
- (k)(m) Phenyltoloxamine
- (l)(n) Azatadine
- (m)(o) Diphenylpyraline

Oral decongestants shall not be ordered for use by patients with coronary artery disease, angina, hyperthyroidism, diabetes, glaucoma, prostate conditions, hypertension, or patients currently using monoamine oxidase inhibitors.

~~(6)(8) Anthelmintic:—The following may be ordered:~~  
Pyrantel pamoate. The drug product may only be ordered for use by patients over 2 years of age.

~~(7)(9) Topical antifungal/antibacterials:—The following may be ordered:~~ Iodochlorhydroxyquin with 0.5% Hydrocortisone (not exceeding 20 grams), Haloprogin 1%, Clotrimazole topical cream and lotion, Nystatin topical cream, ointment, lotion or powder, miconazole nitrate topical cream, erythromycin topical. The patient shall be warned that all of the above products should not be used near deep or puncture wounds, and Iodochlorhydroxyquin preparations shall be labeled as to the staining potential.

~~(8)(10) Topical anti-inflammatory:—The following may be ordered:~~ Preparations containing hydrocortisone not exceeding ~~2.5% 0.5%~~. The patient shall be warned that hydrocortisone should not be used on bacterial infections, viral infections, or fungal infections or by patients with impaired circulation. Such prescriptions shall be labeled to avoid contact with eyes and broken skin.

~~(9)(11) Otic antifungal/antibacterial:—The following may be ordered:~~ acetic acid 2% in aluminum acetate solution, which shall be labeled for use in ears only.

~~(10)(12) Keratolytics:—The following may be ordered:~~ salicylic acid 16.7% and lactic acid 16.7% in flexible collodion, to be applied to warts, except for patients under two (2) years of age, and those with diabetes or impaired circulation. Prescriptions shall be labeled to avoid contact with normal skin, eyes and mucous membranes.

~~(11)(13) Vitamins with fluoride (This does not include vitamins with folic acid in excess of 0.9 mg.)~~

~~(12)(14) Medicinal drug shampoos containing Lindane~~ may be ordered pursuant to the following conditions:

(a) The pharmacist shall limit the order to the treatment of head lice only and provide the patient with the appropriate instructions and precautions for use.

(b) The amount allowed per person shall be four ounces.

(13) Antidiarrheal: Loperamide 2mg. per dosage unit. No more than a two day supply may be dispensed.

(14) Smoking cessation products: Nicotine transdermal systems.

(a) Before prescribing, the pharmacist:

1. Must have successfully completed a comprehensive smoking cessation training program such as the American Cancer Society Physician Training Program or other ACPE approved certification program.

2. Must insure patient involvement in a behavior modification program.

3. Must insure that there are no medical contraindications for patient participation including pregnancy or breastfeeding, cardiovascular disease (postinfarction, arrhythmias, hypertension, peripheral vascular disease), pheochromocytoma, hyperthyroidism, or insulin dependent diabetes mellitus.

4. Must inform patients of all contraindications and hazards of drug therapy including drug, food, and nutritional interactions.

5. Must counsel patients on proper drug use of prescribed product.

(b) After prescribing, the pharmacist:

1. May dispense no more than a 14 day supply of nicotine transdermal patches.

2. May dispense smoking cessation products for no more than 24 consecutive weeks of drug therapy.

3. May prescribe these products for nicotine replacement only.

4. Must perform and document follow-up counseling during therapy.

(15) Ophthalmics: Naphazoline 0.1% ophthalmic solution.

(16) Cough suppressants:

(a) Guaifenesin

(b) Dextromethorphan

(17) Vaginal antifungals: Miconazole nitrate suppositories and/or miconazole nitrate cream.

(18) Histamine H2 antagonists:

(a) Cimetidine

(b) Famotidine

(c) Ranitidine HC1

Pharmacists shall advise patients that these agents may mask serious disorders.

(19) Topical Antiviral:

(a) Acyclovir ointment may be ordered for the treatment of herpes simplex infections of the lips.

(b) Penciclovir.

(20) Acne product: Benzoyl peroxide.

Specific Authority 465.186(2) FS. Law Implemented 465.186 FS. History-- New 5-1-86, Formerly 21M-39.003, 61F6-39.003, 59R-36.003, Amended

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Examination Requirements  
 RULE NO.: 64B13-4.001

PURPOSE AND EFFECT: The Board proposes the development of a rule to clarify the requirements for examination for licensure.

SUBJECT AREA TO BE ADDRESSED: Clarification of examination requirements.

SPECIFIC AUTHORITY: 455.574(1), 463.006(2) FS.

LAW IMPLEMENTED: 455.574(1), 463.006(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: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-4.001 Examination Requirements.

The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), the certification examination, and Parts I and II of the state examination for licensure.

- (1) No change.
- (2) State Examination
  - (a) through (c) No change.
  - (d) Part II of the state examination shall consist of a clinical portion and a pharmacology/ocular disease portion.

1. The subject areas and associated weights for the clinical portion of the practical examination shall be as follows:

<u>a. Pupillary Examination</u>	<u>6%</u>
<u>a.b. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting, Visual Field Recognition, and Disease Process)</u>	<u>9% 3%</u>
<u>b. Muscle Balance and Motility</u>	<u>4%</u>
<u>c. Pupillary Examination</u>	<u>8%</u>
<u>d.e. Objective Examination (Retinoscopy)</u>	<u>2% 6%</u>

<u>e.d. Subjective Refraction</u>	<u>3% 7%</u>
<u>f.e. Internal Examination by Means of Binocular Indirect Ophthalmoscopy Ophthalmoscope</u>	<u>18.5% 18%</u>
<u>g.f. Biomicroscopy Anterior</u>	<u>21.5% 20%</u>
<u>g. Goldmann Tonometry</u>	<u>10%</u>
<u>h. Biomicroscopy Posterior (Hruby Lens or Fundus Lens)</u>	<u>17% 20%</u>
<u>i. Goldmann Tonometry</u>	<u>10%</u>
<u>j.i. Gonioscopy</u>	<u>7% 10%</u>
2. The grading criteria for each subject area and the points associated with each criterion shall be as follows:	
<u>a. Pupillary Examination</u>	
<u>1.1. Conducts pupillary tests in a manner consistent with obtaining accurate findings</u>	<u>6</u>
<i>(Points for this criterion shall be assigned as follows: 2 points each for performance related to determining pupil size, direct and consensual response to light, and afferent pupillary reflex.)</i>	
<u>a.b. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting and Visual Field Defect Recognition, Location, and Disease Process)</u>	<u>9</u>
<u>1.1. Conducts specified visual field test in a manner consistent with obtaining accurate findings. Accurately identify visual field defect name, location and disease process.</u>	<u>3</u>
<u>b. Muscle Balance and Motility Testing</u>	<u>4</u>
<u>1.1 Conducts examinations in a manner that will allow for evaluation of any phoric and or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis.</u>	
<u>c. Pupillary Examination</u>	<u>8</u>
<u>1.1 Conducts pupillary tests in a manner consistent with obtaining accurate findings.</u>	
<u>d.e. Objective Examination (Retinoscopy)</u>	<u>2</u>
<u>1.1. Conducts retinoscopy in a manner capable of obtaining a visual acuity of 20/30</u>	<u>6</u>
<u>e.d. Subjective Refraction</u>	<u>3</u>
<u>1.1. Conducts refraction in a manner capable of obtaining a visual acuity of 20/20</u>	<u>7</u>
<u>f.e. Internal Examination by Means of Binocular Indirect Ophthalmoscopy Ophthalmoscope</u>	<u>18.5</u>
<u>1.1. Accurately views and evaluates retinal landmark as requested</u>	<u>18</u>
<u>g.f. Biomicroscopy (Anterior)</u>	<u>21.5</u>

- 1.1. Uses proper technique to demonstrate requested views of anterior structures of eye 20
- ~~h.g.~~ Biomicroscopy Posterior (Hruby lens or Fundus lens) 17
- 1.1. Accurately views and evaluates posterior landmarks as requested 20
- ~~i.h.~~ Goldman Tonometry 10
- 1.1. Demonstrates accurate technique for the measurement of intra-ocular pressure 10
- ~~j.i.~~ Gonioscopy 7
- 1.1. Demonstrates accurate technique for identifying angle structures 10
- 3. through 4. No change.
- 5. Twenty-five case history items on the pharmacology/pathology portion of the practical examination are distributed according to the following content emphasis:
  - a. Group A:
    - Number of Case History Items: 7-9 cases
    - Eye Structures: Adnexa (lids, lashes, lacrimal, apparatus), Conjunctiva (bulbar and palpebral), Sclera/episclera, Cornea, Iris/ciliary body
    - Disease Type: Toxic, Inflammatory, Infectious
  - b. Group B:
    - Number of Case History Items: 4-6 cases
    - Eye Structures: Lens, Vitreous, Retina/choroid, Macular disease
    - Disease Type: Congenital, Degenerative, Dystrophic Vascular, Traumatic
  - c. Group C:
    - Number of Case History Items: 2-3 cases
    - Eye Structures: Lens, Vitreous, Retina/choroid, Macular disease
    - Disease Type: Toxic, Inflammatory, Infectious
  - d. Group D:
    - Number of Case History Items: 2-3 cases
    - Eye Structures: Cornea, Iris/ciliary body, Lens, Vitreous, Retina/choroid, Macular disease
    - Disease Type: Surgical Complications
  - e. Group E:
    - Number of Case History Items: 2-3 cases
    - Eye Structures: Cornea, Iris/ciliary body
    - Disease Type: Congenital, Degenerative, Dystrophic Vascular, Traumatic
  - f. Group F:
    - Number of Case History Items: 4-3 cases
    - Disease Type: Primary and Secondary Open and Closed Angle Glaucoma
  - g. Group G:
    - Number of Case History Items: 4-3 cases

- Eye Structures: Neurological Disease (optic nerve, Visual pathway, orbit, motility)
- h. Group H:
  - Number of Case History Items: 2-3 cases
  - Eye Structures: Adnexa (lids, lashes, lacrimal, apparatus), Conjunctiva (bulbar and palpebral), Sclera/episclera, Cornea, Iris/ciliary body, Lens, Vitreous, Retina/choroid, Macular disease, Glaucoma, Neurological Disease (optic nerve, Visual pathway, orbit)
  - Disease Type: Tumors
  - 6. No change.
  - (3) No change.

Specific Authority 455.574(1), 463.006(2) FS. Law Implemented 455.574(1), 463.006(2) FS. History—New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLE: Application for Licensure RULE NO.: 64B18-11.001  
 PURPOSE AND EFFECT: The Board proposes amendments to the rule to address the PMLexis Examination.  
 SUBJECT AREA TO BE ADDRESSED: PMLexis Examination.  
 SPECIFIC AUTHORITY: 461.005, 455.604(6) FS.  
 LAW IMPLEMENTED: 455.564, 461.006, 455.604 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:  
 TIME AND DATE: 1:00 p.m., or as soon thereafter as can be heard, June 18, 1999  
 PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Forms for Client Notice and Contact RULE NO.: 65A-1.400  
 PURPOSE AND EFFECT: This proposed amendment of rule 65A-1.400 will replace outdated editions of forms that are incorporated by reference, and will place some forms in rule



for the first time. All forms to be included in this action have not yet been identified so that specific forms are not being listed in this notice.

**SUBJECT AREA TO BE ADDRESSED:** This rule amendment will place revised editions of forms incorporated by reference into rule 65A-1.400 and will newly incorporate some forms by reference. One specific action will be to remove a requirement for ten-day compliance with work requirements before a sanction can be lifted from the form CF-ES 2097.

**SPECIFIC AUTHORITY:** 409.919, 410.033, 414.45 FS.

**LAW IMPLEMENTED:** 400.903, 409.904, 410.033, 414.065, 414.075, 414.085, 414.095, 414.105, 414.115, 414.122, 414.125, 414.13, 414.16, 414.21, 414.28, 414.31 FS.

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

**TIME AND DATE:** 2:00 p.m., June 8, 1999

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

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

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

Proposed Rules

## Section II Proposed Rules

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Finance

RULE TITLES:	RULE NOS.:
Mortgage Broker Education Requirement	3D-40.027
Permit for Mortgage Brokerage School	3D-40.028
Mortgage Brokerage School Permit Renewal	3D-40.029
Accreditation Process for a Mortgage Brokerage School	3D-40.030
Application Procedure for Mortgage Broker License	3D-40.031
Application Procedure for Mortgage Brokerage Business License	3D-40.051
Application Procedure for Mortgage Brokerage Business Branch Office Permit	3D-40.058
Application Procedure for Change in Ownership or Control of Savings Clause Mortgage Lender	3D-40.100
Branch Office Permit for Change in Ownership or Control of Savings Clause Mortgage Lender	3D-40.105

Application Procedure for Mortgage Lender License	3D-40.200
Application Procedure for Correspondent Mortgage Lender License	3D-40.220
Application Procedure for Mortgage Lender or Correspondent Mortgage Lender Branch Office Permit	3D-40.240

**PURPOSE AND EFFECT:** To update the application and renewal forms for mortgage broker schools; to change the application and renewal fees for mortgage broker schools; and to make other changes to the mortgage broker application rules.

**SUMMARY:** The proposed amendments incorporate changes to the Application for Mortgage Brokerage School and Mortgage Brokerage School Renewal Form. The accreditation fee is raised to \$400 for each mortgage brokerage school and the accreditation fee for instructors has been deleted. The recertification accreditation fee is raised to \$400 for each school and this fee for instructors has been deleted. Citations to statutory provisions have also been changed.

**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 within 21 days of this notice.

**SPECIFIC AUTHORITY:** 494.0011(2) FS.

**LAW IMPLEMENTED:** 494.0031, 494.00311, 494.0033, 494.0036, 494.0061, 494.0062, 494.0064, 494.0065, 494.0066, 494.0071 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., June 22, 1999

**PLACE:** Room 550, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Geraldine Harrison, Bureau of Registrations, Room 550, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 (850)410-9805

**THE FULL TEXT OF THE PROPOSED RULES IS:**

3D-40.027 Mortgage Broker Education Requirement.  
~~Within 10 days of completion of each 24 hour mortgage broker course, the classroom instructor shall submit to the Department a list of all students who successfully completed the course. The list shall include the name and social security number of each student and the school's name and the instructor's signature. Electronic signatures are allowable per Florida Statutes when the required data is submitted to the Department via computer transmission from a school.~~

(1) No change.

(2) Qualifying hours may be obtained by attendance at a duly permitted and accredited Mortgage Brokerage School or an accredited college, university, community college, or area vocational-technical school in this State which offers the twenty-four (24) hour mortgage training course ~~taught by a classroom instructor having a minimum of one year's experience in primary and subordinated financing transactions or a minimum of one year's experience conducting classes in primary and subordinated financial transactions; or from a school in which qualifying hours are obtained from a classroom instructor having a minimum of one year's experience in primary and subordinated financial transactions or one year's experience in conducting classes in primary and subordinate financial transactions.~~ Any individual person or school offering qualifying hours must include the curriculum for mortgage broker classroom education, Rule 3D-40.026, F.A.C. Florida Administrative Code, and the laws and rules of ss. 494.001 - 494.0077, F.S. Florida Statutes, as the basis for course study.

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

~~(a) For the purpose of this rule "School" means any duly permitted and accredited Mortgage Brokerage School and any accredited college, university, community college or area vocational-technical school in this State, which offers the twenty-four (24) hour mortgage brokerage training course as a condition precedent to licensure as a mortgage broker. Such course to include the curriculum described in Rule 3D-40.026, F.A.C.~~

~~(b) For the purpose of this rule "classroom instructor" means any person who teaches the curriculum for mortgage broker classroom education, and~~

~~1. who is registered as an instructor for a duly permitted and accredited Mortgage Brokerage School, or~~

~~2. who is employed by or serves as an independent contractor with an accredited college, university, community college or area vocational technical school in this State.~~

(4) Within five (5) days of completion of each twenty-four (24) hour mortgage broker course, the school shall submit to the Department a typed list of all students who successfully completed the course. The list should be typed in a format prescribed by the Department or in lieu of the typed list, the school may submit the list on a 3.5" diskette or by e-mail or by accessing the Department's website at www.dbf.state.fl.us. The list shall include the full name of the student, the social security number of each student, the school's name, the school's license number and the completion date.

Specific Authority 494.0011(2) FS. Law Implemented 494.0033-~~282.73~~ FS. History--New 7-5-92, Amended 11-5-95, 11-24-97, \_\_\_\_\_.

3D-40.028 Permit for Mortgage Brokerage School.

(1) Application Process. Each person, school, or institution desiring to obtain a permit for a Mortgage Brokerage School shall apply to the Department by submitting the following:

(a) a completed Application for Mortgage Brokerage School Permit, Form DBF-MBS-101, revised \_\_\_\_\_ effective 10/95, and a completed Registration Application for each instructor, Form DBF-MBS-102, effective 10/95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.

(b) No change.

(c) a \$400 non-refundable accreditation fee which shall be for the annual period beginning October 1 of each year or any part thereof ~~and calculated as follows: Each school, \$200.00; each instructor, \$100.00.~~

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within thirty (30) days from the date of the request. Failure to respond to the request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(1)(2), F.S. Florida Statutes.

(3) through (5) No change.

Specific Authority 494.0011(2), 494.00311(1),(3)(b) FS. Law Implemented 120.60(1)(2), 494.00311 FS. History--New 11-5-95, Amended \_\_\_\_\_.

3D-40.029 Mortgage Brokerage School Permit Renewal.

(1) Each active Mortgage Brokerage School permit shall be renewed for the annual period beginning October 1 of each year upon submission of the following:

(a) a permit renewal fee of \$500 and a completed renewal form, Form DBF-MBS-202, Mortgage Brokerage School Renewal Form, revised \_\_\_\_\_ effective 10/95, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350; and

(b) a recertification accreditation fee of \$400 ~~\$200~~ for the school ~~and \$100 for each currently registered instructor; which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, Suite 550, Fletcher Building, Tallahassee, Florida 32399-0350.~~

(2) No change.

Specific Authority 494.0011(2), 494.00311(1),(3)(b) FS. Law Implemented 494.00311 FS. History--New 11-5-95, Amended \_\_\_\_\_.

3D-40.030 Accreditation Process for a Mortgage Brokerage School.

(1) Section 494.00311, ~~F.S. Florida Statutes~~, authorizes the Department to evaluate each school by an accreditation process to determine compliance and competency of mortgage brokerage schools and to recertify each school on an annual basis. The basis for accreditation will consist of the following evaluation criteria:

- (a) through (d) No change.
- (e) Instructor's ~~experience and~~ ability to convey subject matter.
- (f) through (2)(f) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.00311 FS. History--New 11-5-95, Amended \_\_\_\_\_.

3D-40.031 Application Procedure for Mortgage Broker License.

- (1)(a) No change.
- (b) a non-refundable application fee of \$200 which shall be the fee for the biennial period beginning September 1 of each odd numbered year or any part thereof; and
- (c) a completed fingerprint card accompanied by a \$15 non-refundable processing fee. ~~The fingerprint card will be valid for a period of 90 days from the date of receipt by the Department; and~~
- (d) ~~after July 1, 1992, a Mortgage Broker Education Completion Certificate required by Rule 3D 40.027, Florida Administrative Code.~~

(2) Request for Additional Information. Any request for additional information, including a passing score on the Mortgage Broker Examination, will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within ninety (90) days from the date of the request. Failure to respond within ninety (90) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), ~~F.S. Florida Statutes~~.

(3) through (7) No change.

Specific Authority 494.0011(2), 494.0033(2)(d), 215.405 FS. Law Implemented 120.60(1), 494.0033(2)(d) FS. History--New 10-30-86, Amended 1-30-89, 5-23-89, 11-28-89, 10-1-91, 6-8-92, 6-3-93, 6-6-93, 4-25-94, 5-14-95, 9-3-95, 11-24-97, \_\_\_\_\_.

3D-40.051 Applicaion Procedure for Mortgage Brokerage Business License.

- (1) through (2) No change.
- (3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45)

days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), ~~F.S. Florida Statutes~~.

(4) through (8) No change.

Specific Authority 494.0011(2), 494.0031(2), 215.405 FS. Law Implemented 494.0031(2) FS. History--New 10-30-86, Amended 1-30-89, 11-28-89, 10-1-91, 6-6-93, 5-14-95, 7-14-96, 11-24-97, \_\_\_\_\_.

3D-40.058 Application Procedure for Mortgage Brokerage Business Branch Office Permit.

(1) through (2) No change.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), ~~F.S. Florida Statutes~~.

(4) through (7) No change.

Specific Authority 494.001(2) FS. Law Implemented 494.0036 FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, \_\_\_\_\_.

3D-40.100 Application Procedure for Change in Ownership or Control of Savings Clause Mortgage Lender.

(1) No change.

(2) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), ~~F.S. Florida Statutes~~.

(3) through (6) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.00171, 494.0061(1), 494.0065 FS. History--New 8-24-93, Amended 9-3-95, \_\_\_\_\_.

3D-40.105 Branch Office Permit for Change in Ownership or Control of Savings Clause Mortgage Lender.

(1) through (2) No change.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the

Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), F.S. Florida Statutes.

(4) through (7) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.00171, 494.0065, 494.0066 FS. History--New 8-24-93, Amended 9-3-95,\_\_\_\_\_.

3D-40.200 Application Procedure for Mortgage Lender License.

(1) through (2) No change.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), F.S. Florida Statutes.

(4) through (8) No change.

Specific Authority 494.0011(2), 494.0061(3), 215.405 FS. Law Implemented 494.0061(3) FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-24-97,\_\_\_\_\_.

3D-40.220 Application Procedure for Correspondent Mortgage Lender License.

(1) through (2) No change.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond within forty-five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), F.S. Florida Statutes.

(4) through (8) No change.

Specific Authority 494.0011(2), 494.0062(3), 215.405 FS. Law Implemented 494.0062(3) FS. History--New 10-1-91, Amended 6-6-93, 5-14-93, 9-3-95, 11-5-96, 7-14-96, 11-24-97,\_\_\_\_\_.

3D-40.240 Application Procedure for Mortgage Lender or Correspondent Mortgage Lender Branch Office Permit.

(1) through (2) No change.

(3) Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty-five (45) days from the date of the request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the

Department as grounds for denial for failure to complete the application and the application shall be denied pursuant to Section 120.60(1)(2), F.S. Florida Statutes.

(4) through (7) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.00171, 494.0066 FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Geraldine Harrison, Chief, Bureau of Registrations

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Don B. Saxon, Director, Division of Securities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 1999

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

**DEPARTMENT OF INSURANCE**

**State Fire Marshal**

RULE CHAPTER TITLE: Standard for Layout, Installation, and Maintenance of Sprinkler Systems for Light Hazard Occupancies

RULE CHAPTER NO.: 4A-45

RULE TITLES: Purpose 4A-45.002 Definitions 4A-45.003 Classification of Sprinkler Systems 4A-45.005

PURPOSE AND EFFECT: Repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C. These section were inadvertently left off when the rule was repealed.

SUMMARY: This action repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 633.01 FS.

LAW IMPLEMENTED: 633.01(3)(c), 633.082 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., June 15, 1999

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Terry Barrow, State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)922-3100, ext. 4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4A-45.002 Purpose.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.003 Definitions.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

4A-45.005 Classification of Sprinkler Systems.

Specific Authority 633.01 FS. Law Implemented 633.01(3)(c), 633.065, 633.082 FS. History—New 5-9-88, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terry Barrow, Safety Program Manager, State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Clark, Division Director, State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 25, 1998

DEPARTMENT OF REVENUE

RULE TITLES:	RULE NOS.:
Scope of Rules	12-25.0305
Definitions	12-25.031
Eligibility and Qualifications	12-25.033
Responsibility for Program Training, Certification Procedures, and Program Availability	12-25.035
Applying for Participation in the Program	12-25.037
Voluntary Disclosure of Liabilities for Other Taxes	12-25.038
Protest Procedure; Denial of a Request to Participate in the Certified Audit Program	12-25.039
Suspension of a Certified Audit in Progress	12-25.041
Withdrawal from the Certified Audit Program	12-25.042
A Certified Audit is Initiated by the Taxpayer, But Not Completed	12-25.045
Development of Agreed-Upon Procedures	12-25.047
Submission of the Certified Audit Report	12-25.048
Review of Certified Audit Reports	12-25.049
Protests	12-25.050

PURPOSE AND EFFECT: The proposed creation of Part II of Rule Chapter 12-25, FAC, consisting of Rules 12-25.0305, 12-25.031, 12-25.033, 12-25.035, 12-25.037, 12-25.038, 12-25.039, 12-25.041, 12-25.042, 12-25.045, 12-25.047,

12-25.048, 12-25.049 and 12-25.050, FAC, is necessary to implement the provisions of Chapter 98-95, Laws of Florida, which were enacted by the 1998 Legislature. Chapter 98-95, L.O.F., which created s. 213.285, F.S., 1998 Supplement, established a new tax compliance activity known as the certified audits program. This program allows a taxpayer to voluntarily employ a CPA firm, at the taxpayer's expense, to examine and report on the taxpayer's compliance with Florida's tax laws.

The effect of creating Part II of Rule Chapter 12-25, F.A.C., is to provide potential program participants with information about how the program will operate.

SUMMARY: These proposed new rules define terms used in the various rule provisions; explain the training and certification procedures for persons who want to participate in the certified audit program; outline the procedures a qualified practitioner must follow to apply, on behalf of a client, for participation in the program; stipulate how a qualified practitioner can protest the Department's decision to deny a request to participate; explain how the failure to complete a certified audit will be handled; discuss the development of agreed-upon procedures between the Department and a qualified practitioner, which will guide the performance of the audit; outline procedures for submitting a final certified audit report to the Department, and how the Department will review certain submitted reports; and, the general protest rights granted to qualified practitioners and their clients under the certified audit program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The implementation of this new program will not exceed the \$264,798 appropriation for state FY 1998-99 granted to the Department of Revenue by Section 4 of Chapter 98-95, Laws of Florida. In addition, this program is not regulatory in nature, but instead provides the administrative foundation for a new line of business for Florida CPA firms. 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: 213.06(1) FS.

LAW IMPLEMENTED: Ch. 98-95, L.O.F., 213.285 FS.

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

TIME AND DATE: 10:00 a.m., June 14, 1999

PLACE: Conference Room, Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Post Office Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4830

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:

Part II: CERTIFIED AUDIT PROGRAM

12-25.0305 Scope of Rules.

The rules set forth in this part are applicable to all taxes:

- (1) Imposed by Sections 125.0104 and 125.0108, F.S., unless the tax is self-administered by a county.
- (2) Imposed by Chapter 212, F.S.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History--New

12-25.031 Definitions.

The following definitions shall apply to this Part:

- (1) “Board” means the State of Florida Board of Accountancy, as provided in Chapter 473, F.S.
- (2) “Certified Public Accountant” shall have the same meaning as the term is defined in Chapter 473, F.S.
- (3) “CFST” means certified in Florida sales and use tax pursuant to the Department’s certified audit program.
- (4) “Department” means the Florida Department of Revenue.
- (5) “Qualified practitioner” means a certified public accountant who is licensed to practice in Florida and who has completed the certification program. The phrase “completed the certification program” means the participant has met all the requirements for the certified audit training course, achieved the required score approved by the Department, and has been certified by the Department.
- (6) “Qualified audit firm” means the audit firm which employs a qualified practitioner, and which is licensed by the Board as a licensed audit firm as required by s. 473.3101, F.S.
- (7) “Audit plan” means a detailed, comprehensive list of agreed-upon procedures developed by the qualified practitioner and approved by the Department. The Audit Plan will be customized for the subject taxpayer.
- (8) “Practitioner(s)” means the individual(s) that are on the certified audit engagement team that are not qualified practitioners.
- (9) “FICPA” means the Florida Institute of Certified Public Accountants.
- (10) “Scheduling” means transferring all of the information from a set of documents to a summary schedule. If the activity involves making decisions on what information will be excerpted from the documents and included on the summary schedule, then it is not, by definition, “scheduling.”

(11) “Reconciling” means verifying that all sales invoices and purchase orders for a certain period of time are accounted for and included in any samples being used in the certified audit. “Reconciling” also means identifying differences and explaining or resolving identified differences between numbers within the taxpayer’s books and records.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History--New

12-25.033 Eligibility and Qualifications.

(1)(a) Any employee or owner of a qualified audit firm responsible for planning, directing, conducting, reviewing, or reporting on a participating taxpayer’s tax compliance in a certified audit must be a qualified practitioner.

(b) Any practitioner employed by the qualified audit firm and who performs audit analysis, makes auditing decisions on source documents, taxpayer data or sales transactions, or who performs agreed-upon procedures, except for the gathering of information for the planning work discussed in rule 12-25.047(1)(b)1., 2., 4., 5., 6., and 7., scheduling, or reconciling, must successfully complete a training course approved by the Department prior to their initial performance of the subject activities. However, the Department may grant a written waiver of this requirement for a specific certified audit. The training course will, at a minimum, teach the basics of Florida Sales and Use tax law, and will include a required examination. The Department will be the final authority on the content of the training course and the nature, number, and type of questions on the examination. “Successfully complete” means the participant has met all the requirements for the course and achieved a score approved by the Department. Further, any practitioner performing the subject activities shall be supervised by a qualified practitioner. The subject qualified practitioner will be physically on-site where the activities are performed.

(c) To continue to be qualified to perform the subject activities, the practitioner must complete a continuing education program developed by the FICPA and approved by the Department. The continuing education program requirement will not exceed eight hours every two years.

(d) All qualified practitioners and practitioners who work on the certified audit must be currently employed by a qualified audit firm.

(e) Only qualified audit firms are permitted to issue reports.

(f) In addition, the qualified audit firm must have received a timely on-site peer review dated prior to the date of the Request to Participate and must have received an “Unqualified Opinion” on such on-site peer review. Compliance with these requirements is based on the most recent on-site peer review received prior to the Request To Participate. If the qualified audit firm at the date of the Request To Participate has not received an on-site peer review with an unqualified opinion, dated prior to the date of the Request To Participate, then the

qualified audit firm is ineligible to participate in the certified audit program. The qualified audit firm can submit a new Request To Participate once the applicable requirements are met.

(2) To be eligible to provide a certified audit service to a taxpayer, the qualified audit firm must be independent with respect to that taxpayer, pursuant to the guidelines established by Florida Board of Accountancy Advisory Opinions issued on certified audit independence questions. The Department will determine if the circumstances and facts of the particular situation are materially the same as situations for which guidelines were previously issued. If the facts and circumstances are unique or if the qualified audit firm believes there are differences between their situation(s) and the situation(s) previously addressed by the Board that were the basis for the Department to deny participation, then the qualified audit firm can request an Advisory Opinion from the Board on the particular situation. If the facts and circumstances are unique or if the qualified audit firm believes there are differences between their situation(s) and the situation(s) previously addressed by the Board that were the basis for the Department to deny participation, then the qualified audit firm can request an Advisory Opinion from the Board on that particular situation(s). The Department shall then decide based on the guidelines in the Board's response to that request and based on General Standard No. 2 (Independence), Generally Accepted Auditing Standards. If the qualified audit firm does not agree with the Department's decision, it can request a Declaratory Statement from the Board, which determination will be final.

Specific Authority 213.06(1) FS, Law Implemented Ch. 98-95, L.O.F., 213.285 FS, History-New

#### 12-25.035 Responsibility for Program Training, Certification Procedures, and Program Availability.

(1) Subject to the Department's supervision and approval, the Florida Institute of Certified Public Accounts (FICPA) shall:

(a) Develop the instructional curriculum and materials for the certified audit program;

(b) Deliver this curriculum in a training context;

(c) Test qualified practitioners and practitioners who have participated in such training; and

(d) Administer the training and testing process.

(2) The FICPA will submit to the Department, within thirty calendar days of the date the final certification test is administered to training participants, a list containing the name and business address of all participants who successfully complete the training and examination program.

(3)(a) The Department is responsible for issuing a certification to each eligible training participant within twenty-one calendar days of receiving the list of participants who have successfully completed the training and examination

program. The initial certification will be valid for 24 consecutive months beginning with the date of issuance. Any subsequent recertification will be valid for 24 consecutive months.

(b) The Department shall issue temporary recertification if a previously certified qualified practitioner fails to timely apply for and receive a recertification. These temporary recertifications shall expire 90 consecutive calendar days after the date of issuance. No more than two consecutive temporary recertifications shall be issued to a qualified practitioner.

(4) Only those qualified practitioners who hold an active and valid certificate issued by the Department are eligible to state or imply that they are certified in Florida Sales and Use Tax (CFST) or use the CFST designation.

(5) To be recertified, a qualified practitioner must complete a continuing education program developed by the FICPA and approved by the Department. The continuing education program requirement will not exceed sixteen hours every two years.

(6) Revocation of a Certification or Recertification by the Department. A qualified practitioner's certification or recertification will be revoked by the Department if:

(a) The State of Florida Board of Accountancy revokes the license to practice of the qualified audit firm; or

(b) The qualified practitioner or qualified audit firm fails to comply with the provisions of rule 12-25.049.

(7) Procedures For Protesting Denials of Certification, Recertification, and Revocations:

(a) A qualified practitioner may protest the Department's decision to not issue a certification or recertification to such practitioner, or to revoke a previously-issued certification or recertification to such practitioner by following the procedures outlined in this rule.

(b) Within 30 days of receiving written notification from the Department of its decision to not issue a certification, recertification, or to revoke a previously-issued certification or recertification, the qualified practitioner must submit to the administrator of the certified audit program a request for reconsideration.

(c) A request for reconsideration must include additional material facts which the qualified practitioner believes the Department should review during the agency's reconsideration of its original decision.

(8) The FICPA shall provide the Department with a description of each fee for which it requests approval as payment for a service provided to any qualified practitioner prior to charging said fee, together with the information necessary for the Department to determine that the fee is consistent with making the certification program available to an otherwise qualified practitioner or practitioner.

(a) The Department shall make a determination regarding the fee request in relation to the program's availability by considering the following:

1. The contribution made by the FICPA in establishing, developing, administering, and updating the certification program, including associated costs;

2. The price per credit hour charged, compared to the price charged for similar professional programs;

3. The revenue required to maintain the program;

4. The revenue required to improve or update the training provided, and the testing conducted within the program.

(b) The amount of any fee so determined shall be rendered in an order and specified by amendment to a contract entered into between the FICPA and the Department.

Specific Authority 213.06(1) FS, Law Implemented Ch. 98-95, L.O.F., 213.285 FS, History--New

#### 12-25.037 Applying for Participation in the Program.

(1) When a qualified practitioner has a client who agrees to participate in the program, the qualified practitioner must complete a Request To Participate in the Certified Audit program (form DR-342000) which includes a Power of Attorney (form DR-835), and submit the Request to Participate, including any required supporting information to the Department.

(2)(a) The audit period must be a minimum of two consecutive years unless a specific exception is provided in this rule. An exception to the 2-year minimum will be granted to any requesting taxpayer who has been subject to Florida Sales and Use Tax for less than 2 years.

(b) Also, if it is within the statute of limitations, the audit period must begin in the month immediately subsequent to the ending month of any previous audit, or the earliest month within the lawful limitation.

(3) As a condition of acceptance in the Certified Audit program, a taxpayer will have to sign a statement declaring that he or she agrees to pay the audit assessment within 60 days of:

(a) The date the audit has been agreed to, or

(b) The date the taxpayer's protest and appeal rights have expired. However, if the Certified Audit results in the taxpayer entering into a stipulated payment agreement, interest would accrue from the date to which the stipulated payment agreement is mutually agreed. If payment has not been received with the 60 days stipulated, and a stipulated payment agreement has not been entered into, interest will accrue back to the date of the Notice of Proposed Assessment, and continue to accrue through the date of payment in full.

(4)(a) If the Request To Participate in the Certified Audit program received by the Department is incomplete or requires clarification, it will be returned to the qualified practitioner. When the Department returns an incomplete Request and/or supporting documentation to a qualified practitioner, it will issue a letter explaining how the Request and/or documentation must be revised, expanded, or clarified.

(b) The qualified practitioner will be given 30 calendar days from the date the letter is issued by the Department to resubmit the revised Request To Participate and/or supporting documentation.

(c) If the qualified practitioner does not resubmit the revised Request To Participate and/or supporting documentation to the Department within 30 calendar days, the Request To Participate will be denied. Both the qualified practitioner and the taxpayer will be notified in writing of the denial.

(5) A qualified practitioner may submit a written request to the Department for a 15-day extension of the 30-day time period discussed in subsection (4) of this rule. The Department will not accept more than two consecutive written requests for a 15-day extension for the same Request To Participate.

(6) The Request To Participate is not, by definition, "proper and complete" if the Department requests clarification of submitted information or requests additional information. The Department will, within ten working days of receiving a proper and complete Request To Participate in the Certified Audit program and application, issue written notification to the qualified practitioner:

(a) stating that the Request To Participate has been accepted, accompanied by an explanation of the steps the qualified practitioner must take to develop and submit the Audit Plan for conducting the certified audit; or

(b) denying the Request To Participate, unless the provisions of subsection (4) apply.

(7) Grounds for departmental denial of a Request To Participate include:

(a) The taxpayer has been issued a written notice of intent to audit by the Department which is postmarked before the date the Request To Participate is postmarked;

(b) The taxpayer is currently under investigation by the Department or the Department learns that the taxpayer is currently under investigation for financial impropriety by a local, state or federal government entity. The request will also be denied if an investigation by the Department or a local, state or federal government entity resulted in criminal conviction for financial impropriety against the taxpayer prior to the Request To Participate.

(c) The taxpayer has failed to register for, or file the returns for, corporate income tax, intangible personal property tax, fuel taxes, documentary stamp tax, insurance premium tax, or gross receipts tax. The local option surtaxes and fees specific to the type of industry or location of the participating taxpayer will be included with the sales and use tax in the certified audit.

(d) The taxpayer has filed for bankruptcy.

(e) The taxpayer has outstanding liens, warrants, or "Notices of Tax Action" filed against it by the Department. If the Department determines that unsatisfied liens, warrants, or



“Notices of Tax Action” exist, then the Request To Participate will be denied. The taxpayer can remedy the reason for denial by satisfying the lien, warrant, or “Notice of Tax Action.”

(f) The qualified audit firm has any currently delinquent Florida state tax liabilities.

(8)(a) The Department will include controls to ensure taxpayers are filing all appropriate tax returns for other taxes. As an attachment to the Request To Participate, the taxpayer must provide either the registration number for other taxes, or answer specific questions and provide requested information about each tax.

(b) If a taxpayer is unregistered or has not filed the appropriate returns for the subject taxes, he or she must answer a series of questions. The questions will be posed in such a manner that the answer “yes” to any will identify the taxpayer as potentially subject to the tax. Also, a “yes” will indicate the Department does not yet have all the information required to determine if the taxpayer is eligible for participation. Accordingly, the application would not qualify as “proper and complete” until the Department performed the necessary additional research.

(c) If the Department determines that the taxpayer is not properly registered or filing the appropriate returns, the Request To Participate will be denied.

(d) The taxpayer can remedy the reason for the denial and become eligible to participate by correctly registering and/or filing all appropriate tax returns.

(9) If a Request To Participate in the Certified Audit program is denied, the Department’s written notification to the qualified practitioner shall explain the specific reasons for such denial, unless:

(a) An ongoing investigation would be jeopardized; or,

(b) The confidentiality provisions of s. 213.053, F.S., prohibit such explanation.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History–New

12-25.038 Voluntary Disclosure of Liabilities for Other Taxes.

(1) Section 213.21(7)(a), F.S., authorizes the Department to compromise or settle the tax and interest due on unpaid tax liabilities which are voluntarily self-disclosed to the Department, when the agency determines it is in the best interest of the state. Further, the Department’s Rule 12-13.007(9), F.A.C., provides that “reasonable cause” to compromise penalty is generally presumed to exist whenever a taxpayer voluntarily discloses a tax liability.

(2) A taxpayer who elects to voluntarily self-disclose an unpaid tax liability for the taxes identified in Rule 12-25.037(7)(c), F.A.C., shall receive a waiver of all resulting penalties, pursuant to Rule 12-13.007(9), F.A.C., except for penalties associated with the failure to remit taxes collected by the taxpayer, and is authorized to receive an abatement of

interest as provided by s. 213.21(7), F.S. However, this abatement of interest is conditioned upon the Department’s final approval of the certified audit report for such taxpayer.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History–New

12-25.039 Protest Procedure; Denial of a Request To Participate in the Certified Audit Program.

(1) A qualified practitioner may protest the Department’s decision to deny a Request To Participate in the Certified Audit program by following the procedures outlined in this rule.

(2) If a qualified audit firm elects to submit to the administrator of the Certified Audit program a request for reconsideration, then the request must be postmarked within 15 calendar days of receiving written notification from the Department denying a Request To Participate.

(3) A request for reconsideration must include additional material facts which the qualified practitioner believes the Department should review during the agency’s reconsideration of the original denial.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History–New

12-25.041 Suspension of a Certified Audit In Progress.

(1) Approval to participate will be suspended or revoked by the Department for good cause. Cause would include:

(a) The taxpayer files for bankruptcy subsequent to approval of participation but prior to Department approval of the subject certified audit report.

(b) The Department initiates an investigation or is notified by another local, state or federal agency of an investigation for financial impropriety subsequent to approval of participation but prior to Department approval of the subject certified audit report. Should the result of the investigation be unfavorable to the taxpayer, participation approval will be withdrawn.

(c) The Florida Board of Accountancy revokes or suspends the firm license of the qualified audit firm.

(2) This suspension shall last for no more than 60 calendar days. At the end of such 60 calendar day period the Department must either:

(a) Lift such suspension, and authorize the qualified practitioner to continue to perform any and all certified audits;

(b) Extend the suspension an additional 30 calendar days;  
or,

(c) Provide written notification to the taxpayer(s) and the qualified audit firm that the qualified audit firm has had its firm license revoked by the Board and accordingly, the Department is prohibiting the qualified audit firm from performing certified audits. In that circumstance, the taxpayer(s) has 60 calendar days to retain another qualified audit firm. Failure to retain a qualified audit firm within 60 calendar days will result in the application of the provisions of Rule 12-25.045.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F., 213.285 FS. History–New

12-25.042 Withdrawal from the Certified Audit Program.

(1) If the taxpayer withdraws from the Certified Audit program subsequent to Department approval of participation, but prior to Department approval of the Agreed Upon Procedures, then the taxpayer will again be eligible for selection through the normal case selection process and will be subject to the standard audit selection criteria and procedures.

(2) If the taxpayer withdraws from the Certified Audit program subsequent to the Department approval of the Agreed Upon Procedures or if a Certified Audit report is not provided to the Department within 90 calendar days upon approval, and the Department denies an extension of time, then the Department will conduct an audit of the taxpayer for the same audit period and taxes addressed by the Agreed Upon Procedures.

(3) If the Department completes the audit, the taxpayer will not benefit from the automatic abatement of penalty and interest granted by the Certified Audit program.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History--New

12-25.045 A Certified Audit is Initiated by the Taxpayer but Not Completed.

If, for whatever reason, the taxpayer's designated qualified audit firm fails to submit a completed certified audit report that meets the requirements of rule 12-25.048 after there has been approval of the "Agreed Upon Procedures" a Department auditor will complete the audit. If a Department auditor completes the audit, the taxpayer will not benefit from the automatic abatement of penalty and interest granted by the Certified Audit program.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History--New

12-25.047 Development of Agreed Upon Procedures.

(1)(a) Certified Audits conducted pursuant to the authority of s. 213.285, F.S., are attestation engagements that are conducted under Statements on Standards for Attestation Engagements #4. -- Agreed Upon Procedures.

(b) Subsequent to the Department's approval of the Request To Participate, and prior to the qualified practitioner submitting the Audit Plan, the qualified practitioner will perform required planning work. The planning work performed will include:

1. A written reconciliation of the Florida sales reported on the taxpayer's federal income tax returns to Florida sales reported on the taxpayer's Florida sales and use tax returns;

2. Identification and documentation of all revenue sources;

3. A comprehensive written narrative of the taxpayer's operations;

4. A current chart of accounts and the year-to-date general ledger activity for the last year in the audit period;

5. Copies of the Federal income tax returns for the audit period;

6. The DR-15 download print-out from the Department's audit software;

7. Performance of and reporting on steps AP .001 through AP .300 of the Standard Audit Program.

8. Required planning work will also include identification and disclosure to the Department of any known tax issues where the tax returns subject to the certified audit reflect an interpretation of applicable Florida Statutes and rules that is different from an interpretation presented in a previously published:

a. Technical Assistance Advisement;

b. Attorney General Opinion;

c. Declaratory Statement;

d. Tax Information Publication;

e. Training Update Bulletin;

f. Internal Technical Advisement; or

g. General Tax Administration Bulletin.

9. A walk-through of both sales and purchases invoices for the audit period sufficient to understand the accounting system for recording and reporting Florida sales and use tax transactions and the associated internal accounting controls.

10. Any information the Department determines is necessary to clarify items 1 through 9.

(2) The starting point for development of the Agreed Upon Procedures includes information resulting from required planning work performed by the qualified practitioner, taxpayer profile information, the Certified Audit Standard Audit Program and the Certified Audit Standard Industry Guides. The qualified practitioner will use the described starting point information and materials to develop a document termed the "Audit Plan".

(3) The Audit Plan will be provided to the Department for review and approval. The review and approval of the Audit Plan will be a cooperative effort between the Department and the qualified practitioner. However, the Department, specifically the administrator of the Certified Audit program, will be the final authority on the nature, extent and type of audit procedures.

(4) Once the Department approves the final Audit Plan, it will become the Agreed Upon Procedures for the subject certified audit. Each set of Agreed Upon Procedures will be customized, as necessary, for the subject taxpayer.

(5) After the Department approves the Agreed Upon Procedures, the qualified practitioner must submit a written request to the Department and receive written approval from the Department prior to making any additions, deletions, or revisions to the approved Agreed Upon Procedures.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History--New

12-25.048 Submission of the Certified Audit Report.

The qualified practitioner will submit the certified audit report and required attachments to the Department for review and approval.

(1) The certified audit report must meet all the requirements established by Statements on Standards for Attestation Engagements #4.

(2) Required attachments to the certified audit report include a schedule listing any adjustments made to the subject tax accounts. The schedule will reflect the detail for any adjustments made, including:

- (a) The amount of each individual adjustment;
- (b) Any credits made against the adjustment;
- (c) The tax years involved; and,

(d) The Florida Statute(s) and rule(s) support for each adjustment.

(3) The schedule will also include any other information determined by the Department to be necessary to review, approve, and process the certified audit report.

(4) Required attachments will also include the completed Agreed Upon Procedures, with each audit step signed and dated by the qualified practitioner and/or practitioner who performed the step.

(5) The Department is authorized to share any of the information discussed in this rule with any county which self-administers the tax imposed by Sections 125.0104 or 125.0108, F.S.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History–New

12-25.049 Review of Certified Audit Reports.

(1) The Department will select certain approved certified audit reports for a post-approval comprehensive review of the supporting work papers and associated documentation.

(2) To facilitate the review process, the qualified audit firm is required to use the Department’s audit software in performing the certified audit. The qualified audit firm is also required to retain comprehensive, detailed documentation of the certified audit work performed, and to make that documentation available to the Department upon request. The Department shall have unrestricted access to all information and documentation necessary for a comprehensive review.

(3) The criteria for selecting an approved certified audit report for review is:

(a) The taxpayer replaced the original qualified audit firm subsequent to the Department’s approval of the Agreed Upon Procedures for such certified audit, but prior to submission of the certified audit report to the Department.

(b) The certified audit is the initial engagement performed by the qualified audit firm.

(c) The certified audit is the second of two consecutive audits submitted by a qualified audit firm which resulted in a “no change” or in a refund request.

(d) The certified audit is within a sample of five percent of completed certified audits performed within a 12-month period, which sample was randomly selected from the entire population of completed certified audits for such period.

(4) When a qualified practitioner completes a certified audit and the Department approves the certified audit report, the qualified audit firm must request that the certified audit engagement be included as a part of their next on-site peer review.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History–New

12-25.050 Protests.

A taxpayer participating in the Certified Audit program has all the protest rights available to any taxpayer who is audited by the Department. If the taxpayer decides to file a protest, the taxpayer may elect to retain the qualified audit firm who performed the certified audit to represent them in the informal protest procedures governed by s. 213.21, F.S. In that circumstance, the qualified practitioner continues in the role as the auditor and remains responsible for providing the Department any additional information or performing any additional audit work the Department judges necessary to address the protested tax issues.

Specific Authority 213.06(1) FS. Law Implemented Ch. 98-95, L.O.F. 213.285 FS. History–New

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Strausser, Revenue Program Administrator II, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443; telephone number (850)922-4746

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Proposed New Part II of Rule Chapter 12-25, FAC, was noticed for a Rule Development Workshop in the Florida Administrative Weekly on April 9, 1999 (Vol. 25, No. 14, pp. 1425-1431). The workshop was held on April 26, 1999. Comments were received at the workshop on these proposed new rules, and all comments were incorporated into the proposed rule text. Subsequent to the Rule Development Workshop additional written comments were submitted by the Florida Institute of Certified Public Accountants, which have been incorporated into the proposed rule text

**DEPARTMENT OF CORRECTIONS**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Inmate Substance Abuse Testing	33-3.0063
Searches of Inmates	33-3.0065

**PURPOSE AND EFFECT:** The purpose of the proposed rules is to clarify and simplify the Department's inmate drug testing procedures. The effect of the proposed rules is to provide for easier reading by placing all provisions related to inmate drug testing in a separate inmate drug testing rule, and to provide detailed procedures for handling specific issues related to collection of urine samples.

**SUMMARY:** The proposed rule combines all provisions related to inmate drug testing into one inmate drug testing rule and provides detailed procedures for collection of urine samples.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** (If one 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:** 944.09, 944.472, 944.473 FS.

**LAW IMPLEMENTED:** 944.09, 944.472, 944.473 FS.

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

**TIME AND DATE:** 9:00 a.m. June 16, 1999

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**THE FULL TEXT OF THE PROPOSED RULES IS:**

33-3.0063 Inmate Substance Abuse Testing.

The Bureau of Security Operations shall be responsible for the development and implementation of the department's substance abuse testing program.

(1) Definitions.

(a) Random Selection – A computerized random selection model utilized to obtain a sample of inmates to be tested for drugs or alcohol. Every inmate in the custody of the department has an equal chance of being selected.

(b) Collector – a correctional officer who has been trained and certified by certified testing personnel or by other personnel who have been certified on the proper procedures for collecting, handling, and disposing of urine specimens, and on the procedures for completing the chain of evidence form.

(c) Tester – a correctional officer who has been trained and certified as competent by the contractor or a master trainer to operate the drug testing equipment, and to review and certify test results.

(d) Random List – the randomly selected sample of inmates to be tested for drugs or alcohol.

(e) Chain of evidence form – the form used to document the identity and integrity of an inmate's specimen from time of collection, through specimen transport, testing, and reporting of results. Form DC4-621 is used for this purpose.

(f) Test refusal – failure on the part of an inmate to fully comply with the department's substance abuse testing procedures, which includes failing to provide a valid urine specimen, attempting to alter his or her urine specimen with adulterants, and using substitute urine in makeshift devices or objects.

(2) The Department of Corrections conducts the following types of inmate substance abuse testing:

(a) For-Cause or Reasonable Suspicion Testing.

1. Inmates suspected of involvement with drugs or alcohol shall be subject to for-cause testing upon order of the superintendent, the major of the community facility, or their designees. An inmate can be tested for a minimum of three drugs on a for-cause basis.

2. For-cause drug testing means drug testing based on a belief that an inmate is using or has used drugs or alcohol based on specific facts and reasonable inferences drawn from those facts in light of experience. Such facts and inferences shall be based upon:

a. Observable phenomena such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of drugs or alcohol (such as slurred or incoherent speech, erratic or violent behavior, uneven gait, or other behaviors or physical symptoms unusual for the inmate based on the staff member's knowledge of the inmate).

b. Evidence that the inmate has tampered with or attempted to tamper with a urine specimen.

c. Evidence or intelligence reports determined to be of a reliable basis that an inmate has used, possessed, sold, solicited or transferred drugs or alcohol.

3. When for-cause testing is ordered, an incident report shall be prepared including:

a. Dates and times of reported drug-related events;

b. Rationale leading to the request for testing; and

c. The drugs recommended for testing.

4. The senior correctional officer on duty shall be notified that the staff member has identified a suspicious inmate who meets the for-cause drug testing criteria. The senior correctional officer shall ensure that an incident report is

prepared. The incident report shall contain all pertinent information concerning the inmate which prompted the request for testing, to include any supporting evidence.

5. Upon approval of the superintendent or major or their designees, collection and testing procedures shall be conducted pursuant to this rule.

6. A copy of the incident report shall be attached to the chain of evidence form and both documents shall be immediately forwarded to the testing facility.

(b) Random Substance Abuse Testing. All correctional facilities shall receive on a weekly basis a list of the names and DC numbers of inmates generated through random selection for substance abuse testing. The list will be electronically transmitted from the Offender Base Information System to the secure printer of the superintendent of each major institution and to the major of each community correctional center. Each time an inmate's name appears on the random list, he or she shall be tested regardless of whether or not he or she has been previously tested.

(c) Substance Abuse Treatment Program Testing. Inmates participating in substance abuse treatment programs will be subject to substance abuse testing as a condition of the program.

(3) Procedures.

(a) Chain of evidence.

1. At a minimum, the chain of evidence form must include offender and collector identification, initials by both the inmate and the collector, date and time of collection, and type of test (i.e., random, for-cause or substance abuse treatment program).

2. The chain of evidence form allows for any comments by the collector regarding any unusual observations, any failure by the inmate to cooperate with the collection process, and the unusual nature (e.g., discolored urine or urine containing foreign objects) of any specimen provided.

3. The collector shall ensure that all collected urine specimens are properly labeled and sealed with a security evidence label. The collector shall also ensure that the chain of evidence form for all collected urine specimens is completed in accordance with procedures. One form can be used to accompany multiple urine specimens collected and transported together.

4. If an inmate is unable or unwilling to enter his or her initials on the chain of evidence form, the collector will make a notation in the comment section of the chain of evidence form and leave the space blank. The collector will not under any circumstances sign the chain of evidence form for an inmate.

5. An entry shall be made on the chain of evidence form, DC4-621, each time the urine specimens are transferred to the custody of another individual.

(b) Specimen Collection Procedures.

1. The collector shall ensure that all urine specimens are collected in accordance with procedures. All collections shall be performed under direct observation, where the collector

directly observes the voiding of urine into the specimen cup. Direct observation may also be accomplished through use of mirrors strategically mounted in the collection rest room.

2. Under no circumstances is direct observation by a collector of the opposite sex from the inmate allowed.

3. The collector shall ensure that there is positive inmate identification prior to collecting the inmate's urine specimen. Sight, name, DC number, and examination of picture identification card shall provide positive identification of the inmate selected for drug testing.

4. The collector shall search the inmate to ensure that the inmate is not concealing any substances or materials which could be used to alter or substitute his or her urine specimen. If any such substances or materials are found, the inmate will be charged with refusing to submit to a substance abuse test.

5. If an inmate attempts to alter his or her urine specimen during the collection process through the use of adulterants or substitute urine, the inmate will be charged with refusing to submit to substance abuse testing.

6. The collector shall give each inmate a closed specimen cup with an identification label containing the inmate's name and DC number prior to collecting the inmate's urine specimen. The collector shall ensure that the inmate acknowledges his or her correct identity information on the label of the specimen cup.

7. The inmate is expected to provide a minimum of 30 ml of urine. If the inmate provides less than this amount, the collector shall again attempt to collect an adequate specimen. If the inmate cannot immediately submit another urine specimen, then the procedure outlined in 8. below for a claimed inability to provide a urine specimen shall apply.

8. An inmate who indicates a claimed inability to provide an adequate urine specimen shall be detained in the presence of the collector or other designated person for a period not to exceed 1 hour to provide an adequate specimen. During that time, the inmate shall be allowed to consume one cup (8 oz.) of water or other beverage every 1/2 hour, not to exceed a total of 2 cups during this time period. If after the 1 hour period an inmate still fails to submit a valid adequate urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with chapter 33-22. The collector shall note such failure to provide a specimen on the chain of evidence form, DC4-621. If an inmate claims an inability to urinate due to a "bashful bladder" condition, procedures set forth in (3)(c) shall apply.

9. After the inmate has voided a urine specimen into the cup, the collector shall direct the inmate to close the cup tightly before placing the cup into the collector's custody.

10. The collector shall visually inspect all urine specimens placed in his or her custody to ensure that a valid, fresh, unadulterated urine specimen was provided. Urine specimens which are discovered to be obviously altered (e.g., discolored

or containing foreign objects), will not be accepted as valid specimens. A suspect urine specimen will be discarded and the inmate will be required to submit another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined above for a claimed inability to provide a urine specimen shall apply.

11. If a urine specimen contains blood or appears to contain blood, the inmate who produced the specimen shall be referred immediately to medical for evaluation. If no valid reason exists for having blood in the specimen, the inmate will be required to provide another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined above for a claimed inability to provide a urine specimen shall apply.

12. Once the urine specimen has been securely closed by the inmate, the collector shall attach a security evidence label across the lid of the sample cup under the inmate's observation. The collector shall instruct the inmate to place his or her initials on the chain of evidence form verifying that the urine specimen was collected and sealed under the inmate's observation and that the specimen cup identification is correct.

(c) "Bashful bladder" procedure. Upon notification from an inmate that he is unable to urinate due to "bashful bladder", the officer shall verify with medical staff that the inmate possesses a specific medical condition or is taking medication which inhibits the inmate from urinating within the designated time frame. Upon receiving such verification, the inmate shall be given the opportunity to provide a urine specimen under the following conditions:

1. The inmate shall be informed that he or she will be placed in a holding cell until he or she can provide a valid urine specimen. The inmate shall be issued a hospital or other type privacy gown during the time that he or she is housed in the holding cell.

2. The inmate shall remove the contents of his or her pockets, and his or her shirt, shoes, pants and hat. The inmate shall be thoroughly searched prior to entering the holding cell to prevent him or her from using any adulterants such as bleach or cleanser to alter his or her urine specimen.

3. The collector shall give the inmate a closed specimen cup with an identification label containing the inmate's name and DC number. The collecting officer shall ensure that the inmate acknowledges his or her correct identity information on the label of the specimen cup.

4. The inmate shall be allowed to consume one cup (8 oz.) of water or other beverage every 1/2 hour, not to exceed a total of two cups during the time spent in the holding cell.

5. A physical check shall be made on the inmate once every 30 minutes to see if he or she has provided a valid urine specimen.

6. Upon receipt of the urine specimen that has been securely closed by the inmate, the collector shall attach a security evidence label across the lid of the sample cup under

the inmate's observation. The inmate shall be instructed to place his or her initials on the chain of evidence form verifying that the urine specimen was collected and that the specimen cup identification is correct.

(d) Testing of urine specimens.

1. Only certified testing personnel are authorized to operate the drug testing equipment.

2. Certified testers shall examine each specimen prior to testing to ensure that the security evidence label is intact and that the specimen labeling and the chain of evidence form, DC4-621, is in proper order. In the event that the tamper-evident seal is damaged or the chain of evidence form is incomplete, the tester shall not test those urine specimens.

3. Any specimens found to be positive upon initial testing shall be re-tested at the department testing facility that day with a fresh sample of the specimen prior to reporting test results. Specimens testing negative on the retest shall be reported as negative.

4. When a urine specimen's initial test results are positive, the tester shall follow the following procedures:

a. After double-checking the positive specimen's identity, the tester shall pipette a second urine sample from the original urine specimen cup and conduct the urinalysis testing procedure again, testing each positive specimen only for those drugs found positive on the initial test. Batch runs of several initial positive specimens are authorized.

b. If a specimen's results are negative on repeat testing, the tester shall document the test results on the random sample list and chain of custody form and dispose of the urine specimen and specimen cup.

c. If the urine specimen's test results are again positive on repeat testing, the tester shall document the test results as positive on the random list and substance abuse list and chain of custody form.

(e) On-site testing of urine specimens. Community correctional centers are authorized to conduct on-site testing of urine specimens in lieu of transporting specimens to testing facilities for initial testing.

1. Specimen collection procedures. Collectors shall follow collection procedures in (3)(b), with the exception that a security evidence label shall not be placed on the lid of the cup unless the specimen is found to be positive.

2. Testing procedures. All on-site testing procedures shall be conducted in the presence of the inmate in accordance with the manufacturer's protocols.

a. After the collector has taken a sample of urine from the specimen cup for the test, the inmate shall be directed to close the cup tightly.

b. After the collector has followed the steps specified in the manufacturer's protocols, the collector shall record the test results on the chain of evidence form.

3. Negative test results. The collector shall inform the inmate of the negative test results of the on-site test. The collector shall record all negative test results on the chain of evidence form and dispose of the remaining specimen, specimen cup and test device. All chain of custody forms shall be retained in accordance with state law and rules governing the retention of records.

4. Positive test results. The collector shall inform the inmate of the positive test results of the on-site test. The collector shall record the positive test results on the chain of custody form and prepare the urine specimen for transfer to the designated testing facility in accordance with (3)(b) for a verification urine drug test. Inmates with positive test results on the initial test shall immediately be placed in administrative confinement pending investigation until a second test is conducted pursuant to (3)(d) and results are obtained.

(f) Record keeping. Each testing facility shall keep all records pertaining to the testing program. This includes chain of evidence documentation, hard copy instrument printouts of calibration and testing, results of performance on proficiency test specimens, results of performance on inspections, and instrument and other equipment maintenance records. All records shall be kept in accordance with state law and rules regarding retention of records.

(g) Forms. Form DC4-621 is hereby incorporated by reference. Copies of this form may be obtained from any institution or from the Office of Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500. If forms are to be mailed, the request must be accompanied by a self-addressed, stamped envelope. The effective date of this form is March 24, 1997.

Specific Authority 944.09, 944.472, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New

33-3.0065 Searches of Inmates.

Searches of inmates will be conducted to control the introduction and movement of contraband as well as to prevent escapes. These searches are to be made with discretion.

(1) through (3) No change.

(4) Random Substance Abuse Testing.

(a) Random substance abuse testing of inmates through urinalysis is authorized pursuant to s. 944.473, FS.

(b) Definitions:

1. Random Selection—a process of selection which utilizes a computerized random selection model to obtain a sample of inmates to be tested for drugs and alcohol. Every inmate in the custody of the department has an equal chance of being selected.

2. Collector—a correctional officer designated by the superintendent or officer in charge to collect urine samples and who has been trained in the proper procedures for collection and maintenance of the chain of evidence.

3. Tester—a correctional officer who has been designated by the superintendent or officer in charge of the facility to test urine samples and who has been trained and certified by the contractor as competent to operate the urinalysis testing equipment.

4. Contractor—the vendor responsible, by contract, for provision and maintenance of testing equipment, and training regarding operation of testing equipment.

5. Random List—the randomly selected sample of inmates to be tested for drugs and alcohol.

(e) Institutions and facilities shall, on no less than a monthly basis, receive a list of the names and numbers of inmates generated through random selection for substance abuse testing. The Office of Security and Institutional Management shall generate the random list and electronically transmit the random list to the superintendent of each major institution or the Major of each regional community facility. Each time an inmate's name appears on the random list, he or she shall be tested regardless of whether or not he or she has been previously tested.

(d) Procedure:

1. Responsibility. The Office of Security and Institutional Management shall be responsible for generating the random sample list of inmates to be tested and providing for the transmission of the list to the superintendents of major institutions and the majors of regional community facilities. The superintendents and majors shall be responsible for the development of local procedures to ensure the security of the list and the ensuing collection, transport of samples for testing, documentation, and, at designated testing sites, the testing process.

2. Chain of evidence:

a. At a minimum, the chain of evidence documentation of the collection process must include collector identification, initials by both the inmate and the collector, and date and time of collection.

b. The collector must document any unusual observations regarding the behavior of the inmate and the nature of any specimen on the chain of evidence form, DC4 621, during the collection process.

c. All urine specimens collected must be properly labeled and sealed with tamper evident tape upon collection and must be accompanied by a properly completed chain of evidence form. One form can be used to accompany multiple urine specimens collected and transported together.

d. The collector, upon receiving an inmate's urine specimen, will enter the inmate's DC number and collection date and time in the designated spaces. The collector will instruct each inmate to place his or her initials on the chain of evidence form to verify that his or her specimen was collected, that the specimen labeling information was correct, and that the specimen was securely sealed in the inmate's presence.

e. If an inmate is unable or unwilling to enter his or her initials on the chain of evidence form, the collector will make a notation in the comment section of the chain of evidence form and leave the space blank. The collector will not under any circumstances sign the chain of evidence form for an inmate.

f. The collector will total the number of urine specimens collected during the collection procedure and place this number in the designated space which is located at the bottom of the chain of evidence form.

g. The collector will enter his or her name on the "to" line and fill in the spaces for the date and time the collection process was completed.

h. If the collector transfers the custody of the urine specimens to another person, the collector will sign his or her name on the "from" line and the person who is receiving the urine samples will sign on the "to" line and fill in the spaces for the date and time the transfer was completed. This procedure will continue until the tester enters his or her name on the "to" line.

i. If the collector transfers the custody of urine specimens to temporary refrigerated storage, the collector will sign his or her name on the "from" line and enter "refrigerated storage" on the "to" line and fill in the spaces for the date and time the transfer was completed. When the specimens are removed from refrigerated storage the person receiving the specimens will enter "refrigerated storage" on the "from" line, and enter the date and time of removal.

j. The name on the "from" line will always be the person who is relinquishing control of the urine specimens, while the name on the "to" space will always be the person who is receiving the urine specimens, or refrigerated storage.

k. An entry shall be made on the chain of evidence form, DC4-621, each time the urine specimens are transferred to the custody of another individual.

### 3. Collection of urine specimens.

a. All collections shall be performed under direct observation, where the collector directly observes the voiding of urine into the specimen cup. Direct observation may also be accomplished through use of mirrors strategically mounted in the collection rest room.

b. Under no circumstances is direct observation by a collector of the opposite sex from the inmate allowed.

c. Collector must ensure that there is a positive inmate identification. The collector shall identify the inmate who has been selected for testing by sight, name, and DC number prior to collecting a urine specimen.

d. The collector shall search the inmate to ensure that the inmate is not concealing any substances or materials which could be used to alter or substitute the inmate's urine specimen. If any such substances or materials are found, a disciplinary report will be issued.

e. The collector shall instruct the inmate to wash his or her hands thoroughly with soap and water prior to collecting the inmate's urine specimen.

f. The collector shall give each inmate a closed specimen cup with an identification label containing the inmate's name and DC number prior to collecting the inmate's urine specimen. The collector shall ensure that the inmate acknowledges his or her correct identity information on the label of the specimen cup.

g. Any unusual behavior of the inmate or unusual appearance of the specimen provided shall be noted in the comment section of the chain of evidence form, DC4-621.

h. An inmate who indicates a claimed inability to provide an adequate urine specimen shall be detained in the presence of the collector or other designated person for a period not to exceed 1 hour to provide an adequate specimen. During that time, the inmate shall be allowed to consume one cup (8 oz.) of water or other beverage every 1/2 hour, not to exceed a total of 2 cups during this time period. If after the 1-hour period an inmate still fails to submit a valid adequate urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with chapter 33-22. The collector shall note such failure to provide a specimen on the chain of evidence form, DC4-621.

i. Any attempt by an inmate to provide other than a fresh, unsubstituted, unadulterated or undiluted specimen will be viewed as a test refusal in violation of department rules and a disciplinary report will be issued.

j. After the inmate has voided a urine specimen into the cup, the collector shall direct the inmate to close the cup tightly before placing the cup into the collector's custody.

k. The collector shall visually inspect all urine specimens placed in his or her custody to ensure that it is a valid, fresh, unadulterated, undiluted urine specimen. Urine specimens which are discovered to be obviously altered (i.e., cold, having an unusual color, containing foreign objects), will not be accepted as valid specimens. A suspect urine specimen will be discarded and the inmate will be required to submit another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined in i. above for a claimed inability to provide a urine specimen shall apply.

l. If a urine specimen contains blood or appears to contain blood, the inmate who produced the specimen shall be referred immediately to medical for evaluation. If no valid reason exists for having blood in the specimen, the inmate will be required to provide another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined in i. above for a claimed inability to provide a urine specimen shall apply.

m. Upon receipt of the urine specimen which has been securely closed by the inmate, the collector shall attach a tamper evident security label across the lid of the sample cup under the inmate's observation and shall instruct the inmate to



place his or her initials on the chain of evidence form verifying that the urine specimen was collected and sealed under the inmate's observation and that the specimen cup identification is correct.

n. The urine specimens should be transferred on the day of collection. If extraordinary circumstances prevent the transfer of the urine specimens, then all specimens shall be refrigerated in a secure location pending transfer. If refrigeration is not available, then an ice pack shall be stored in the container with the urine specimens pending transfer to the testing facility.

#### 4. Testing of urine specimens.

a. Only testing personnel who have successfully completed training as provided by the contractor regarding proper procedures in operating and maintaining the testing instrument and ensuring the accuracy of test results are authorized to test urine specimens.

b. Testing personnel shall examine each specimen prior to testing to ensure that the tamper evident seal is intact and that the specimen labeling and the chain of evidence form, DC4-621, is in proper order. Any discrepancies shall be recorded. In the event that the tamper-evident seal is damaged or the chain of evidence form is not accurate or complete, the tester shall not test those urine specimens.

e. Any specimens found to be positive upon initial testing shall be retested at the department testing facility that day with a fresh sample of the specimen prior to reporting test results. Specimens testing negative on the retest shall be reported as negative.

d. When a urine specimen's initial test results are positive, the tester shall follow the following procedures:

i. After double checking the positive specimen's identity, the tester shall pipette a second urine sample from the original urine specimen cup and conduct the urinalysis testing procedure again, testing each positive specimen only for those drugs found positive on the initial test. Batch runs of several initial positive specimens are authorized.

ii. If a specimen's results are negative on repeat testing, the tester shall document the test results on the random sample list and chain of custody form and dispose of the urine specimen and specimen cup.

iii. If the urine specimen's test results are again positive on repeat testing, the tester shall document the test results as positive on the random list and substance abuse list and chain of custody form.

5. On-site testing of urine specimens. Community correctional centers are authorized to conduct on-site testing of urine specimens in lieu of transporting specimens to testing facilities for initial testing.

a. Collection procedures. Collectors shall follow collection procedures in (4)(d)3.a. through 1.

b. Testing procedures. All on-site testing procedures shall be conducted in the presence of the inmate in accordance with the manufacturer's protocols.

i. After the collector has taken a sample of urine from the specimen cup for the test, the inmate shall be directed to close the cup tightly.

ii. After the collector has followed the steps specified in the manufacturer's protocols, the collector shall record the test results on the chain of evidence form.

e. Negative test results. The collector shall inform the inmate of the negative test results of the on-site test. The collector shall record all negative test results on the chain of evidence form and dispose of the remaining specimen, specimen cup and test device. All chain of custody forms shall be retained in accordance with state law and rules governing the retention of records.

d. Positive test results. The collector shall inform the inmate of the positive test results of the on-site test. The collector shall record the positive test results on the chain of custody form and prepare the urine specimen for transfer to the designated testing facility in accordance with (4)(d)3.m. and n. for a verification urine drug test. Inmates with positive test results on the initial test shall immediately be placed in administrative confinement until a second test is conducted pursuant to (4)(d)4. and results are obtained.

(e) Forms. Form DC4 621 is hereby incorporated by reference. Copies of this form may be obtained from any institution or from the Office of Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida 32399 2500. If forms are to be mailed, the request must be accompanied by a self-addressed, stamped envelope. The effective date of this form is March 24, 1997.

#### (5) For Cause Testing.

(a) Inmates suspected of involvement with drugs or alcohol shall be subject to for cause testing upon order of the superintendent, the major of the community facility, or their designees. An inmate can be tested for a minimum of two drugs on a for cause basis.

(b) For cause drug testing means drug testing based on a belief that an inmate is using or has used drugs or alcohol based on specific facts and reasonable inferences drawn from those facts in light of experience. Such facts and inferences shall be based upon:

1. Observable phenomena such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of drugs or alcohol (such as slurred or incoherent speech, erratic or violent behavior, uneven gait, or other behaviors or physical symptoms unusual for the inmate based on the staff member's knowledge of the inmate).

2. Evidence that the inmate has tampered with or attempted to tamper with a drug test.

3. Evidence or intelligence reports determined to be of a reliable basis that an inmate has used, possessed, sold, solicited or transferred drugs or alcohol.

~~(e) When for cause testing is ordered, an incident report shall be prepared including:~~

- ~~1. Dates and times of reported drug-related events;~~
- ~~2. Rationale leading to the request for testing; and~~
- ~~3. The two drugs or more recommended for testing.~~

~~(d) The senior correctional officer on duty shall be notified that the staff member has a suspicious inmate who meets the for cause drug testing criteria. The senior correctional officer shall ensure that an incident report is prepared. The incident report shall contain all pertinent information concerning the inmate which prompted the request for testing, to include any supporting evidence.~~

~~(e) A copy of the incident report shall be attached to the chain of evidence form and both documents shall be immediately forwarded to the testing facility.~~

~~(f) The collector shall denote "C" for "for cause" testing on the lid of the urine specimen cup for identification purposes.~~

~~(g) Record keeping. Each testing facility shall keep all records pertaining to the testing program. This includes chain of evidence documentation, hard copy instrument printouts of calibration and testing, results of performance on proficiency test specimens, results of performance on inspections, and instrument and other equipment maintenance records. All records shall be kept in accordance with state law and rules regarding retention of records.~~

Specific Authority 944.09, 944.473 FS. Law Implemented 944.09, 944.472, 944.473, 944.47 FS. History—New 4-8-81, Formerly 33-3.065, Amended 7-3-85, 11-2-86, 6-2-94, 1-25-96, 3-24-97, 9-9-97, 12-15-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Stan Czerniak

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Disciplinary Team, Hearing Officer and Action      RULE NO.: 33-22.008

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures related to inmates being required to pay for lost or damaged property and to resolve inconsistencies in the current rule.

SUMMARY: The proposed rule clarifies procedures related to reimbursement for lost or damaged property and allocation of responsibility for reimbursement. In situations in which two or more inmates are found to be responsible for loss or

destruction of property, the proposed amendments provide that each will be held liable for an equal portion of the total amount.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one 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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 9:00 a.m., June 15, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**THE FULL TEXT OF THE PROPOSED RULE IS:**

33-22.008 Disciplinary Team, Hearing Officer and Action.

(1) through (2) No change.

(3) If the inmate is found guilty the disciplinary team shall impose any one or a combination of the below actions. The hearing officer's authority is limited to subparagraphs (3)(a) through (3)(i) below:

(a) through (h) No change.

(i) Require inmates to pay for damaged, destroyed or misappropriated property or goods, whether state or personal;

1. If two or more inmates are each found to be responsible for the loss or destruction of an item they each shall be liable for an equal portion of the full amount. For example, if the total loss is \$75 and three inmates are found to be responsible for the loss, each inmate will be required to pay \$25. However, The total amount collected shall not exceed the amount of the loss.

2. Payment for damaged, destroyed or misappropriated property shall be at the replacement value and inmate or staff labor costs shall not be included. However, outside labor costs may be charged when the damage is the result of a deliberate destructive act. In such cases, documentation shall be placed in the inmate file at the local institution detailing the cost involved. The total cost shall be reflected in the disciplinary report in section IV.

3. If an inmate does not have sufficient funds to cover the repair or replacement costs, a notation shall be made on the inmate's bank account for possible future payment. Should the inmate ever receive money at a facility during the current commitment or during service of continuing consecutive commitments, excepting the release gratuity, the department will be paid prior to issuing funds to the inmate.

4. Costs for medical services resulting from injury may not be imposed.

(j) through (n) No change.

(4) through (5) No change.

Specific Authority 944.09, 945.091 FS. Law Implemented 20.315, 944.09, ~~944.34~~, 945.04, 945.091 FS. History--New 3-12-84, Formerly 33-22.08, Amended 11-13-84, 12-30-86, 6-25-89, 7-17-90, 10-1-95, 11-25-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stan Czerniak

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

RULE TITLE: Forms and Instructions RULE NO.: 40D-1.659

PURPOSE AND EFFECT: The purpose 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.

SUMMARY: The proposed rule amendment will adopt by reference various well construction and water use permitting forms. The District has developed and previously adopted by rule various forms for use with each of its regulatory programs. Once the forms are adopted by rule any revisions or amendments to the forms require that they be readopted by reference pursuant to Section 120.54(1)(i), F.S. Staff has recently completed minor revisions to update several water use and well construction permitting forms, and this rulemaking is necessary to incorporate the changes. The District is concurrently moving the location of the Water Use Permitting forms from Rule 40D-2.101, FAC., to Rule 40D-1.659, FAC., and the Well Construction Permitting forms from Rule

40D-3.037, FAC., to Rule 40D-1.659, FAC. This change will provide a single location in the District's rules for the incorporation of all of the District's regulatory forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rules 40D-1.659, F.A.C., will not result in a substantial increase in costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE 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. PROPOSED WELL CONSTRUCTION LOCATION AND DESIGN FORM

FORM NO. 41.10-003 2/94/MH

3. STATE OF FLORIDA PERMIT APPLICATION TO CONSTRUCT, REPAIR, MODIFY, OR ABANDON A WELL

FORM NO. 41.10-410(1)REV.4/95

4. WELL COMPLETION REPORT

FORM NO. 41.10-410(2)(8/96)

5. WELL GROUTING/ABANDONMENT FORM

FORM NO. 41.10-410(8/96)

6. 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 ~~120.52~~, 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,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Karen E. West, Senior Attorney, Office of General Counsel,  
Southwest Florida Water Management District, 2379 Broad  
Street, Brooksville, Florida 34609-6899, (352)796-7211,  
Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Governing Board of the Southwest  
Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 7, 1999

**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 by reference of  
water use permitting forms in 40D-2.101, FAC, and provide a  
reference to Rule 40D-1.659, FAC, where these forms will be  
incorporated.

SUMMARY: The proposed rule amendment will adopt by  
reference various well construction and water use permitting  
forms. The District has developed and previously adopted by  
rule various forms for use with each of its regulatory programs.  
Once the forms are adopted by rule any revisions or  
amendments to the forms require that they be readopted by  
reference pursuant to Section 120.54(1)(i), F.S. Staff has  
recently completed minor revisions to update several water use  
permitting forms, and this rulemaking is necessary to  
incorporate the changes. The District is concurrently moving  
the location of the Water Use Permitting forms from Rule

40D-2.101, FAC, to Rule 40D-1.659, FAC. This change will provide a single location in the District's rules for the incorporation of all of the District's regulatory forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-2.101, FAC, will not result in a substantial increase in costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

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

LAW IMPLEMENTED: 373.229 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE 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,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen E. West, Senior Attorney, Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Regulation of Wells  
RULE CHAPTER NO.: 40D-3

RULE TITLE: Rules and Publications Incorporated  
by Reference  
RULE NO.: 40D-3.037

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

SUMMARY: The proposed rule amendment will adopt by reference various well construction permitting forms. The District has developed and previously adopted by rule various forms for use with each of its regulatory programs. Once the forms are adopted by rule any revisions or amendments to the forms require that they be readopted by reference pursuant to Section 120.54(1)(i), F.S. Staff has recently completed minor revisions to update several well construction permitting forms, and this rulemaking is necessary to incorporate the changes. The District is concurrently moving the location of the Well Construction Permitting forms from Rule 40D-3.037, FAC, to Rule 40D-1.659, FAC. This change will provide a single location in the District's rules for the incorporation of all of the District's regulatory forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rules 40D-3.037, FAC, will not result in a substantial increase in costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.309, 373.323, 373.342 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE 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, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen E. West, Senior Attorney, Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing**

RULE CHAPTER TITLE: Hospital Licensure  
RULE TITLE: Physical Plant Requirements for General, Rehabilitation and Psychiatric Hospitals

RULE CHAPTER NO.: 59A-3  
RULE NO.: 59A-3.081

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Chapter 59A-3, F.A.C., is to fulfill the requirements of the 1998 Legislative Session, which amended the Hospital Licensing and Regulation Statutes 395, F.S., and directed the Agency to adopt by rule licensure requirements for mobile surgical facilities providing surgical services to inmates of the Department of Corrections facility established after July 1, 1998. The proposed rule will not compromise public safety, human health, the environment, or any other protection afforded by law.

SUMMARY: The proposed rule amendment provides for physical plant requirements for mobile surgical facilities providing elective surgical services only to inmates patients of the Department of Corrections facilities or private correctional facilities operating pursuant to Chapter 957, F.S., established after July 1, 1998, and not to the general public. In addition, these provisions have been incorporated into subsection 59A-3.081(54), F.A.C.

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: 395.1055, 395.0163, 408.036 FS.

LAW IMPLEMENTED: 395.001, 395.1055, 395.1065, 408.036, 957.05 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. DST, June 18, 1999

PLACE: Agency for Health Care Administration, Building #1, 2nd Floor Conference Room 208, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James (Skip) Gregory, Chief, Office of Plans and Construction, Agency for Health Care Administration, Building 1, Room 140, 2727 Mahan Drive, Tallahassee, Florida, (850)487-0713

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.081 Physical Plant Requirements for General, Rehabilitation and Psychiatric Hospitals  
(54) Physical Plant Requirements for Mobile Surgical Facility. The following are additional special requirements for Mobile Surgical Facilities established after July 1, 1998.

(a) Mobile Surgical Facility. A mobile surgical facility is a mobile facility as defined in section 395.002, F.S., and which provides elective surgical care under contract with the Department of Corrections or a private correctional facility operating pursuant to Chapter 957, F.S.

(b) General Requirements: In addition to the codes and standards referenced in this rule, the mobile surgical facility shall comply with the requirements of Ambulatory Health Care Centers, Chapter 12-6 of the National Fire Protection Association (NFPA), 101 Life Safety Code.

1. Site Requirements:

a. There shall be a level concrete pad designed for the structural loads of the facility in accordance with the Florida Building Code.

b. There shall be sturdy walls, fences or concrete-filled steel bollards around the immediate site to prevent collisions with the unit by other vehicles.

c. The facility shall have a tie-down anchoring system designed by a Florida registered professional engineer or architect based on the criteria set forth in Federal Manufactured Home Construction and Safety Standards, Section 3280.306.

d. The facility shall be sited so that it does not diminish egress from the hospital and so that the exhaust from the tractor and/or generator does not enter the fresh air intakes of the hospital.

e. There shall be a rain-free covered passage from the hospital to the entrance of the mobile facility.

2. Architectural Design Requirements:

a. There shall be an operating room with a minimum area of 170 square feet. The minimum room dimension shall be 12 feet. There shall be sufficient ceiling height to allow the installation of an operating room light.

b. There shall be an operating room service area containing sterilizing facilities, medication preparation and storage areas, scrub facilities, soiled work room with work counter, clean work room with storage for clean and sterile supplies, and janitor's closet with floor receptor or service sink.

c. There shall be a recovery room/Post-Anesthetic Care Unit (PACU) adjacent to the operating room, which shall accommodate a minimum of two recovery beds. The size of this room shall be based on 80 square feet per recovery bed.

d. There shall be a nurse station for charting, communications, and storage.

e. There shall be a recovery service area containing a nourishment station, a hand washing facility, medication preparation area with refrigerator and double locked storage, clean linen storage, soiled linen area with soiled linen receptacles, and clean work area with work counter and sink.

f. There shall be an accessible patient/staff toilet room and hand wash facility adjacent to the recovery room.

g. There shall be a clothing change area for doctors, nurses and other personnel with secured storage and access to toilet room.

3. Mechanical System Requirements:

a. The Heating, Ventilating and Air Conditioning systems shall comply with NFPA 90A and 59A-3.081(39), F.A.C., as applicable.

b. The patient gas medical systems shall be Type I as defined by NFPA 99. Medical gas, vacuum, and oxygen supply systems shall comply with Chapter 13, Ambulatory Health Care Center Requirements of NFPA 99.

c. The facility shall provide, as a minimum, the quantity of station outlets per bed position indicated in the following table:

<u>Area</u>	<u>Oxygen</u>	<u>Vacuum</u>
<u>Recovery room/(PACU)</u>	<u>1</u>	<u>3</u>
<u>Operating Room</u>	<u>2</u>	<u>3</u>

An additional vacuum station outlet shall be provided in the operating room dedicated for connection of an anesthesia machine.

d. The plumbing systems shall comply with the Florida Building Code and 59A-3.081(44), F.A.C., as applicable.

e. The facility shall be equipped with fire extinguishers.

4. Electrical System Requirements:

a. The essential electrical system shall comply with a Type I system as defined in Chapter 3 of NFPA 99.

b. The electrical system shall comply with Article 517 of the National Electric Code, NFPA 70 and with 59A-3.081(46),(47),(48),(50),(51), F.A.C., as applicable.

c. There shall be an automatic fire alarm system in the facility. An alarm initiated in the mobile facility shall activate the hospital fire alarm system and an alarm in the hospital shall initiate an alarm in the mobile facility.

d. There shall be a telephone connected to the hospital communication system.

e. Electrical connections to the hospital shall not degrade in any way the electrical system of the hospital.

f. There shall be a lightning protection system for the rain-free covered connection and the mobile facility unless the mobile facility is shown to be within the cone of protection of the hospital and bonded to the lightning protection systems of the hospital.

5. Details and Finishes: The mobile facility shall comply with 59A-3.081(31), F.A.C., sections (i),(j),(k),(l),(m) and (p).

Specific Authority 395.0163, 395.1055, 408.036 FS. Law Implemented 395.001, 395.1055, 395.1065, 408.036, 957.05 FS History--New 1-1-77, Formerly 10D-28.81, Amended 1-16-87, 11-23-88, Formerly 10D-28.081, Amended 9-3-92, 6-29-97, 3-18-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James (Skip) Gregory, Chief, Office of Plans and Construction  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben King-shaw, Director  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: March 19, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE CHAPTER TITLE: Hospital Licensure  
RULE TITLE: Department and Services  
RULE CHAPTER NO.: 59A-3  
RULE NO.: 59A-3.2085

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Chapter 59A-3, F.A.C., is to fulfill the requirements of the 1998 Legislative Session, which amended the Hospital Licensing and Regulation Statutes 395, F.S., and directed the Agency to adopt by rule licensure requirements for mobile surgical facilities providing surgical services to inmates of the Department of Corrections facilities established after July 1, 1998. The proposed rule will not compromise public safety, human health, the environment, or any other protection afforded by law.

SUMMARY: The proposed rule amendment provides for licensure requirements for mobile surgical facilities providing elective surgical services only to inmate patients of the Department of Corrections facilities or private correctional facility operating pursuant to Chapter 957, F.S., established after July 1, 1998, and not to the general public. In addition, these provisions have been incorporated into subsection 59A-3.2085(14), F.A.C.

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: 395.1055, 395.401, 408.036 FS.

LAW IMPLEMENTED: 395.001, 395.1055, 395.1065, 395.401, 408.036, 957.05 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. DST, June 18, 1999

PLACE: Agency for Health Care Administration, Building #1, 2nd Floor Conference Room, Room 208, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amance R. (Si) Simas, Health Services and Facilities Consultant, Health Facility Compliance, Agency for Health Care Administration, Building 1, Room 259, 2727 Mahan Drive, Tallahassee, Florida, (850)487-2717

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.2085 Department and Services.

(14) Mobile Surgical Facility. A mobile surgical facility as defined in section 395.002(21), F.S., provides elective surgical care under contract with the Department of Corrections or a private correctional facility operating pursuant to Chapter 957, F.S., and not to the general public. The mobile surgical facility shall comply with the provisions of this chapter, except as modified herein.

(a) Licensure Procedure. Each application for a mobile surgical facility license, or renewal thereof, shall be accompanied by a license fee of \$1500.00. The agency shall issue a single license, which identifies the mobile surgical facility. This license is not transferable.

(b) Licensure Inspection. The agency shall inspect a mobile surgical facility at initial licensure pursuant to section 395.0161(1)(f), F.S. This subsection shall only apply to mobile surgical facilities operating under contracts entered into on or after July 1, 1998.

(c) Governing Body. Each mobile surgical facility shall have its own governing body that assumes full responsibility for the legal and ethical conduct of the facility consistent with its contract with the Department of Corrections. The governing body is organized under approved written bylaws, rules and regulations, which are reviewed annually and updated as required.

(d) Organized Medical Staff. Each mobile surgical facility shall have an organized medical staff approved by the governing body in accordance with its contract with the Department of Corrections, with the delegated responsibility to provide for the quality of all medical care and other appropriate health care provided to patients, for planning for the improvement of that care, and for the ethical conduct and professional practices of its members.

(e) Services Provided. Each mobile surgical facility shall have written policies and procedures describing the scope of services provided to the inmate patients of the correctional facility. Services provided by the mobile surgical facility include but not limited to:

1. Surgical Services. The surgical service shall be organized under written policies and procedures relating to surgical staff privileges, anesthesia, function standards, staffing patterns and quality maintenance of the mobile surgical facility.

2. Anesthesia Services. The mobile surgical facility anesthesia services shall be organized under written policies and procedures relating to anesthesia staff privileges, the administration of anesthesia, and the maintenance of strict safety controls.

3. Nursing Services. The mobile surgical facility shall have written policies and procedures relating to patient care, establishment of standards for nursing care, and mechanisms for evaluating such care, and nursing services.

4. Laboratories. The mobile surgical facility shall provide on the premises or through arrangement with a laboratory licensed under Chapter 483, F.S., and Chapter 59A-7, F.A.C., a clinical laboratory to provide those services commensurate with the mobile surgical facility's needs.

5. Radiological Services. The mobile surgical facility shall provide within the facility, or through arrangement, diagnostic radiological services commensurate with its needs.



6. Housekeeping Service. The mobile surgical facility housekeeping service shall be organized under effective written policies and procedures relating to personnel, equipment, materials, maintenance, and cleaning of all areas of the mobile surgical facility.

7. Surveillance, Prevention, and Control of Infection. Each mobile surgical facility shall establish an infection control program involving members of its medical staff, nursing staff, other professional and administrative staff as appropriate.

8. Patient Rights. The mobile surgical facility shall develop and adopt policies and procedures for the protection of patients rights pursuant to ss. 381.026, F.S.

9. Medical Records. Each mobile surgical facility shall use a problem oriented medical record for each patient, which shall be initiated at the time of intake or admission and which shall contain all pertinent information pursuant to 59A-3.217, F.A.C.

10. Coordination of Care. Each mobile surgical facility shall develop and implement policies and procedures on discharge planning pursuant to 59A-3.2055, F.A.C. Documentation of the discharge plan in the patient's medical record shall include an assessment of appropriate services to meet the patient needs following surgery.

11. Quality Assessment and Improvement. The mobile surgical facility shall have an ongoing quality improvement system designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care and opportunities to improve the quality of care provided pursuant to 59A-3.216, F.A.C.

12. Comprehensive Emergency Management Plan. The mobile surgical facility shall have a comprehensive emergency management plan for internal or external disasters. The comprehensive emergency management Plan shall be reviewed and approved by the county office of emergency management and updated annually as required.

Specific Authority 395.1055, 395.401, 408.036 FS. Law Implemented 395.001, 395.1055, 395.1065, 395.401, 408.036, 957.05 FS. History--New 4-17-97, Amended 3-29-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Amance R. (Si) Simas, Health Services and Facilities Consultant

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben King-shaw, Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: March 19, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Health Quality Assurance**

RULE TITLES: Statewide Subscriber Assistance Program Practices and Procedures of the Statewide

RULE NOS.: 59A-12.014

Subscriber Assistance Program 59A-12.015

PURPOSE AND EFFECT: The purpose of this rule amendment is to repeal the Statewide Subscriber Assistance Program rule, 59A-12.014 and the Practices and Procedures of the Statewide Subscriber Assistance Program rule, 59A-12.015. These rules became obsolete due to changes in Section 408.7056, Florida Statutes, which now require different practices and procedures. The effect will be that the program follows statutory authority.

SUMMARY: This rule amendment will repeal the Statewide Subscriber Assistance Program rule, 59A-12.014 and the Practices and Procedures of the Statewide Subscriber Assistance Program rule, 59A-12.015 that were superseded by an amendment to Section 408.7056, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 408.7056 FS.

LAW IMPLEMENTED: 120.74 FS.

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

TIME AND DATE: 10:00 a.m., June 15, 1999

PLACE: Conference Room C, 2727 Fort Knox Boulevard, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Melanie Kelley, Agency for Health Care Administration, Managed Health Care, 2727 Mahan Drive, Ft. Knox #1, Room 339, Tallahassee, Florida, (850)921-5458

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-12.014 Statewide Subscriber Assistance Program.

Specific Authority 408.7056 FS. Law Implemented 120.74 FS. History--New 7-08-87, Amended 2-22-88, Formerly 4-31.081, Amended 5-28-92, Formerly 4-191.081, Repealed \_\_\_\_\_.

59A-12.015 Practices and Procedures of the Statewide Subscriber Assistance Program.

Specific Authority 408.7056 FS. Law Implemented 120.74 FS. History--New 2-22-88, Amended 10-25-89, Formerly 4-31.082, Amended 5-28-92, Formerly 4-191.082, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Rebecca Knapp, Statewide Provider and Subscriber Assistance  
 Program  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Mr. Ruben King-Shaw, AHCA  
 Director  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 7, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Payment Methodology for Inpatient  
 Hospital Services  
 RULE NO.: 59G-6.020

PURPOSE AND EFFECT: The purpose of the proposed amendment is to delete the existing plan language that provides for an adjustment to a hospital's prospective rate for new or expanded services, for which a certificate of need is required. The effect of the proposed amendment is to remove the existing requirements, which are no longer valid and allow the agency to establish new criteria for adjusting a hospital's prospective rate.

SUMMARY: The proposed amendment to rule 59G-6.020 incorporates revisions to the Medicaid Inpatient Hospital Reimbursement Plan. The amendment deletes existing plan language allowing an adjustment to the hospital's prospective rate for new or expanded services, for which a certificate of need is required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED 409.908 FS.

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

TIME AND DATE: 10:00 a.m., June 14, 1999

PLACE: Room 2118, 2727 Fort Knox Boulevard, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.020 Payment Methodology for Inpatient Hospital Services.

Reimbursement to participating inpatient hospitals for services provided shall be in accord with the Florida Title XIX Inpatient Hospital Reimbursement Plan, Version ~~XVIII~~ ~~XVII~~, Effective Date: ~~September 16, 1998~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Medicaid Director, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308 P. O. Box 1300, Tallahassee, Florida 32317 3000.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 10-31-85, Formerly 10C-7.391, Amended 10-1-86, 1-10-89, 11-19-89, 3-26-90, 8-14-90, 9-30-90, 9-16-91, 4-6-92, 11-30-92, 6-30-93, Formerly 10C-7.0391, Amended 4-10-94, 8-15-94, 1-11-95, 5-13-96, 7-1-96, 12-2-96, 11-30-97, 9-16-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. John Owens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Gary Crayton

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Payment Methodology for Outpatient  
 Hospital Services  
 RULE NO.: 59G-6.030

PURPOSE AND EFFECT: The purpose of the proposed amendment is to delete existing plan language that provides for an adjustment to a hospital's prospective rate for new or expanded services, for which a certificate of need is required. The effect of the proposed amendment is to remove the existing requirements and allow the agency to establish new criteria for adjusting a hospital's prospective rate.

SUMMARY: The proposed amendment to rule 59G-6.030 incorporates revisions to the Medicaid Outpatient Hospital Reimbursement Plan. The amendment deletes existing plan language allowing for an adjustment to a hospital's prospective rate for new or expanded services, for which a certificate of need is required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED 409.908 FS.

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

TIME AND DATE: 10:00 a.m., June 14, 1999

PLACE: Room 2118, 2727 Fort Knox Boulevard, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Owens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106C, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version VII ~~VI~~, Effective date: \_\_\_\_\_ ~~September 18, 1996~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Medicaid Director, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308 P. O. Box 13000, Tallahassee, Florida 32317-3000.

Specific Authority ~~409.912, 408.15(8)~~ FS. Law Implemented 409.908 FS. History—New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. John Owens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Gary Crayton

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-77R

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

RULE TITLES: Permit Applications  
RULE NOS.: 62-213.420  
Permit Content 62-213.440

PURPOSE AND EFFECT: The proposed amendments will update the Title V Operating Permit Program with respect to the periodic monitoring requirements codified at title 40 of the Code of Federal Regulations, part 70.

SUMMARY: The Department has developed amendments to Chapter 62-213, F.A.C., to incorporate periodic monitoring into the Title V permitting process. Periodic monitoring will be used in evaluating whether sufficient monitoring is contained in each facility's Title V air operating permit to assure compliance with regulations developed to meet Clean Air Act requirements.

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

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

SPECIFIC AUTHORITY: 403.061, 403.087 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.0872 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., Wednesday, June 16, 1999

PLACE: Douglas Building, First Floor Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Michael Hewett, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9590

THE FULL TEXT OF THE PROPOSED RULES IS:

62-213.420 Permit Applications.

(3) Standard Application Form and Required Information. Applications shall be submitted under this chapter on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C. The application shall specifically include the following information, as detailed in the application form number 62-210.900(1); provided, however, that the information required by paragraphs (g)(f) through (m)(f), below, shall not be required for any emissions unit which is not subject to any unit-specific applicable requirements, except as needed to determine that no applicable requirements exist:

(a) through (e) No change.

(f) If requested by the Department, information concerning operations and methodology for the development of periodic monitoring in accordance with Rule 62-213.440(4), F.A.C. For applications submitted in accordance with Rule 62-213.420(1)(a)2., F.A.C., such request must be made within 60 days of the date the application was submitted, except as required by Rule 62-213.420(1)(b)4.;

(f) through (m) renumbered (g) through (n) No change.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.061, 403.0872 FS. History—New 11-28-93, Amended 4-17-94, Formerly 17-213.420, Amended 11-23-94, 4-2-95, 10-11-95, 3-13-96, 3-20-96, 6-25-96, 10-7-96, 11-13-97, \_\_\_\_\_.

62-213.440 Permit Content.

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

(b) Monitoring and Related Recordkeeping and Reporting Requirements.

1. Each permit shall specify the following requirements with respect to monitoring:

a. Emissions monitoring and analysis procedures or test methods specified by applicable requirements including 40 CFR 64, Compliance Assurance Monitoring, adopted and incorporated by reference at Rule 62-204.800, F.A.C.;

~~b. Where the applicable requirement does not specify a method for periodic testing or instrumental or noninstrumental monitoring, p~~Periodic monitoring sufficient to yield reliable data from the relevant time period and that are representative of the source's demonstrate compliance with the permit, as required by 40 CFR 70.6(a)(3)(i)(B), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Periodic monitoring ~~Such monitoring requirements~~ shall assure use of recordkeeping terms, test methods, units, averaging periods, ~~or~~ and other statistical conventions consistent with the applicable requirement, as specified in Rule 62-213.440(4), F.A.C.; and

c. Requirements concerning the use, maintenance, and installation of monitoring equipment or methods.

2. The permit shall incorporate all applicable recordkeeping requirements including:

a. Records of monitoring information that specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses;

b. Retention of records of all monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

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

(4) Periodic Monitoring.

(a) Periodic monitoring sufficient to satisfy the requirements of Rule 62-213.440(1)(b)1.b., F.A.C., shall assure the use of recordkeeping terms, test methods, units, averaging periods, or other statistical conventions which yield reliable data and are consistent with the applicable requirement, representative of the emissions unit's actual performance, and sufficient to indicate whether the unit remains in compliance. All periodic monitoring data must be retained in accordance with Rule 62-213.440(1)(b)2.b., F.A.C. When existing reporting, recordkeeping and testing requirements yield reliable data that are both representative of the unit's actual performance and sufficient to indicate whether the unit remains in compliance with an applicable requirement, additional periodic monitoring shall not be required for that applicable requirement.

(b) Monitoring performed pursuant to any of the following satisfies periodic monitoring for that applicable requirement:

1. Emission limitations or standards proposed and promulgated by the U.S. Environmental Protection Agency after November 15, 1990, pursuant to section 111 or 112 of the Clean Air Act. The emission limitations or standards include:

a. 40 CFR 60 (New Source Performance Standards and Emission Guidelines for Existing Sources);

b. 40 CFR 61 (National Emission Standards for Hazardous Air Pollutants); and

c. 40 CFR 63 (National Emission Standards for Hazardous Air Pollutants);

2. Acid Rain Program requirements pursuant to sections 404, 405, 406, 407(a), 407(b), or 410 of the Clean Air Act. The requirements include continuous monitoring system requirements established pursuant to 40 CFR 75;

3. Emission limits or standards for which monitoring requirements are established pursuant to 40 CFR 64 (Compliance Assurance Monitoring); and

4. Emission limitations or standards for which a Title V permit specifies a continuous compliance determination method, as defined in 40 CFR 64.1, adopted and incorporated by reference at Rule 62-204.800, F.A.C., unless such compliance method includes an assumed control device emission reduction factor that could be affected by the actual operation and maintenance of the control device.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.087, 403.0872 FS. History--New 11-28-93, Amended 4-17-94, Formerly 17-213.440, Amended 11-23-94, 4-18-95, 3-13-96, 3-20-96, 11-13-97, 4-7-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry George, Manager, Office of Policy Analysis and Program Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resource Management

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 5, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 11, 1998 and February 5, 1999

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE TITLES: RULE NOS.:

Continuing Education as a Condition for Renewal 64B6-5.001  
Continuing Education Programs 64B6-5.002

PURPOSE AND EFFECT: The Board has determined that is necessary to amend Rule 64B6-5.001 relating to continuing education to include the Florida laws and rules and to let licensees know how the Board handles hardship cases. Rule 64B6-5.002 is being amended to change the word in Subsection (1) from "National" to "International" and to amend Subsection (7) to require two hours of AIDS education.

SUMMARY: Rule 64B6-5.001 is being amended by the Board to further clarify continuing education. Rule 64B6-5.002 is being amended by updating the continuing education requirements.

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

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

SPECIFIC AUTHORITY: 484.044, 484.047(4) FS.

LAW IMPLEMENTED: 484.047(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B6-5.001 Continuing Education as a Condition for Renewal.

(1) As a condition of the biennial renewal of an active license, each hearing aid specialist shall attend and certify attending 20 credit hours (per biennium) of Board approved continuing education which are relevant to, and which enhance, the licensee's ability to dispense hearing aids. The biennium period begins March 1 and ends February 28 of each odd-numbered year. Board-approved means approved by a chairman-appointed committee of one, or as specified by Rule 64B6-5.002(1), F.A.C. Continuing education courses, or portions thereof, which are devoted to content areas other than those identified in Rule 64B6-2.003, or risk management, shall not be approved for continuing education credit. These certified hours shall include two hours per biennium relating to hearing aid laws and rules.

(2) If prior to biennial renewal, a hearing aid specialist notifies the Board that the conditions for renewal can not be met due to extenuating circumstances such as catastrophic illness or extreme situations beyond the control of the licensee, the Board shall consider the situation on an individual basis.

~~(3)~~(2) Notwithstanding ~~the requirements paragraph (1) of this chapter, rule,~~ no person who was initially licensed in the biennium prior to renewal shall be required to attend continuing education programs as a condition of renewing the initial license.

Specific Authority 484.044, 484.047(4) FS. Law Implemented 484.047(4) FS. History--New 4-1-85, Formerly 21JJ-15.001, Amended 8-5-87, 4-8-90, 8-21-90, 8-19-91, Formerly 21JJ-5.005, Amended 11-20-95, Formerly 61G9-5.005, Amended \_\_\_\_\_.

64B6-5.002 Continuing Education Programs.

(1) Programs approved by the ~~International National~~ Institute of Hearing Instrument Studies shall automatically be approved for continuing education credit.

(2) through (6) No change.

(7) Each Hearing Aid Specialist shall attend and certify attending two hours and may take up to four (4) hours per biennium of continuing education which includes the topics of Human Immunodeficiency Virus and ~~Acquired Acquired~~ Immune Deficiency Syndrome; modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome. Such continuing education shall be accepted by the Board toward the continuing education requirement prescribed in Rule 64B6-5.001, F.A.C.

Specific Authority 484.044, 484.047(4) FS. Law Implemented 484.047(4) FS. History--New 4-1-85, Formerly 21JJ-15.002, Amended 8-5-87, 2-16-89, 6-21-89, 1-10-90, 8-19-91, 10-21-91, Formerly 21JJ-5.006, Amended 11-20-95, Formerly 61G9-5.006, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Hearing Aid Specialists  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE TITLE: Mediation  
RULE NO.: 64B6-7.008

PURPOSE AND EFFECT: The Board has determined that is necessary to amend this rule by updating the rule text.

SUMMARY: The Board has approved to add additional language which will expand the instances where mediation is appropriate for first time violations of the practice act.

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

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

SPECIFIC AUTHORITY: 455.614 FS.

LAW IMPLEMENTED: 455.614 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.008 Mediation.

(1) No change.

(2) For purposes of section 455.614, F.S., the Board designates as being appropriate for mediation first time violations of the following provisions of subsection 484.056(1), F.S.:

(a) through (b) No change.

(c) failure to the licensee to timely refund monies as set forth in Rule 64B6-6.001.

(d) failure of the licensee to include information on the receipt as set forth in Rule 64B6-6.010.

(3) No change.

Specific Authority 455.614 FS. Law Implemented 455.614 FS. History--New 1-11-95, Formerly 61G9-7.011, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Hearing Aid Specialists  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 1999

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLES: Reexamination  
RULE NOS.: 64B18-11.003

Examination Inspection and Review Procedure 64B18-11.004

PURPOSE AND EFFECT: The proposed rule repeals are necessary since the Department has the authority for examination review and reexamination.

SUMMARY: The rules are being repealed since the Department has the authority for examination review and reexamination.

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, 461.005 FS.

LAW IMPLEMENTED: 455.574, 461.006 FS.

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

TIME AND DATE: 1:00 p.m., or as soon thereafter as can be heard, June 18, 1999

PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B18-11.003 Reexamination.

Specific Authority 455.574, 461.005 FS. Law Implemented 455.574, 461.006 FS. History--New 1-29-80, Formerly 21T-11.03, Amended 6-7-87, 6-24-92, Formerly 21T-11.003, 61F12-11.003, Amended 3-20-95, 1-1-96, 7-15-96, 6-17-97, Formerly 59Z-11.003, Repealed.

64B18-11.004 Examination Inspection and Review Procedure.

Specific Authority 455.574, 461.005 FS. Law Implemented 455.574 FS. History--New 12-27-81, Formerly 21T-11.041, Amended 12-11-89, Formerly 21T-11.0041, 61F12-11.0041, Amended 1-1-96, 7-9-96, Formerly 59Z-11.004, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Minor Violations; Notices of Noncompliance

RULE NO.: 64B18-14.009

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth violations which are considered minor violations, and appropriate for issuance of notices of noncompliance.

SUMMARY: The Board has determined that the violations outlined in the rule are minor violations, which do not pose a danger to the public health and safety. These violations are appropriate for notices of noncompliance.

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: 455.621, 461.005 FS.

LAW IMPLEMENTED: 455.621 FS.

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

TIME AND DATE: 1:00 p.m., or as soon thereafter as can be heard, June 18, 1999

PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-14.009 Minor Violations; Notices of Noncompliance.

(1) Section 455.621(3), F.S., authorizes the Board, when enforcing rules and statutes, to permit the Department to issue a notice of noncompliance for any initial offense which is a minor violation as defined by Board rule. A minor violation under this statute is defined as one which does not endanger public health, safety, or welfare and does not demonstrate a serious inability to practice.

(2) Section 120.695, F.S., authorizes the Board, when enforcing rules, to permit the Department to issue a notice of noncompliance when there is a first time offense that is a minor violation as defined by Board rule. A minor violation is defined as one in which there is no economic or physical harm; no adverse effect to the public health, safety, or welfare; and no significant threat of such harm.

(3) A notice of noncompliance in lieu of other actions is authorized only if the violation is not a repeat violation and only if there is only one violation. If there are multiple violations, then the Department may not issue a notice of noncompliance, but must prosecute the violation under the other provisions of Section 455.621, F.S. There is only one exception to the prohibition against use of a notice of noncompliance when there is more than one violation. A notice of noncompliance may be issued to a registered dispensing practitioner for a first time violation of one or more of the violations listed in subsection (4), paragraphs (f),(g),(l),(m),(n),(o), and (p), if there is not evidence of diversion.

(4) The Board hereby establishes the following as minor violations which the Department may act upon by issuing notices of noncompliance for an initial offense:

(a)(4) No change.

(b)(2) No change.

(c)(3) No change.

(d) Section 893.02, Florida Statutes, which provides that a prescription order for a controlled substance shall not be issued on the same prescription blank with another prescription order for a controlled substance which is named or described in a different schedule, nor shall any prescription order for a controlled substance be issued on the same prescription blank as a prescription order for a medicinal drug, as defined in Section 465.003(7), Florida Statutes, which does not fall within the definition of a controlled substance as defined in Chapter 893, Florida Statutes.

(e) Failing to maintain records relating to the receipt and disposition of controlled substances, and the required biennial inventory, as provided for in Section 893.07, Florida Statutes. This violation may be resolved by a notice of noncompliance only if the whereabouts of the drugs can be accounted for by other means and there is no evidence of diversion.

(f) Failing to, before dispensing any drug, give the patient a written prescription and orally or in writing advise the patient that the prescription may be filled in the practitioner's office or at any pharmacy, in violation of Section 465.0276(2)(c), Florida Statutes. This applies to dispensing practitioners only.

(g) Dispensing medication without proper labeling, contrary to the provisions of Section 893.05(2), Florida Statutes, and Rule 64B16-28.108, Florida Administrative Code. This applies to dispensing practitioners only.

(h) For a practitioner who is not required to register as a dispensing practitioner, failing to dispense drugs in the manufacturer's labeled package with the practitioner's name, patient's name, and the date dispensed or, if such drugs are not dispensed in the manufacturer's labeled package, failing to dispense the medication in a container which bears the following information: practitioner's name; patient's name; date dispensed; name and strength of the drug; and directions for use, contrary to Section 465.0276, Florida Statutes.

(i) Failing to properly store medications which require refrigeration, contrary to Rule 64B16-28.104, Florida Administrative Code.

(j) Failing to remove outdated medications from stock, contrary to Rule 64B16-28.110, Florida Administrative Code.

(k) Failing to have proper labeling on all stock medications, contrary to Section 499.007(2), Florida Statutes.

(l) Failing to post the generic drug sign, contrary to Section 465.025(7), Florida Statutes. This applies to dispensing practitioners only.

(m) Failing to initial and date all controlled substances dispensed and all refills thereof, contrary to Section 893.04(1)(c)6., Florida Statutes. This applies to dispensing practitioners only.

(n) Filling controlled substance prescriptions which do not have the patient's address on them, contrary to Section 893.04(1)(c)1., Florida Statutes. This applies to dispensing practitioners only.

(o) Filling controlled substance prescriptions which do not have the practitioner's DEA number on them, contrary to Section 893.04(1)(c)2., Florida Statutes. This applies to dispensing practitioners only.

(p) Using a computer system, but failing to maintain a daily hard copy printout of controlled substances initialed and dated by the practitioner and failing to assure that the computer information is readily retrievable, contrary to Rule 64B16-28.119(5), Florida Administrative Code. This applies to dispensing practitioners only.

(q) Failing to maintain records relating to controlled substances in a readily retrievable form, contrary to Section 893.07(4), Florida Statutes, and 21 CFR 1304.04.

(r) Failing to dispense medication in a childproof container, contrary to 16 CFR 1700.14a(10).

(s) Failure to obtain an education course on human immunodeficiency virus and acquired immune deficiency syndrome within six (6) months of licensure as required by 455.604, F.S.

(5) Failure of the licensee to take action in correcting the violation within 15 days after notice shall result in the institution of regular disciplinary proceedings. Failure of the licensee to comply with the notice of noncompliance within the time allowed or subsequent violations of a same or similar offense shall result in the issuance of a citation pursuant to 64B18-14.010 or, if the citation is declined or if there is no citation available for the specific violation, shall result in the institution of the regular disciplinary process set forth in s. 455.621, F.S.

~~(4) failure to provide the Board office with a change of address.~~

Specific Authority ~~455.621 455.627~~, 461.005 FS. Law Implemented 455.621 ~~455.627~~ FS. History--New 4-1-91, Formerly 21T-14.009, 61F12-14.009, Amended 2-25-96, 6-17-97, Formerly 59Z-14.009, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Podiatric Medicine

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE TITLE: RULE NO.:

Continuing Education Programs Not

Requiring Pre-Approval from the Board 64B18-17.003

PURPOSE AND EFFECT: The proposed rule amendment brings the rule into compliance with section 455.604(1), F.S., with regard to course content.

SUMMARY: The proposed rule amendment clarifies the course content for HIV/AIDS continuing education courses.

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: 461.005, 461.007, 455.654(7) FS.

LAW IMPLEMENTED: 461.007, 455.654(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: 1:00 p.m., or as soon thereafter as can be heard, June 18, 1999

PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-17.003 Continuing Education Programs Not Requiring Pre-Approval from the Board.

(1) through (3) No change.

(4) HIV/AIDS Educational Course. A podiatric physician podiatrist who attends an HIV/AIDS course that consists of education on the modes of transmission, infection control procedures, treatment, clinical management and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, with emphasis on appropriate behavior and attitude change, shall be credited with one (1) hour of continuing education credit for each hour of the program up to a maximum of three (3) hours during the biennium. Such course shall also include information on current Florida law and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to ss. 381.004 and 384.25, F.S. A podiatric physician podiatrist who takes advantage of this provision and whose continuing education is audited must provide certification from the provider of the program which specifies the areas covered by the program and which demonstrates that the podiatric physician podiatrist has attended the requisite number of hours thereof.

Specific Authority 461.005, 461.007, 455.654(7) FS. Law Implemented 461.007, 455.654(1) FS. History--New 11-24-80, Formerly 21T-17.03, Amended 10-14-86, 2-22-87, 5-16-89, 6-19-90, Formerly 21T-17.003, Amended 7-6-94, Formerly 61F12-17.003, Amended 12-19-94, 1-1-96, 6-12-96, Formerly 59Z-17.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

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

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE TITLE: Funds Allocation RULE NO.: 66B-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise Form No. 91-25B, Waterways Assistance Program Application Evaluation and Rating Form. The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUMMARY: The proposed amendment will revise Form No. 91-25B, Waterways Assistance Program Application Evaluation and Rating Form that is utilized by the District to evaluate the applications. The proposed amendments will clarify the form so that applicants are more informed about the District's evaluation criteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1) FS.

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

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

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David K. Roach, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 Waterways Assistance Program Application Evaluation and Rating Form, and 91-25A Waterways Assistance Program

Navigation Districts Application Evaluation and Rating Form, (effective date \_\_\_\_\_ 2-6-97) hereby incorporated by reference and available from the District office.

(1) through (5) No change.

Specific Authority 374.976(2) FS, Law Implemented 374.976(1),(3) FS, History-New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David K. Roach Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Commissioners of the Florida Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 1999

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

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF HEALTH**

**Council of Medical Physicians**

RULE CHAPTER NO.:      RULE CHAPTER TITLE:

64B-1                      Examinations

RULE NO.:                RULE TITLE:

64B-1.015                Physician Assistant Examination  
   for Graduates of Foreign  
   Medical Schools

NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rule 64B-1.015, F.A.C., published in the March 26, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 12. The changes are in response to written comments received from the Joint Administrative Procedures Committee. The proposed rule 64B-1.015, F.A.C., was changed to read as follows:

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-1.015 Physician Assistant Examination for Graduates of Foreign Medical Schools.

~~(1) The physician assistant examination for graduates of foreign medical schools shall consist of the following parts:~~

~~(a) a general written examination containing 325 questions; and,~~

~~(b) a specialty primary care multiple choice written examination containing 150 questions; and/or,~~

~~(c) a specialty surgery multiple choice written examination containing 150 questions.~~

~~(2) In order to be eligible for licensure, the candidate must pass:~~

~~(a) the general written examination; and,~~

~~(b) either the specialty surgery or primary care written examination.~~

~~(3) The minimum passing scores for the physician assistant examination for graduates of foreign medical schools examination shall be:~~

(a) a standardized score of 600 for the general written examination;

(b) a standardized score of 600 for the specialty surgery written examination; and,

(c) a standardized score of 600 for the specialty primary care written examination.

~~(4) The general written examination shall assess candidate knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing. The examination questions may be drawn from the entire range of physician assistant activities, including, but not limited to, the content area listed below:~~

~~(a) Endocrine System~~

~~1.            General Skills            2-4%~~

~~2.            Primary Care                3-5%~~

~~3.            Surgical Skills                1-3%~~

~~(b) Pediatric~~

~~1.            General Skills                6-8%~~

~~2.            Primary Care                5-10%~~

~~3.            Surgical Skills                1-3%~~

~~(c) Nutritional /Metabolism~~

~~1.            General Skills                1-3%~~

~~2.            Primary Care                2-4%~~

~~3.            Surgical Skills                1-2%~~

~~(d) Blood and Blood-forming Hematology~~

~~1.            General Skills                2-4%~~

~~2.            Primary Care                3-5%~~

~~3.            Surgical Skills                1-3%~~

~~(e) Head and Neck~~

~~1.            General Skills                1-3%~~

~~2.            Primary Care                2-4%~~

~~3.            Surgical Skills                2-4%~~

~~(f) Eyes~~

~~1.            General Skills                1-3%~~

~~2.            Primary Care                2-3%~~

~~3.            Surgical Skills                1-3%~~

~~(g) Ears~~

~~1.            General Skills                1-3%~~

~~2.            Primary Care                1-3%~~

~~3.            Surgical Skills                1-3%~~

~~(h) Mental Health~~

~~1.            General Skills                1-2%~~

~~2.            Primary Care                1-3%~~

3.	Surgical Skills	0-1%
<del>(i) Nervous System and Sense Organs</del>		
1.	General Skills	2-4%
2.	Primary Care	3-5%
3.	Surgical Skills	4-6%
<del>(j) Circulatory System</del>		
1.	General Skills	3-5%
2.	Primary Care	4-6%
3.	Surgical Skills	8-10%
<del>(k) Respiratory System</del>		
1.	General Skills	4-6%
2.	Primary Care	4-6%
3.	Surgical Skills	3-5%
<del>(l) Digestive System</del>		
1.	General Skills	3-5%
2.	Primary Care	4-6%
3.	Surgical Skills	8-10%
<del>(m) Genitourinary System</del>		
1.	General Skills	2-4%
2.	Primary Care	2-4%
3.	Surgical Skills	4-6%
<del>(n) Gynecology and Pregnancy</del>		
1.	General Skills	3-5%
2.	Primary Care	4-6%
3.	Surgical Skills	5-7%
<del>(o) Skin and Subcutaneous Tissue</del>		
1.	General Skills	2-3%
2.	Primary Care	2-3%
3.	Surgical Skills	2-4%
<del>(p) Musculoskeletal System and Connective Tissue</del>		
1.	General Skills	2-4%
2.	Primary Care	2-4%
3.	Surgical Skills	6-8%
<del>(q) Infectious Diseases</del>		
1.	General Skills	10-12%
2.	Primary Care	10-20%
3.	Surgical Skills	8-10%
<del>(r) Trauma/Emergency</del>		
1.	General Skills	4-6%
2.	Primary Care	6-8%
3.	Surgical Skills	12-15%
<del>(s) Preventative Disease Section</del>		
1.	General Skills	1-2%
2.	Primary Care	1-2%
3.	Surgical Skills	0-1%
<del>(t) Pharmacology</del>		
1.	General Skills	5-7%
2.	Primary Care	6-10%

3.	Surgical Skills	6-10%
<del>(u) Scope of Practice</del>		
1.	General Skills	1-3%
2.	Primary Care	0%
3.	Surgical Skills	0%
<del>(v) Practice Competencies</del>		
1.	General Skills	20-22%
2.	Primary Care	0%
3.	Surgical Skills	0%

~~(5) The specialty written examination shall assess candidates' knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled performing such as those noted above in paragraphs 64B 1.015(1)(a) (v), F.A.C., as applied to patient care situations relevant to the appropriate specialty area.~~

~~(6) Examination fees shall be \$620 for candidates who want to take the general and one specialty examination and \$700 for candidates who want to take the general and both specialty examinations.~~

Specific Authority 458.347(7)(b)3. FS. Law Implemented 458.347(7)(b)3. FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.: 64B18-14.006  
 RULE TITLE: Casting Feet

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Podiatric Medicine hereby gives notice of an additional public hearing to be held on the above-referenced rule on June 18, 1999, at 1:00 p.m., or as soon thereafter as can be heard, at The Registry Resort, 475 Seagate Drive, Naples, Florida 34103. The rule was originally published in Vol. 25, No. 10, of the March 12, 1999, Florida Administrative Weekly. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

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**

**Division of Family Health Services**

RULE CHAPTER NO.: 64F-17  
 RULE CHAPTER TITLE: Child Care Food Program

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the proposed rule in accordance with 120.64(3)(d)1., F.S., published in Vol. 25, No. 10, March 12, 1999 issue of the Florida Administrative Weekly:

64F-17.001(1) After the words "7 CFR Part 226" add "which is dated January 1, 1998 and is hereby incorporated by reference and available from the Department of Health. A copy may be obtained by writing the Florida Department of Health, Bureau of Child Care Nutrition Services, 2020 Capital Circle, Southeast, Bin #A-17, Tallahassee, Florida 32399-1727".

64F-17.002(2) Delete the words "by 5:00 p.m. on date of contact" and replace with "within 24 hours of the time of contact".

64F-17.003(2) Delete the words "at the time of application and renewal" and replace with "upon request".

64F-17.004 Insert the word "appropriate" between the words "evidencing" and "state approval". After the words "operate a food service facility" add "as required by section 509.241, F.S., section 500.12, F.S., or section 381.0072, F.S." Delete the word "December" and replace with "November".

64F-17.005 Withdrawn

P.O. EU6787

**Section IV  
Emergency Rules**

**NONE**

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver dated May 5, 1999 from Sarasota County. The petitioner seeks a permanent waiver, with respect to its Florida Communities Trust grant application #98-072-P8A, from the literal and technical interpretation of one aspect of Rule 9K-4.0031(9), Fla. Admin. Code. The rule requires that real property eligible as a source of local match must be acquired within one year prior to or 180 days after grant application deadline. A copy of the Petition, which has been assigned the number DCA99-WAI-094, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Gulf Power Company's petition for waiver of the filing deadline set forth in Rule 25-17.006(7), Florida Administrative Code, filed November 25, 1999, in Docket No. 981741-EG was approved by the Commission at its January 19, 1999, Agenda Conference. Order No. PSC-99-0187-FOF-EG, issued February 3, 1999, memorialized the decision. The rule provides that certain electric utilities must periodically conduct surveys of residential customers to gather end use data and must file the results of such surveys with the Commission. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on December 24, 1999. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN that on May 5, 1999, the Florida Public Service Commission received a Petition from GTE Florida Incorporated (Docket No. 990547-TL), seeking a waiver of Rule 25-24.110(13), Florida Administrative Code. The rule requires that customers must be notified on the first or second page of the customer's next bill in conspicuous bold face type when the customer's provider of local, local toll, or toll service has changed. 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, write Diana Caldwell, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6175.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Levy County, as receiver for University Oaks Water System, in Docket No. 990558-WU, seeking waiver from Rule 25-30.110, Florida Administrative Code. The rule addresses the requirements for filing of annual reports and the penalties for failing to timely file an annual report. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. For

additional information, please contact Ralph Jaeger, Senior Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

## **WATER MANAGEMENT DISTRICTS**

### **NOTICE OF PROPOSED AGENCY ACTION**

The South Florida Water Management District provides notice of proposed agency action to grant to the Florida Department of Transportation (FDOT) an Environmental Resource Permit (Application No. 98-0805-4, ERP No. 50-04154-P), for the construction and operation of a surface water management system for proposed highway improvements to Interstate-95 from State Road 80 (Southern Boulevard) to the Australian Avenue Overpass and construction of an interconnecting road system between Interstate 95 and the Palm Beach International Airport (PBIA/I-95 Interconnect) in Palm Beach County, Florida, and to grant to FDOT a variance (Application No. 98-1012-10) pursuant to Section 120.542, Florida Statutes (FS), which is more fully described hereinafter.

On December 28, 1998, The FDOT, pursuant to Subsection 120.542(2), F.S., filed with SFWMD a second Amended Petition for the PBIA/I-95 Interconnect (Application No. 98-1012-10) for a variance from the dimensional criteria set forth in Section 7.4(A), (B), (C), and (D), Basis for Review for Environmental Resource Permit Applications (BOR), incorporated by reference in Rule 40E-4.09(1)(a), Florida Administrative Code (FAC), pertaining to dimensional criteria. The nature of the variance is to vary from the 4:1 (horizontal/vertical) side slope requirements of the BOR to a 2:1 (horizontal/vertical) side slope for the rendition pond of the surface water management system that is the subject of Environmental Resource Permit No. 50-04154-P referred to above.

A copy of the proposed agency action, the Environmental Resource Permit (Application No. 98-0805-4, ERP No. 50-04154-P), the Petition for Variance (Application No. 98-1012-10), a description of the project, a staff analysis of the project, and rules referenced in this notice may be obtained by contacting Vem Kaiser, Deputy Clerk, (561)686-8800, and are available for inspection at 3301 Gun Club Road, West Palm Beach, Florida.

#### **Notice of Administrative Litigation**

The Vedado Neighborhood Association, Inc., Billy D. and Jo Rae Steinman, Lauri J. and Nanci M. Rowell, and Jose' I. Rodriguez (hereinafter Vedado, et al.) have petitioned, pursuant to Chapter 120, F.S., for an administrative proceeding on the aforementioned proposed agency action on the Environmental Resource Permit and Variance. This petition has been forwarded to the Division of Administrative Hearings (DOAH) for appropriate proceedings in accordance with Sections 120.569 and 120.57, F.S., and Rule Chapter 28-106, FAC, and has been assigned DOAH Case No. 99-1296. The caption for the case is:

Vedado Neighborhood Association, Inc; Billy D. Steinman; Jo Rae Steinman; et al., Petitioners, vs. South Florida Water Management District and Department of Transportation, Respondents. DOAH Case No. 99-1296

A final hearing has been set by the Administrative Law Judge in this proceeding to commence at 9:00 a.m., July 26, 1999, in the Fifth Floor Mediation Office, Room 5-2200, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida.

Persons, other than the original parties to this pending proceeding, whose substantial interest may be determined in the proceeding and who desire to become parties may petition the presiding officer for leave to intervene at least twenty days before the final hearing. A petition to intervene must contain the above caption, conform to the requirements of Rules 28-106.205 and 28-106.201(2), FAC, and be timely filed with the Clerk, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550 with a copy served on all other parties of record.

#### **Notice of Right to Administrative Hearing**

In addition to the right to intervene, a person who has not previously received notice of the above-described proposed agency action by the South Florida Water Management District, has the right to request an administrative hearing on the proposed action within twenty-one days from the date of publication of this Notice. The affected person may request either a formal or an informal hearing, as set forth below. A point of entry into administrative proceedings is governed by Rules 28-106.111 and 40E-1.511, FAC, (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109, FAC). Petitions are deemed filed upon receipt of the original documents by the SFWMD Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33401.

a. **Formal Administrative Hearing.** If a genuine issue(s) of material fact is (are) in dispute, the affected person seeking a formal hearing on a SFWMD proposed agency action that does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57, FS. Petitions must be filed with the SFWMD Clerk within the aforementioned twenty-one days and must substantially comply with the requirements of Rule 28-106.201(2), FAC.

b. **Informal Administrative Hearing:** If there are no issues of material fact in dispute, the affected person seeking an informal hearing on the SFWMD proposed agency action that does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(2), F.S. Petitions must be filed with the SFWMD Clerk within the aforementioned twenty-one days and substantially comply with the requirements of Rule 28-106.301(2), FAC.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the SFWMD's final action may be different from the position taken by it previously. Persons whose substantial

interests may be affected by any such different final decision of the SFWMD shall have, pursuant to Rule 40E-1.511(2), FAC (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), FAC, an additional 21 days from the date of receipt of notice of said decision to request an administrative hearing. However, the scope of the administrative hearing shall be limited to the substantial deviation.

Failure to observe the relevant time frames prescribed above will constitute a waiver of the right to an administrative proceeding (hearing) on the above-described proposed agency action.

In that this proposed agency action is already the subject of an administrative proceeding, mediation as provided for by Section 120.573, F.S., is not available. However, this does not preclude mediation of the dispute if all parties agree.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on March 31, 1999, the Board of Psychology received a Petition from Norma J. Charles seeking a variance or waiver from Rule 64B19-11.007 and Rule 64B19-12.002 (which references Rule 64B19-12.003). These rules require: (1) the closure on an application file within four administrations of the examination following the date on which the Board has approved the application; and 2) the submission of a reexamination fee for failing to take the exam for which the applicant was initially scheduled. Comments on this Petition should be filed with Board of Psychology within 14 days of publication of this notice.

For a copy of the Petition or additional information, contact: Kaye Howerton, Executive Director, Board of Psychology, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255.

**Section VI**  
**Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited:

DATE AND TIME: May 26, 1999, 9:00 a.m. – 11:45 a.m

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg, Florida

PURPOSE: The State Historical Records Advisory Board will meet to discuss the Board’s Strategic Plan and receive public input.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, telephone number (850)487-2073, Suncom 277-2073.

Pursuant to Chapter 286.26, Florida Statutes, any persons requiring any special arrangement such as assisted listening devices, sign language interpreter, etc., should contact the agency at least 48 hours prior to the meeting.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Commissioner’s Agricultural Water Policy Group Meeting to which all persons are invited:

DATE AND TIME: Thursday, June 3, 1999, 9:30 a.m.

PLACE: Florida Fruit and Vegetable Association Headquarters, 4401 East Colonial Drive, Board Room, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussions regarding the Department of Environmental Protection and Water Management Districts water programs affecting agriculture, including updates on ongoing projects.

A copy of the agenda or directions may be obtained by contacting: James Fort, 3125 Conner Blvd., Mail Stop C-28, Tallahassee, FL 32399-1650, (850)488-6249.

NOTICE OF CORRECTION – The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Alligator Marketing and Education Advisory Committee.

DATE AND TIME: June 9, 1999, 10:00 a.m. (Corrected Starting Time)

PLACE: Florida Fruit and Vegetable Association, Conference Room, 4401 East Colonial Drive, Orlando, Florida

PURPOSE: To discuss marketing and educational activities beneficial to the Florida alligator industry.

A copy of the agenda can be obtained by contacting: Kal Knickerbocker, 2051 E. Dirac Drive, Tallahassee, FL 32310-3760 or calling (850)488-0163.

If special accommodations are needed to attend this meeting because of disability, please contact Kal Knickerbocker as soon as possible.

**DEPARTMENT OF EDUCATION**

The **Florida Community Colleges**, Risk Management Consortium announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, May 26, 1999, 9:30 a.m. – 2:00 p.m.

PLACE: Orlando Airport Marriott, Orlando, Florida

PURPOSE: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, or by telephoning (352)955-2190, Ext. 2.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department of Community Affairs** announces a meeting of the Waterfronts Florida Review Committee, to which all interested parties are invited:

DATE AND TIME: Friday, June 4, 1999, 9:00 a.m. – 4:00 p.m.

PLACE: Room 1706, Ralph Turlington Building, Department of Education, 325 West Gaines Street, Tallahassee, FL

PURPOSE: To review and rank applications submitted to the Waterfronts Florida Program for designation during the FY 1999-2000 cycle of Waterfronts Florida. Applications receiving the highest rankings from the review committee will be forwarded to the Secretary of the Department of Community Affairs, who will make the final designation.

Persons requiring special accommodations at this meeting due to disability or physical impairment should contact Dan Pennington, Waterfronts Florida Partnership, (850)222-9813, before June 1, 1999. If you are hearing or speech impaired, please contact Mr. Pennington using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN by the **Florida Building Commission** (the Commission) announcing the following meeting and workshop to which all persons are invited:

Workshop – Florida Building Code

DATE AND TIME: June 9, 1999, 3:00 p.m. – 7:00 p.m.

PLACE: South Dade Government Center, 10710 S. W. 211 Street, Miami, Florida, (305)232-3831

PURPOSE: To solicit public comments on the first draft of the Florida Building Code.

NOTICE OF CORRECTION – The notice of a Roofing Subcommittee to the **Building/Structural Technical Advisory Committee** published in the May 7, 1999 Florida Administrative Weekly, has been changed to:

DATE AND TIME: June 16, 1999, 9:30 a.m. – 4:30 p.m.

PLACE: Holiday Inn Select, 5750 TG Lee Boulevard, Orlando, Florida, (407)851-6400

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 LAW ENFORCEMENT**

The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend:

DATE AND TIME: Wednesday, June 9, 1999, 11:00 a.m. – Open

PLACE: Caribe Royal Resorts Suites, 14300 International Drive, Lake Buena Vista, Florida 32830

PURPOSE: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by calling: Brenda S. Miller, (850)410-8648, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

**DEPARTMENT OF TRANSPORTATION**

The Florida **Department of Transportation**, District 2 together with the Federal Highway Administration and the U.S. Coast Guard announces a public hearing to which all persons are invited.

DATE AND TIME: June 7, 1999, 7:00 p.m.

PLACE: The St. John’s County Administration Building, Auditorium, 4010 Lewis Speedway Road and U.S. 1 north of St. Augustine, Florida

PURPOSE: The hearing is being held to afford interested persons the opportunity to express their views concerning the location aspects, design concepts, social, economic and environmental effects of Financial Project ID 210244-1, State Project Number 78040-1508, Work Program Item Number 2116970, Federal Aid Project Number BRF-491-2(14), otherwise known as the Bridge of Lions (State Road A1A)

over the Matanzas River in St. Augustine, St. John's County, Florida. The proposed improvements will either provide for the restoration/rehabilitation; and/or replacement of the Bridge of Lions. To accommodate the proposed improvements, additional right of way will be required.

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call telephone number (904)752-3300 or 1(800)749-2967. Special accommodations request under the American with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Huey Hawkins, District Secretary, Florida Department of Transportation District 2, Post Office Box 1089, Lake City, Florida 32056-1089.

The **Department of Transportation**, District 5, announces a public hearing to which all persons are invited.

DATE AND TIME: June 16, 1999, 7:00 p.m.

PLACE: Colonial High School Sophomore/Junior Cafeteria, 6100 Oleander Drive, Orlando, Florida

PURPOSE: This Project Development and Environment (PD & E) Study hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project No.: 23945412201, State Project No.: 75003-1550, Federal Aid Project No.: XA-8868(17) (Info. Only) and Work Program Item No.: 5114790, otherwise known as SR 436 (Semoran Boulevard) in Orange County. Project limits along SR 436 are from 0.545 miles south of SR 528 (Beeline Expressway) to SR 50 (Colonial Drive). The existing SR 436 roadway, within these limits, is a four lane facility from SR 528 to SR 552 (Curry Ford Road) and a six lane facility from SR 552 to SR 50. The hearing is for proposed improvements which consist of widening SR 436 to six lanes between SR 528 and SR 552 (Curry Ford Road) which will serve as an interim improvement. An Access Management Reclassification public hearing within this segment, south of Lake Margaret Drive (MP 3.772), will also be conducted. The proposed reclassification would be from Class 3 to Class 5. The proposed six lane "urban" typical section for this improvement includes a 30-foot median with a four-foot bicycle lane, eight-foot sidewalk, and public transportation accommodations on each side of the road. To address long term corridor mobility and multi-modal needs along SR 436 from SR 528 to SR 50, a corridor planning study is also being conducted concurrent with this PD & E study. The results of this planning study will be discussed during this Public Hearing. Maps, drawings and other project-related information will be available for review at the hearing site beginning at 6:00 p.m.

Anyone needing project or Public Hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or contact the Project Manager, Mr. Gregg Caro, P. E., by telephone, (904)943-5550. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Gregg Caro, P. E., Florida Department of Transportation, District 5, Consultant Project Management Office (M.S. 4-542), 719 South Woodland Boulevard, DeLand, Florida 32720.

The Florida **Department of Transportation**, District 1, announces a public hearing to which all persons are invited:

DATE AND TIME: Tuesday, June 22, 1999, 7:00 p.m.

PLACE: City Hall, 502 E. Hinson Ave, Haines City, Florida

PURPOSE: This Hearing is being held to afford interested persons the opportunity to express their views concerning the proposed improvements to US 27 (SR 25) from SR 544 to Interstate 4 in Polk County, Florida. A distance of approximately 10.6 miles. Financial Project ID 197539 1 21 01 and 197673 1 21 01.

Persons with disabilities who may require special accommodations under the Americans with Disabilities Act of 1990 should contact: Antone Sherrard, (941)519-2304.

A copy of the agenda may be obtained by writing: David A. Twiddy, P. E., District Secretary, Florida Department of Transportation, District 1, Post Office Box 1249, Bartow, Florida 33831.

#### STATE BOARD OF ADMINISTRATION

The **Investment Committee of the Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Thursday, June 3, 1999, 10:00 a.m., or soon thereafter

PLACE: 1801 Hermitage Blvd., Hermitage Conference Room, 1st Floor, Tallahassee, Florida 32308

PURPOSE: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.



Any person requiring special accommodations at the meeting because of a disability should fax a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Thursday, June 3, 1999, 11:00 a.m., or soon thereafter

PLACE: 1801 Hermitage Blvd., Hermitage Conference Room, 1st Floor, Tallahassee, Florida 32308

PURPOSE: To conduct the regular business of the Florida Prepaid College Board, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, she/he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

Any person requiring special accommodations at the meeting because of a disability should fax a written request to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

#### **PUBLIC SERVICE COMMISSION**

NOTICE OF RESCHEDULING – The Florida **Public Service Commission** announces that Docket No. 971065-SU – Application for rate increase in Pinellas County by Mid-County Services, Inc., previously noticed for June 4, 1999 has been rescheduled to:

DATE AND TIME: June 3, 1999, 1:30 p.m.

PLACE: Commission Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

The Florida **Public Service Commission** announces a hearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 980946-TL – Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, by BellSouth Telecommunications, Inc.

Docket No. 980947-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the Boca Raton Boca Teeca Central Office, by BellSouth Telecommunications, Inc.

Docket No. 980948-TL – Petition for waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Miami Palmetto Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981011-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the West Palm Beach Gardens Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981012-TL – Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the North Dade Golden Glades Central Office, by BellSouth Telecommunications, Inc.

Docket No. 981250-TL – Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Lake Mary Main Central Office, by BellSouth Telecommunications, Inc.

DATE AND TIME: June 9, 10 and 11, 1999, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To permit parties to present testimony and exhibits relative to the petitions for temporary waiver of physical collocation requirements, and for such other purposes as the Commission may deem appropriate. At the hearing, all parties shall be given the opportunity to present testimony and other evidence on the issues identified by the parties at the prehearing conference held on May 17, 1999. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapters 25 and 28, FAC.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

#### **EXECUTIVE OFFICE OF THE GOVERNOR**

The **Executive Office of the Governor** announces a public meeting of the Florida Geographic Information Board (GIB) to which all persons are invited:

DATE AND TIME: May 28, 1999, 10:00 a.m. or as soon thereafter as possible and will continue until complete

PLACE: EATZ Café, 4055 Esplanade Way, Tallahassee, FL

PURPOSE: A regularly scheduled meeting of the GIB.

A copy of the agenda may be obtained by writing: Florida Geographic Information Board, 4050 Esplanade Way, Building 4030, Suite 180, Tallahassee, Florida, 32399-0950 or at the GIB's Website (<http://als.dms.state.fl.us>).

**REGIONAL PLANNING COUNCILS**

The **Northeast Florida Regional Planning Council**, Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:  
 DATE AND TIME: June 3, 1999, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town, Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

Any person requiring special accommodations at the meeting because of a disability should request in writing to the address above, no later than five (5) days prior to the meeting.

The **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: To discuss pending personnel, program planning, and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

Notice is also given that two or more members of Boards of County Commissioners, City/Town, Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

Any person requiring special accommodations at the meeting because of a disability should request in writing to the address above, no later than five (5) days prior to the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 143 Philips Highway, Suite 350, Jacksonville, FL

PURPOSE: Monthly Meeting

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Ginny Montgomery, (904)363-6350, Extension 146, at least three working days prior to the meeting. Hearing impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town, Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 2, 1999, 9:30 a.m.

PLACE: Highlands County HRS Health Department, Conference Room, 7205 South George Boulevard, Sebring, Florida

PURPOSE: Regular Monthly Meeting of the Council

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.

Any person requiring special accommodations at the meeting because of a disability should request in writing to the address above, no later than five (5) days prior to the meeting.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 7, 1999, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Regular Council Meeting

SUBJECTS TO BE CONSIDERED: Routine Council Business; DRI Development Order Amendment Reports; Local Government Comprehensive Plan Reviews; Aging Policy Committee; Agency on Bay Management; Local Emergency Planning Committee; Chairman's Report.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 10, 1999, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: Agency on Bay Management Executive Steering and Subcommittee

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 21, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, St. Petersburg, Florida 33702

PURPOSE: Area Agency on Aging

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 28, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: IC & R Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 7, 1999, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida

PURPOSE: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Plantation; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will 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.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

P.O. #6642

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The **South Florida Regional Planning Council** announces the following Clean Cities meetings to which all persons are invited.

FIRST MEETING: Clean Cities Coalition Market Development Subcommittee

DATE AND TIME: Monday, June 7, 1999, 11:00 a.m.

PLACE: South Florida Regional Planning Council, Meeting Room, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

SECOND MEETING: Clean Cities Coalition Meeting

DATE AND TIME: Monday, June 7, 1999; 1:00 p.m.

PLACE: South Florida Regional Planning Council, Conference Room, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

**PURPOSE:** The Gold Coast consists of Broward, Miami-Dade and Palm Beach Counties. The Coalition was formed through Governor's Executive Order to accelerate the widespread use of cleaner, alternatively fueled fleet vehicles in the Florida Gold Coast area. The purpose of these meetings is to discuss relevant Coalition issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person 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 to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council at (954)985-4416 at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** and Florida Atlantic University's Joint Center for Environmental and Urban Problems announce the following workshop.

**DATE AND TIME:** May 27, 1999, 10:00 a.m. – 3:00 p.m.

**PLACE:** Waterford Hotel & Conference Center, 11360 U.S. 1, North Palm Beach, FL

**GENERAL SUBJECT MATTER:** To conduct a Growth Management Workshop in South Florida. Workshop participants will discuss the current tools for growth management.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Budget/Personnel Committee to which all persons are invited:

**DATE AND TIME:** June 2, 1999, 11:30 a.m.

**PLACE:** Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

**GENERAL SUBJECT MATTER:** To conduct a meeting of the Council's Budget/Personnel Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces the following public meeting:

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

**PLACE:** Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

**GENERAL SUBJECT MATTER:** To conduct a meeting of the Treasure Coast Planning Council Energy Task Force. The goal of the task force is to develop an energy element for the Strategic Regional Policy Plan. The topics of discussion may include energy conservation, power generation, power transmission, electric restructuring, community design, building design, and transportation.

## REGIONAL TRANSPORTATION AUTHORITIES

The **Central Florida Regional Transportation Authority**, d/b/a LYNX, announces public meetings to which all persons are invited:

**CITIZEN'S ADVISORY COMMITTEE**

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

**PLACE:** Metroplan Orlando, 315 E. Robinson Street, Suite 355, Orlando, FL 32801

**PURPOSE:** This meeting is being held to afford interested persons the opportunity to express their views on a preliminary draft of the LYNX Transportation Development Plan for Fiscal Years 2000-2004.

**TRANSPORTATION TECHNICAL COMMITTEE**

**DATE AND TIME:** May 28, 1999, 10:00 a.m.

**PLACE:** Metroplan Orlando, 315 Robinson Street, Suite 355, Orlando, FL 32801

**PURPOSE:** This meeting is being held to afford interested persons the opportunity to express their views on a preliminary draft of the LYNX Transportation/Development Plan for Fiscal Years 2000-2004.

**METROPLAN ORLANDO BOARD MEETING**

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

PLACE: Metroplan Orlando, 315 E. Robinson Street, Suite 355, Orlando, FL 32801

PURPOSE: This meeting is being held to present the final LYNX Transportation/Development Plan for Fiscal Years 2000-2004 at the Metroplan Orlando Board Meeting.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY BOARD (LYNX) BOARD MEETING

TIME AND PLACE: June 24, 1999, 2:30 p.m.

PLACE: LYNX, Educational Leadership Center, Board Room 445, W. Amelia Street, First Floor, Orlando, FL 32801

PURPOSE: This meeting is being held to present the final LYNX Transportation/Development Plan for Fiscal Years 2000-2004 to present to the LYNX Board for final approval prior to transmittal to the Florida Department of Transportation.

In addition, written comments relative to the preliminary draft of the LYNX Transportation/Development Plan for Fiscal Years 2000-2004 will be accepted no later than June 4, 1999. Please send written comments to: LYNX, 445 W. Amelia Street, Suite 800, Orlando, FL 32801, Attention: Jennifer Stults.

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 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 the following. For those meetings at Metroplan Orlando, contact Theresa Key, Metroplan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL, (407)481-5672, Ext. 315, no later than two (2) business days prior to the proceeding. For those meetings at LYNX contact Ron Jones, (407)841-2279, Ext. 3508, at least seven (7) calendar days before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

The person to be contacted regarding information on the meeting or a copy of the agenda is: Jennifer Stults, Project Manager, Planning and Development, Central Florida Regional Transportation Authority, 445 West Amelia, Suite 800, Orlando, FL 32801, (407)841-2279, Ext. 3009.

The **Hillsborough Area Regional Transit Authority** (HART) announces the following public meetings of the Governing Board of the Authority to which all persons are invited.

Public Hearing

DATE AND TIME: June 7, 1999, 8:30 a.m.

PLACE: County Center, 601 E. Kennedy Boulevard, 18th Floor, Planning Commission Board Room, Tampa, FL

PURPOSE: Public Hearing

Regular Board Meeting

DATE AND TIME: June 7, 1999, Immediately following Public Hearing

PLACE: County Center, 601 E. Kennedy Boulevard, 18th Floor, Planning Commission Board Room, Tampa, FL

PURPOSE: Regularly Scheduled Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Call to order; 2) Approval of Minutes; 3) Introductions, Recognition and Awards; 4) Consumer Advisory Committee Report; 5) Public Comment on Action Items; 6) Consent Action Items; 7) Other Action Items; 8) Chairman's Report; 9) Reports from HART Representatives; 10) HART Committee Reports; 11) Other Board Member's Report; 12) General Counsel's Report; 13) Executive Director's Report; 14) Employee Comment; 15) General Public Comment; 16) Discussion and Presentations; 17) Monthly Information Reports; 18) Other Information Items; 19) Other Business.

A copy of the detailed agenda may be obtained by contacting: Lisa Gantous, Executive Assistant, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 1600, Tampa, Florida 33602, (813)223-6831.

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 Lynn Carter, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TDD).

## COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited:

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

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such

purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this meeting because of a physical impairment should call Commission on Ethics, (850)488-7864, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached, 1(800)955-8771 (TDD).

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The **Department of Labor and Employment Security, Division of Workers' Compensation**, announces a meeting of its Employee Customer Council to which the public is invited:

DATE AND TIME: Monday, June 14, 1999, 2:00 p.m. – 4:00 p.m.

PLACE: Clarion Plaza Hotel, 9700 International Drive, Salon 1, Orlando, Florida

PURPOSE: The purpose of this meeting is to provide a forum for the discussion of the Workers' Compensation issues affecting employees.

For further information about this meeting contact: Rosa Smiley, 203R Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399, Telephone (850)487-1810.

Persons with a disability or handicap requiring reasonable accommodations should contact Rosa Smiley in writing at the above address or by telephone at least three business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Rosa Smiley using the Florida Dual Party Relay System, 1(800)955-8770 (Voice), 1(800)955-8771 (TDD).

**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces a Land Acquisition and Management Committee Meeting to which all persons are invited.

TOUR: Canaveral Marshes North Conservation Area

DATE AND TIME: Wednesday, May 26, 1999, 10:00 a.m. – 11:45 a.m.

MEETING: Land Acquisition and Management Committee

DATE AND TIME: Wednesday, May 26, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: The Great Outdoors, Plantation Manor Recreation Hall, I-95 Exit 79 on Highway 50, Titusville, FL

PURPOSE: To review land management and land acquisition activities.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

If, due to disability, you require a special accommodation to participate in this public/meeting, contact Linda Lorenzen, (904)329-4262 or (904)329-4450 (TDD) at least five work days before the date of the meeting.

The **St. Johns River Water Management District** announces a Northern Region, Recreational Advisory Council Meeting to which all persons are invited.

Northern Region Recreation Advisory Council

DATE AND TIME: Tuesday June 1, 1999, 9:30 a.m. – 12:00 p.m.

PLACE: Boulware Springs Park, 3500 S. E. 15th Street, Gainesville, FL

PURPOSE: To discuss recreation on District lands in the Northern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

If, due to disability, you require a special accommodation to participate in this public meeting, contact Linda Lorenzen, (904)329-4262 or (904)329-4450 (TDD) at least five work days before the date of the meeting.

The **St. Johns River Water Management District** announces the following Facilities/Planning/Construction Committee telephone conference call:

DATE AND TIME: Friday, May 28, 1999, 10:00 a.m.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177

PURPOSE: To discuss project construction and contractual matters of the District.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429, or by calling Mrs. Sharon Whitener, Administrative Support Coordinator, Department of Operations and Land Resources, (904)329-4281.

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 Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

**AGRICULTURAL ADVISORY COMMITTEE**

DATE AND TIME: Tuesday, June 1, 1999, 5:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Building 1, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida), or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: May 28, 1999; June 1, 1999; June 7, 1999; June 8, 1999; June 9, 1999; June 11, 1999; June 16, 1999; June 23, 1999; June 30, 1999, 9:00 a.m.

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

PURPOSE: Special Governing Board Workshop/Meeting to discuss and consider District business, including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

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: Tony Burns, (561)682-6857.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 2, 1999, 8:00 a.m.

PLACE: District Headquarters, B-1 Building, Richard Rogers Conference Room, 2nd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee to discuss and tabulate scores of evaluations of proposals in response to RFP C-E017, Multi-disciplined Professional Engineering Services.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 2, 1999, 10:00 a.m. – 11:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3B, 3301 Gun Club Road, West Palm Beach, FL

PURPOSE: Meeting of the Selection Committee to discuss the tabulation of scores following the evaluation of proposals submitted in response to RFP C-E10695, Caloosahatchee Water Quality Data Collection.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 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: Linda Englebrecht, Procurement Analyst, (561)682-6378.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 3, 1999, 8:00 a.m.

PLACE: District Headquarters, B-1 Building, Cafeteria Conference Room, 1st Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee to discuss and tabulate scores of evaluations of proposals in response to RFP C-E019, Professional Engineering Support Services, Geotechnical.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 7, 1999, 8:00 a.m.

PLACE: District Headquarters, B-1 Building, Cafeteria Conference Room, 1st Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee for oral presentations and final tabulation of scores for proposals submitted in response to RFP C-E017, Multi-Disciplined Professional Engineering Services.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 4, 1999, 8:00 a.m.

PLACE: District Headquarters, B-1 Building, Cafeteria Conference Room, 1st Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee to discuss and tabulate scores of evaluations of proposals in response to RFP C-E020, Professional Engineering Support Services, Survey and Mapping.

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.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

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

PLACE: District Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee for oral presentations and final tabulation of scores for proposals submitted in response to RFP C-E020, Professional Engineering Support Services, Survey and Mapping.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:  
DATE AND TIME: June 9, 1999, 8:00 a.m.  
PLACE: District Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee for oral presentations and final tabulation of scores for proposals submitted in response to RFP C-E019, Professional Engineering Support Services, Geotechnical.

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: Jessica Flathmann, ECP Contracting Officer, (561)682-2823.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: June 9, 1999, 9:00 a.m.  
PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida, or Southwest Florida International Airport Training Facility, 16000 Chamberlin Parkway, Fort Myers, Florida

PURPOSE: Governing Board workshop and meeting to discuss and consider District business, including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, May 13th meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: June 9, 1999, 1:00 p.m.  
PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida  
PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME: June 9, 1999, 2:00 p.m.  
PLACE: District Headquarters B-1 Building Auditorium, 3301 Gun Club Road, West Palm Beach, Florida  
PURPOSE: Audit Committee meeting to discuss regular committee business. 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 10, 1999, 8:30 a.m.  
PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Governing Board meeting for consideration of District business other than regulatory matters. 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 10, 1999, 2:00 p.m.  
PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Governing Board meeting for consideration of regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agendas may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 323416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 10, 1999, 8:30 a.m.  
PLACE: District Headquarters, B-1 Building, Conference Room 2B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee meeting for oral presentations in conjunction with the evaluation of proposals submitted in response to RFP C-10695, Caloosahatchee Water Quality Data Collection.

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 records 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 Linda Englebrecht, Contract Administrator, (561)682-6378.

The **South Florida Water Management District** announces a private attorney-client session:

**DATE AND TIME:** June 10, 1999, immediately following Governing Board meeting, but not to begin before 2:00 p.m.

**PLACE:** South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** Attorney-Client session pursuant to Fla. Stat. Section 286.011(8) (1993) to discuss settlement negotiations or strategy related to litigation expenditures in *Barley, Mullins, Wermeil, Reed, et al. v. SFWMD*.

**ATTENDEES:** Governing Board Members M. Collins, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, Interim District Executive Director J. Harvey, District attorneys T. Wolfe, R. Clements, G. Miller, and District outside counsel P. Nettleton.

The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board meeting shall be re-opened. Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. Transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

The **South Florida Water Management District** announces a private attorney-client session:

**DATE AND TIME:** June 10, 1999, immediately following Governing Board meeting, but not to begin before 2:00 p.m.

**PLACE:** South Florida Water Management District, Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** Attorney-Client session pursuant to Fla. Stat. Section 286.011(8) (1993) to discuss settlement negotiations or strategy related to litigation expenditures in *Basore vs. South Florida Water Management District*.

**ATTENDEES:** Governing Board members M. Collins, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., M. Minton, H. Thornton, T. Williams, Interim District Executive Director J. Harvey, District attorneys T. Wolfe, R. Clements, and District outside counsel P. Nettleton.

The subject matter shall be confined to the pending litigation. At the conclusion of the session, the Governing Board meeting shall be re-opened. Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. Transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

### **COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The **Commission for the Transportation Disadvantaged** announces the rescheduling of the Ombudsman Committee to which all persons are invited.

**DATE AND TIME:** Wednesday, June 9, 1999, 10:00 a.m. – completion

**PLACE:** Rhyne Building, 2740 Centerview Drive, Suite 1A, Tallahassee, Florida 32301, (850)488-6036

**PURPOSE:** To discuss the Commission's Ombudsman Program and make recommendations to the Commission.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or directions should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435.

### **REGIONAL UTILITY AUTHORITIES**

The **Walton/Okaloosa/Santa Rosa Regional Utility Authority** announces a public meeting to which all persons are invited:

**DATE AND TIME:** June 30, 1999, 2:00 p.m.

**PLACE:** Ft. Walton Beach, City Hall, 107 Miracle Strip Parkway, S. W., Ft. Walton Beach, FL 32549

**PURPOSE:** To conduct general business of the Regional Utility Authority. The RUA-TAC will meet at 1:00 p.m. RUA

A copy of the Agenda may be obtained by contacting: Daniel F. Krumel, Executive Director, West Florida Regional Planning Council, P. O. Box 486, Pensacola, Florida 32593-0486.

### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 3, 1999, 8:00 a.m. – 12:00 p.m.

**PLACE:** Fort Knox Office Complex, 2727 Mahan Drive, Building 3, Room #A, Tallahassee, Florida 32308

PURPOSE: To discuss the implementation of Medicaid managed care recipient mandatory enrollment periods. Items to be discussed include the program design, as well as recipients eligible for the mandatory enrollment period and "for cause" disenrollment reasons.

A copy of the agenda may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308 or calling Paula McAuley, (850)487-3090.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Paula McAuley, (850)487-3090.

The Florida **Agency for Health Care Administration** announces a public meeting to which all persons are invited:

DATE AND TIME: June 4, 1999, 8:30 a.m.

PLACE: Embassy Suites Hotel, 8978 International Drive, South, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE ADDRESSED: The Advisory Committee advising the Agency for Health Care Administration concerning a study of health insurance will convene to discuss the survey that is being conducted.

A copy of the agenda may be obtained by: Robert Reinshuttle, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 1115, Tallahassee, Florida 32308, Telephone (850)922-5770.

The **Agency for Health Care Administration** announces a meeting of the Florida Statewide Organ and Tissue Procurement and Transplantation Advisory Board meeting in Tampa, Florida, to which all persons are invited.

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

PLACE: Courtyard by Marriott, 3805 Cypress Street, Tampa, Florida 33607

PURPOSE: The purpose of the meeting is to discuss revision of Rule 59A-1, F.A.C., and conduct the normal business of the advisory board.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone, (850)487-2717, by May 28, 1999.

**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE OF CANCELLATION – The **Florida State Group Insurance Council** meeting which was to be held on May 25, 1999.

DATE AND TIME: Tuesday, May 25, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: The Knott Building, Room 116, Tallahassee, FL

PURPOSE: To discuss issues of interest to the council. For further information about this meeting contact: Carol Walters, Division of State Group Insurance, Suite 135, 4040 Esplanade Way, Tallahassee, Florida 32399-0949, (850)921-4580.

Any person wishing to appeal any decision made with respect to the above referenced issues may need to ensure a verbatim recording of the proceedings to provide a record for judicial review.

Pursuant to section 286.26, Florida Statutes, any handicapped person requiring special accommodation to attend this meeting should contact the agency at least 48 hours prior to the meeting to request special assistance.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, Advisory Council On Condominiums, announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 1999, 10:00 a.m. – 1:00 p.m.

PLACE: Palm Beach County Commission Chambers, 301 North Olive Avenue, 6th Floor, Palm Beach, Florida

A copy of the agenda may be obtained by writing: Rosetta Strickland, Staff Assistant, Bureau of Condominiums, Division of Florida Land Sales, Condominiums and Mobile Homes at Northwood Center, 1940 North Monroe Street, Tallahassee, Florida 32399-1033, or by calling (850)488-0725.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Rosetta Strickland, Bureau of Condominiums, (850)488-0725. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Board of Auctioneers** announces the following telephone conference call meeting to which all persons are invited:

DATE AND TIME: Friday, June 11, 1999, 10:00 a.m. (EST) or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0762. All interested parties may call (850)921-5400, Suncom 291-5400 to participate in this conference call

PURPOSE: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before to the meeting by contacting Daryl Dempsey (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The **Florida Electrical Contractors' Licensing Board** announces an Official Board and Committee Meetings, to which all interested persons are invited. (Parts of this meeting are confidential and closed to the public)

DATE AND TIME: June 21, 1999, 11:00 a.m. (one day meeting)

PLACE: Division of Real Estate, Commission Room #301, 400 West Robinson Street, North Tower, Orlando, Florida 32801-1772, Phone: (407)245-0800

DATE AND TIME: July 21, 1999, 11:00 a.m. or soon thereafter

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, Telephone (954)527-2700

DATE AND TIME: July 22, 1999, 8:30 a.m. or soon thereafter

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, Telephone (954)527-2700

PURPOSE: Official Board Meeting

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Henrietta Isom at the Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Henrietta Isom using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

The **Board of Accountancy** announces the following meeting of the Probable Cause Panel:

DATE AND TIME: Wednesday, June 2, 1999, 8:30 a.m.

PLACE: Hilton Airport Hotel, 2225 North Louis Avenue, Tampa, Florida

PURPOSE: The probable cause panel will meet to conduct hearings on disciplinary matters.

These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered.

A copy of any probable cause materials which are open to the public may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

Portions of the Probable Cause Panel meeting may be closed to the public.

If a person decides to appeal any decision made by the Board with respect to any matter consider at this meeting, she/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 based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting by contacting Martha Willis, (352)955-2165.

If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: June 16, 1999, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301 or 508 North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Official Business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Rule development workshops, Rule amendments, Budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division

of Real Estate using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

The Probable Cause Panel of the **Florida Real Estate Commission** will convene:

DATE AND TIME: June 17, 1999, 2:30 p.m. or the soonest thereafter

PLACE: 400 West Robinson Street, Suite 301, Orlando, Florida

PURPOSE: To conduct regular agenda, portions of the probable cause proceedings are not open to the public.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m. at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) 1(800) 955-8771 (TDD)

The **State Athletic Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: June 2, 1999, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

PURPOSE: To conduct a general business meeting of the Commission and to elect officers.

A copy of the agenda may be obtained by writing: State Athletic Commission, Attn: Shelly Bradshaw, Assistant Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399-1016.

Any person deciding to appeal a decision made by the Commission with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact: Shelly Bradshaw, Assistant Executive Director, (850)488-8448, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** announces a public hearing to be held before the Environmental Regulation Commission to which all interested persons are invited.

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

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

PURPOSE: To receive testimony and public comment and to take final action on proposed modifications to the Drinking Water State Revolving Fund priority list in accordance with Florida Administrative Code Rule 62-552.680. Modifications to the list may be made if requests and required documentation are received no later than May 21, 1999. The Commission may adopt, modify, or deny the proposed actions at the hearing. All interested persons will have the opportunity to testify regarding the list and any proposed actions. After the hearing, the Department will file the Final Order for actions taken at the hearing.

A copy of the Final Order will be sent to local governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Office of General Counsel, The Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, no later than 5:00 p.m. on the first working day after the public hearing.

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

The **Department of Environmental Protection** announces a public workshop to which all persons are invited.

DATE AND TIME: June 23, 1999, 10:00 a.m. and 2:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

PURPOSE: At 10:00 a.m., to present the Department's recommendations and to receive public comment on the intended use of the Fiscal Year 1999 Federal Safe Drinking Water Act appropriations and State matching funds. Funds will be used to finance drinking water preconstruction and construction projects through grants and loans under the State Revolving Fund (SRF) program Rule, Chapter 62-552, Florida Administrative Code. Approximately \$33.8 million is expected to be available. Workshop topics will include project eligibility, project prioritizing, types of assistance available, objectives of the program, program requirements, use of set-aside funds, and the proposed project list. At 2:00 p.m., to present the Department's recommendation and receive public comment on the intended use of the Fiscal Year 2000 Federal Clean Water Act appropriations and State matching funds. Funds will be used to finance wastewater preconstruction and construction projects and stormwater construction projects through direct loans under State Revolving Fund Rules, Chapters 62-503 and 62-504. Approximately \$106.3 million is expected to be available. Workshop topics will include project eligibility, project prioritization, types of assistance available, source and use of funds, and the proposed priority lists of projects.

Copies of the proposed Intended Use Plans may be obtained by contacting: Gary Powell, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, phone (850)488-8163 or Suncom 278-8163, or e-mail powell\_g@dep.state.fl.us.

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

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: May 26-27, 1999, 9:00 a.m.

PLACE: Conference Room 609, Twin Towers Building, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: The regularly scheduled meeting of the ERC will include updates, rule proceedings, and briefings. This meeting was previously noticed in the May 14, 1999, issue of the "Florida Administrative Weekly." The Everglades briefing, previously noticed and scheduled for this meeting, has been postponed. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9717.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection, Division Recreation and Parks**, (FAC) Rule 40E-400.485(2)(b), will be holding a public meeting on a US Fish and Wildlife Grant for the Restoration and Enhancement of Wetlands within Kissimmee Prairie State Preserve. The general public is invited:

DATE AND TIME: June 3, 1999, 7:00 p.m. – 9:00 p.m.

PLACE: Okeechobee Health and Rehabilitation Services Building, 1728 N. W. 9th Avenue, Okeechobee, FL 34972

PURPOSE: The general public is invited.

For more information call (941)462-5360.

**DEPARTMENT OF HEALTH**

The **Board of Medicine**, Respiratory Therapy/Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited:

DATE AND TIME: Friday, June 4, 1999, 5:30 p.m. or upon completion of the Board meeting

PLACE: The Hyatt Regency, Two Tampa City Center, Tampa, Florida 33602, (813)225-1234

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: Board of Medicine, (850)488-0595 at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Board of Medicine** announces a meeting to which all persons are invited:

DATE AND TIME: Friday, June 4, 1999, 8:30 a.m. or soon thereafter, continuing Saturday, June 5, 1999, 8:00 a.m. or soon thereafter; continuing Sunday, June 6, 1999, 8:00 a.m. or soon thereafter, if necessary

PLACE: The Hyatt Regency, Two Tampa City Center, Tampa, Florida 33602, (813)225-1234

PURPOSE: To conduct general business of the Board

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited:

DATE AND TIME: Friday, June 4, 1999, 5:30 p.m. or upon completion of the Board meeting

PLACE: The Hyatt Regency, Two Tampa City Center, Tampa, Florida 33602, (813)225-1234

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: the Florida Board of Medicine, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03 Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Osteopathic Medicine** will hold the following Board Meeting to which all persons are invited:

DATE AND TIME: Friday, June 4, 1999, 6:00 p.m.; Reconvene Saturday, June 5, 1999, 9:00 a.m.; Sunday, June 6, 1999, 8:00 a.m., if necessary

PLACE: Embassy Suites, 3974 N. W. South River Drive, Miami, Florida 33142, (305)634-5000

PURPOSE: To conduct Board business

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Osteopathic Medicine, Northwood Centre, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)487-1574. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tiffany Kemp, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Tiffany Kemp using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited:

DATE AND TIME: June 21-23, 1999, 8:00 a.m. (EST)

PLACE: Embassy Suites Hotel, 1100 S. E. 17th St., Ft. Lauderdale, FL

PURPOSE: The Board will conduct disciplinary proceedings and general board business.

The probable cause panel will meet after the June 21st session. This meeting is closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered.

A copy of the board agenda and any probable cause materials which are open to the public may be obtained by writing: John D. Taylor, Executive Director, 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, Sharon Knowles, (850)488-7220, 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 that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited:

DATE AND TIME: June 23, 1999, 10:00 a.m. (EST)

PLACE: Embassy Suites Hotel, 1100 S. E. 17th St., Ft. Lauderdale, FL

PURPOSE: The Board will conduct a workshop to discuss issues surrounding public relations.

A copy of the agenda may be obtained by writing: John D. Taylor, Executive Director, 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, Sharon Knowles, (850)488-7220, 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 that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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The Florida **Board of Podiatric Medicine**, Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend:

DATE AND TIME: Thursday, June 17, 1999, 4:00 p.m.

PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103, (941)587-3232

PURPOSE: For cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Podiatric Medicine, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Podiatric Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulatory Specialist II, Florida Board of Podiatric Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

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The Florida **Board of Podiatric Medicine** will hold a duly noticed meeting to which all persons are invited to attend:

DATE AND TIME: Friday, June 18, 1999, 1:00 p.m.

PLACE: The Registry Resort, 475 Seagate Drive, Naples, Florida 34103, (941)587-3232

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Podiatric Medicine, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Podiatric Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulatory Specialist II, Florida Board of Podiatric Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin # C07, Tallahassee, Florida 32399-3257.

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The **Department of Health** and the **Board of Psychology** announces a conference call of the board to which all persons are invited:

DATE AND TIME: May 28, 1999, 8:00 a.m., or soon thereafter

PLACE: Numbers: Nonsuncom (850)921-5400, Suncom 291-5400.

PURPOSE: For the certification of applicants and any general business as required.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District 5, Health and Human Services Board announces the following public meetings to which all persons are invited:

Health and Human Services Board

DATE AND TIME: June 2, 1999, 9:30 a.m.

PLACE: 49th Street Service Center, 4140 49th Street, North, St. Petersburg, FL

PURPOSE: Regular meeting for general business.

The Health and Human Services Board standing committees will meet as follows:



## Planning, Budget and Evaluation Committee

DATE AND TIME: June 2, 1999 immediately following board meeting

PLACE: 49th Street Service Center, 4140 49th Street, North, St. Petersburg, FL

PURPOSE: Regular meeting for general business.

## Legislative Committee

DATE AND TIME: June 18, 1999, 10:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Rd., Largo, FL

PURPOSE: Regular meeting to discuss general business.

## Comprehensive Services for Adults and Children Committee

DATE AND TIME: June 14, 1999, 3:00 p.m.

PLACE: Emmanuel Community Baptist Church, 1150 Co. Rd. 1, Palm Harbor, FL

PURPOSE: Regular meeting to discuss general business.

## Family Support Committee

DATE AND TIME: June 16, 1999, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Rd., Largo, FL

PURPOSE: Regular meeting to discuss general business.

## Family Care Council

DATE AND TIME: June 23, 1999, 7:00 p.m.

PLACE: Countryside Library, 2741 Route 580, Clearwater, FL

PURPOSE: Regular meeting to discuss general business.

## Community-Based Care Initiative Pasco Task Force

DATE AND TIME: June 9, 1999, 2:30 p.m.

PLACE: Counsel Square II, Conference Room 150, 7601 Little Road, New Port Richey, FL

PURPOSE: To discuss implementation of community based care initiatives in District 5.

## Community-Based Care Initiative Pinellas Task Force

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

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Rd., Largo, FL

PURPOSE: To discuss implementation of community based care initiatives in District 5.

## The Health and Human Services Board Public Hearing (Notice of change in meeting location)

DATE AND TIME: May 27, 1999, 5:30 p.m. – 7:00 p.m.

PLACE: The location published in the Florida Administrative Weekly on April 30 has been changed to: Mease Morton Plant Hospital, 833 Milwaukee Avenue, Dunedin, FL

PURPOSE: Public meeting to gain input on teens and substance abuse.

Agendas can be obtained seven days in advance of each meeting: Suite 414, Mary Grizzle State Office Building, 11351 Ulmerton Road, Largo, Florida.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7071 or TDD (727)588-6662 to arrange assistance.

The **Department of Children and Family Services** announces the following public meetings of the District 6, Health and Human Services Board to which all persons are invited:

## Manatee Planning Group

DATE AND TIME: Thursday, June 3, 1999, 1:00 p.m.

PLACE: Bradenton Service Center, 303 13th Ave., E., Small Conference Room, Bradenton, FL

PURPOSE: To discuss the human service delivery system within Manatee County.

## Children's Subcommittee

DATE AND TIME: Friday, June 4, 1999, 9:00 a.m.

PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr., Blvd., Auditorium, Tampa, FL

PURPOSE: To discuss child protection, mental health and substance abuse services.

## Advocacy and Legislative Affairs

DATE AND TIME: Monday, June 7, 1999, 1:30 p.m.

PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr., Blvd., Rm. #542, Tampa, FL

PURPOSE: To discuss advocacy and legislative issues.

## Family Care Council

DATE AND TIME: Wednesday, June 9, 1999, 10:30 a.m.

PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr., Blvd., Room #166, Tampa, FL

PURPOSE: To review supports and services for individuals with developmental disabilities and their families.

## Alcohol, Drug Abuse, and Mental Health Subcommittee

DATE AND TIME: Thursday, June 10, 1999, 9:30 a.m.

PLACE: Brandon Service Center, 9325 Bay Plaza Blvd., Tampa, FL

PURPOSE: To discuss adult mental health and substance abuse issues.

## Health Subcommittee

DATE AND TIME: Monday, June 14, 1999, 1:30 p.m.

PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr., Blvd., Room #542, Tampa, FL

PURPOSE: To discuss current health issues.

## Substance Abuse Subcommittee

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

PLACE: Hillsborough County Crisis Center, 209 S. Morgan Street, Tampa, FL

PURPOSE: Discuss substance abuse service issues.

## Executive

DATE AND TIME: Wednesday, June 23, 1999, 12:00 p.m.

PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr., Blvd., Auditorium, Tampa, FL

PURPOSE: General Business and planning activities  
 Full Health and Human Services Board  
 DATE AND TIME: Wednesday, June 23, 1999, 1:00 p.m  
 PLACE: W. T. Edwards, 4000 W. Dr. Martin Luther King, Jr.,  
 Blvd., Auditorium, Tampa, FL  
 PURPOSE: General business.  
 Call Donna Sinudom (813)871-7454 for copies of the agenda,  
 additional information and meeting confirmations. Users of  
 text telephones (TTYs), please call this number through the  
 Florida Relay Service, 1(800)955-8771.

**The Department of Children and Family Services, District 4**  
 (Baker, Clay, Duval, Nassau, St. Johns Counties)  
 DATE AND TIME: June 10, 1999, 2:00 p.m.  
 PLACE: District 4, Headquarters, Roberts Building,  
 Auditorium, 5920 Arlington Expressway, Jacksonville, Florida  
 PURPOSE: Regular meeting of the Board  
 The Health and Human Services Board Committees will meet  
 as follows:  
 COMMITTEE: Health Committee  
 DATE AND TIME: June 2, 1999, 3:00 p.m.  
 PLACE: Conference Room 1  
 COMMITTEE: Planning and Budget  
 DATE AND TIME: June 3, 1999, 12:00 p.m.  
 PLACE: Conference Room 1  
 COMMITTEE: Children's Committee  
 DATE AND TIME: June 10, 1999, 12:30 p.m.  
 PLACE: Conference Room 1  
 COMMITTEE: Adult Committee  
 DATE AND TIME: June 10, 1999, 12:30 p.m.  
 PLACE: Conference Room 1  
 A copy of the agenda may be obtained by writing: Department  
 of Children and Family Services, P. O. Box 2417, Jacksonville,  
 FL 32231-0083, Attention: Harry Smith.  
 If you need special accommodations (i.e. assistive listening  
 devices, sign language interpreter, etc.) please notify Harry  
 Smith, (904)723-2151, at least 48 hours in advance of the  
 meeting. Hearing impaired, please call (904)646-2859 (TDD).

**The Department of Children and Family Services, District**  
 14, Health and Human Services Board announces the  
 following public meetings to which all persons are invited:  
 Child Protection Council meeting.  
 DATE AND TIME: Thursday, June 10, 1999, 3:00 p.m.  
 PLACE: Department of Children and Families, Conference  
 Room 101, 270 Bartow Municipal Airport, Bartow, FL  
 PURPOSE: To discuss foster care, adoptions, family  
 preservation and other children's issues.  
 Alcohol, Drug Abuse and Mental Health Council meeting.  
 DATE AND TIME: Monday, June 14, 1999, 2:00 p.m.

PLACE: Department of Children and Family Services,  
 Conference Room #101, 270 Bartow Municipal Airport,  
 Bartow, FL  
 PURPOSE: To discuss mental health and substance abuse  
 issues.  
 Health and Human Services Board Business meeting  
 DATE AND TIME: Tuesday, June 15, 1999, 6:00 p.m.  
 PLACE: Florida Citrus Center, Conference Room 100, South  
 Florida Community College, 600 West College Drive, Avon  
 Park, FL  
 PURPOSE: Regular board meeting for general business.  
 Health and Human Services Board Public Forum on Florida's  
 Welfare to Work Program, "WAGES"  
 DATE AND TIME: Tuesday, June 15, 1999, 6:30 p.m.  
 PLACE: Florida Citrus Center, Conference Room 100, South  
 Florida Community College, 600 West College Drive, Avon  
 Park, FL  
 PURPOSE: Review the present/future WAGES Program.  
 Family Care Council meeting.  
 DATE AND TIME: Monday, June 21, 1999, 6:30 p.m.  
 PLACE: Department of Children and Family Services,  
 Conference Room 101, 270 Bartow Municipal Airport,  
 Bartow, FL  
 PURPOSE: To address issues relating to services for the  
 developmentally disabled.  
 Health and Human Services Board Public Forum on Florida's  
 Welfare to Work Program, "WAGES"  
 DATE AND TIME: Tuesday, June 22, 1999, 6:30 p.m.  
 PLACE: Florence Villa Community Center, 135 Avenue Y,  
 Northeast, Winter Haven, FL  
 PURPOSE: Review the present/future "WAGES" Program.  
 For copies of the agenda, further information or persons  
 needing accommodation to participate in these meetings please  
 contact Patty Harrison, (941)619-4100, Extension 157,  
 1(800)342-0825 (Voice) or (941)648-3337 (TDD).

**The Department of Children and Family Services, Refugee**  
 Programs Administration Office announces the following  
 public meetings to which all interested persons are invited.  
 MEETING: District 4/Duval County Refugee Task Force  
 DATE AND TIME: Wednesday, June 23, 1999, 2:00 p.m. –  
 4:00 p.m.  
 PLACE: Lutheran Social Services, 421 West Church Street,  
 Suite 322, Jacksonville, Florida 32202. Contact person is  
 Russell Bloom, Phone (904)632-0022  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Discussion of issues relevant to refugee resettlement in the  
 Duval County/Children and Family Services, District 4 area.  
 A copy of the agenda may be obtained by writing: Cheraka  
 Thomas, Refugee Programs Administration Office, 1317  
 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida  
 32399-0700.

MEETING: District 7/Orange County Refugee Task Force  
DATE AND TIME: Wednesday, June 9, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Catholic Charities of Orlando, 1771 North Semoran Boulevard, Orlando, Florida 32807. Contact person is Richard Logue, (407)658-0110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 7 area.

A copy of the agenda may be obtained by writing: Cheraka Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: Thursday, June 24, 1999, 9:30 a.m. – 11:30 a.m.

PLACE: Erwin Technical Center, 2010 Hillsborough Avenue, Room 219, Tampa, FL, Contact person: David Schmidt, (813)231-1972

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Tampa Area/Children and Family Services, District(s) 5, 6 and 14.

A copy of the agenda may be obtained by writing: Taddese Fessehayee, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 9/Palm Beach County Refugee Task Force  
DATE AND TIME: Wednesday, June 16, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, Phone (561)687-3954. Contact person: George Lewis or Susan Sullivan, Phone (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Palm Beach County/Children and Family Services, District 9 area.

A copy of the agenda may be obtained by writing: Susan Sullivan, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 10/Broward County Refugee Task Force  
DATE AND TIME: Tuesday, June 29, 1999, 9:00 a.m. – 12:00 noon

PLACE: First Evangelical Lutheran Church, 441 N. E. Third Avenue, Ft. Lauderdale, Florida 33301, Phone (954)764-3418, Contact person: Osman Uzun, (850)413-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Broward County/Children and Family Services, District 10 area.

A copy of the agenda may be obtained by writing: Osman Uzun, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 11/Miami Area Refugee Task Force  
DATE AND TIME: Friday, June 11, 1999, 10:00 a.m. – 12:00 noon

PLACE: Radisson Mart Plaza Hotel, 711 N. W. 72nd Ave., Miami, Florida 33126, Phone (305)261-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Miami Area/Children and Family Services, District 11.

A copy of the agenda may be obtained by writing: Juel Kamke, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Pursuant to the Provisions of the American’s with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting at the Refugee Programs Administration Office, (850)488-3791 or Fax (850)487-4272. If you are hearing or speech impaired, please contact the agency by calling TDD Number (850)922-4449 and reference the specific Refugee Task Force Meeting by location and date.

**NAVIGATION DISTRICTS**

The **West Coast Inland Navigation District** announces the Following Board of Commissioners Meeting to which all interested parties are Invited:

DATE AND TIME: Friday, May 28, 1999, 10:30 a.m.

PLACE: Sarasota County, South County Administration Center, 4000 South Tamiami Trail, Room 228, Venice, Florida

PURPOSE: To conduct the regular business of the Navigation District.

A copy of the Agenda for this meeting may be obtained by writing: WCIND, Post Office Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

**CRIMINAL JUSTICE TRAINING STANDARDS AND TRAINING COMMISSION**

The **Criminal Justice Training Standards and Training Commission**, Region VIII, Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 26, 1999, 2:00 p.m.

PLACE: Polk Community College, Board Room, Administrative Building, Winter Haven, FL

PURPOSE: Principal agenda items to be considered: 1) Review of 1999-00 budget. 2) Old Business; 3) New Business; 4) Contracted Courses; 5) Training Issues; 6) Other Items from Members. A copy of the agenda may be obtained by writing: Jeff Tebo, Chairman, Polk County Sheriff's Office, 455 N. Broadway Ave., Bartow, FL 33830

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**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: June 2, 1999, 8:00 a.m.

PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

PURPOSE: General Business Meeting

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**FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Grant Committee to which all persons are invited.

DATE AND TIME: Thursday, June 2, 1999, 10:00 a.m.

PLACE: Florida Sports Foundation, 2964 Wellington Circle, N., Tallahassee, FL

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**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 3, 1999, 10:00 a.m.

PLACE: DoubleTree Hotel, 101 S. Adams Street, Tallahassee, Florida 32301

PURPOSE: Board of Directors' Meeting

A copy of the proposed agenda may be obtained by writing: Mr. Ryland B. Musick, Executive Director, Florida Comprehensive Health Association, 175 Salem Court, Tallahassee, Florida 32301, (850)309-1200, or by facsimile (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, they

may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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**HEARTLAND WORKFORCE INVESTMENT BOARD**

The **Heartland Workforce Investment Board**, Inc. and **WAGES** Coalition (DeSoto, Hardee and Highlands Counties) announces a public meeting to which all persons are invited:

DATE AND TIME: June 9, 1999, 1:30 p.m.

PLACE: SunTrust Bank, Second Floor, 10 South DeSoto Avenue, Arcadia, Florida 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workforce Development issues including Workforce Investment Act Plan Approval, Committee Reports including selection of Transportation provider, Coordinator's Report, Administrative Entity Update, JTPA/WAGES Update, Pregnancy Prevention/Teen Parent Update, School-To-Work Update, WAGES Employment Creation Projects Update and Jobs & Benefits Update.

A copy of the agenda may be obtained by contacting: Jim Gose, HWIB/WAGES Coordinator, 600 West College Drive, Building L, Room 241, Avon Park, Florida 33825, (941)453-6661, Extension 267.

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**WAGES BOARD**

The **State of Florida WAGES Board** announces a Conference Call Meeting to which all persons are invited:

DATE AND TIME: Friday, June 11, 1999, 8:30 a.m.

PLACE: State of Florida "WAGES" Board Office, 102 West Whiting Street, Suite 502, Tampa, Florida 33602; Meet-Me-Statewide Conference Call, (850)921-5230, or SunCom 291-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss Legislative Issues.

A copy of the Board Agenda for the Conference Call will be available by June 4, 1999, by contacting: Elma Williams, (813)233-2261 or State WAGES Office, 102 West Whiting Street, Suite 502, Tampa, FL 33602.

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) or 1(800)955-8771 (TDD).

**CANCER CONTROL AND RESEARCH ADVISORY COUNCIL**

The **Cancer Control and Research Advisory Council** (C-CRAB) announces its semi-annual meeting, to which all persons are invited:

DATE AND TIME: June 17, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Tampa Airport Marriott Hotel

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Council.

A copy of the agenda may be obtained by contacting: Dorothy Parker, C-CRAB Executive Director, H. Lee Moffitt Cancer Center and Research Institute, 12902 Magnolia Dr., Tampa, FL 33612, (813)632-1339.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by AGI Publishing, Inc. d/b/a Valley Yellow Pages on May 11, 1999. The following is a summary of the agency's disposition of the petition: The Commission acknowledged the voluntary dismissal of the petition without prejudice. DOCKET NO. 990132-TP

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received three petitions to initiate rulemaking on April 29, 1999, from Douglas Jackson. Petitioner is an inmate seeking the following amendments to Florida Administrative Code Chapter 33:

Petitioner seeks an amendment to Rule 33-3.005 that would establish clear guidelines for when inmate colitigants may meet, mail legal documents to each other, and possess each other's legal documents. Additionally, Petitioner seeks an amendment of Rule 33-22.002(1) that would require at least three staff persons to preside over inmate disciplinary proceedings. Lastly, Petitioner seeks the repeal of the language in Rule 33-3.0051(2) which states that "{d}ocuments will be copied only if they are necessary to initiate a legal or administrative action or if they must be filed or served in a pending action."

A copy of the petitions may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling has received a Request for Declaratory Statement for Hands of Mercy Clinic on April 30, 1999, in which the petitioner requests a declaratory statement from the Board which would allow the Hands of Mercy Clinic to provide counseling services for children, youth and families by two registered mental health counseling interns without on-site full-time supervision.

The Board will address this matter at its regularly scheduled board meeting which will be held July 26-28, 1999, 9:00 a.m., or shortly thereafter, at the Embassy Suites, 5835 T.G. Lee Boulevard, Orlando, Florida 32822.

A copy of the Petition for Declaratory Statement may be obtained by writing: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Psychology, Department of Health, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Rew, Rogers & Silver, M.D., P.A. The Petitioners seek the Board's interpretation as to whether the Management Agreement they (the Petitioners) are contemplating entering into with Group, Inc., would be a violation of section 458.331(1)(i), F.S.

The Board will consider this petition at its meeting on Saturday, June 5, 1999, in Tampa, Florida. Copies of the petition may be obtained by writing: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

**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

NOTICE TO CONSTRUCTION MANAGERS

The University of Florida on and behalf of the Board of Regents, a public corporation of the State of Florida, announces that construction management services will be required for the project listed below:

Project No.: BR-101, Project and Location: University of Florida, Main Campus. The project consists of 33,480 GSF addition to the existing Southwest Recreation Center. The program consists of strength/conditioning space and gymnasium/special events space to accommodate activities such as basketball, volleyball, badminton, indoor soccer, and floor hockey. The estimated construction cost is \$3,850,600.00. The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path

scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Janie Heidler, 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 5 (five) bound copies of the required proposal must be received in the Campus Planning & Construction Management office Attn: John Thomas McCaffrey by 3:00 p.m. local time on June 18, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida on and behalf of the Board of Regents, a public corporation of the State of Florida, announces that construction management services will be required for the project listed below:

Project No.: BR-112, Project and Location: Reitz Union Expansion, Museum Drive, UF Campus. The project consists of a two stage project consisting of a 30,000 GSF two-story addition over the existing Career Resource Center wing of the Reitz Union and an exterior amphitheater. The first stage will provide a two-story ballroom/meeting room(s) as well as additional meeting rooms and office space. The second stage will provide an amphitheater on the north side of the Reitz Union duck pond to accommodate approximately 1,200 people. The estimated construction cost is \$3,857,000.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the

Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Janie Heidler, Office Assistant, Campus Planning and Construction Management, 232 Stadium, P. O. Box 115050, Gainesville, FL 32611-5050, Telephone (352)392-1256, Fax (352)392-6378, Internet: [www.admin.ufl.edu/division/cp](http://www.admin.ufl.edu/division/cp)

Four (4) bound copies of the required proposal must be received in the Campus Planning & Construction Management office Attn: Al Dompe, Project Manager by 3:00 p.m. local time on Friday, June 18, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

#### NOTICE TO PROFESSIONAL CONSULTANTS

The Florida State University, State of Florida, announces that professional services in the discipline of civil engineering will be required for the project listed below:

Project No. BR-202

Project and Location: Stadium Drive West Improvements  
Florida State University, Tallahassee, Florida

The project consists of the widening of Stadium Drive West to four lanes from a point north of Pensacola Street to the Call Street intersection, and the widening of Bryan Street from the Call Street intersection north to Tennessee Street. Also included is the associated lighting and landscaping, protection of existing oak trees, and the development of a bicycle/pedestrian path. The selected firm will provide design, construction documents and administration for the referenced project which is budgeted at \$3,250,000 for construction. The project delivery system will be general contractor/conventional bid. Blanket professional liability insurance will be required for this project in the amount of \$250,000, and will be provided as a part of Basic Services. The selection category, "Design Ability", will not be considered on this project.

#### 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 February, 1999. THIS IS A NEW REVISION. Applications on any other form, or on previous versions, 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: Lynetta Mills, Facilities Planning & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: Lisa Durham, Sr. Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on Monday, June 21, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

**NOTICE TO PROFESSIONAL CONSULTANTS**

Project No. BR-234

Project and Location: Bellamy Building Remodeling  
Reference Notice to Professional Consultants, FAW volume 25/19, published May 14, 1999.

Revise Submittal Deadline date to be Thursday, July 8, 1999, 2:00 p.m., local time.

For further information on the project, contact: Jim Reynolds, Project Manager, (850)644-2843.

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: 99L-192, W/O 9816261, P.K. Yonge Building #512/E and #511/D Metal Re-roof, estimated budget: \$250,000-\$265,000, to be opened June 17, 1999, at 1:30 p.m. in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Local Time. Scope of work: The new roofs will be standing seam metal roofing, installed with an adjustable spacer system which will be erected over the

existing roof membrane. Work shall include all flashings, gutters, down-spouts, connection of down-spouts into existing Stormwater System and associated trenching and backfill operations. Also, included is the extension of existing V.T.R.s, exhaust fans, intake ducts and all other roof-mounted equipment as required to accommodate the new metal roof. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Non-mandatory Pre-Bid Meeting will be held June 6, 1999 at 10:00 a.m. in the Physical Plant Division, Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331 ext. 303 within three (3) days of the event.

**AMENDMENT TO CALL FOR BIDS**

The Florida A & M University, on behalf of the State of Florida, Board of Regents.

PROJECT NAME: Pharmaceutical Research Facility-Phase I, Third Bay

PROJECT NUMBER: BR-324

LOCATION: Florida A & M University, Tallahassee, Florida 32307

Florida A & M University placed a Call for Bids in the May 7, 1999 issue (Vol. 25, No. 18, Page 2248, Section XI) for the referenced project. The University hereby give notice of amendment to the DEPOSIT and PURCHASE sections only (all other sections remain unchanged) as follows:

AMENDMENT:

DEPOSIT: \$150.00 per set of Drawings and Project Manual is required.

PURCHASE: Full sets of bidding documents (printed as ordered) may be purchased locally at the Blue Print Shop, Inc., 1130 Thomasville Road, Tallahassee, FL 32303, Phone (850)224-2699, for \$170.00 for the printing and handling cost. Partial sets may be purchased at \$1.00 per sheet of Drawings and \$.09 per copy per page of the Project Manual.

NOTE: 1) The above-referenced sections are the only changes to this advertisement; all else remain unchanged. 2) Sets of documents are printed as ordered by The Blue Print Shop, Inc.

**NOTICE TO CONSTRUCTION MANAGERS**

The Florida Atlantic University, on behalf of the State of Florida, Board of Regents, announces that Construction Management services will be required for the project listed below:

Project No.: BR-635, Bio-Medical Science Center, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431



This project is a total of approximately 90,225 gross square feet, consisting of 62,100 gross square feet of teaching and research science laboratories and lab services, 9,495 gross square feet of classrooms, 18,630 gross square feet of office and general use spaces. The location of this building is expected to be East of the Science and Engineering Building, South of Lee Street, opposite the Lee Street entry to Palm Beach Community College.

The estimated construction cost is \$14,650,000.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Facilities Planning Department, Florida Atlantic University, (561)297-3141.

5 bound copies of the required proposal data shall be submitted to: Linda Cassese, Florida Atlantic University, 777 Glades Road, Facilities Planning Department, Building T-10, Boca Raton, FL 33431.

Submittals must be received by 3:00 p.m. local time, June 30, 1999. Facsimile (FAX) submittals are not acceptable and will not be considered.

**REGIONAL TRANSPORTATION AUTHORITIES**

**TRI-COUNTY COMMUTER RAIL AUTHORITY  
INVITATION TO BID NO. 99-824  
LEAD-BASED PAINT ABATEMENT**

The Tri-County Commuter Rail Authority (TCRA), an agency of the State of Florida, operates a 72 mile commuter railroad with nineteen (19) stations in Miami-Dade, Broward, and Palm Beach Counties.

**PURPOSE:** Invitation to Bid (ITB) is to enter into an Agreement with a qualified Contractor to provide services in the highly specialized area of lead-based paint removal and disposal for planned improvements to the TCRA Hollywood Station. Contractor shall provide all supervision, project coordination, scheduling, management, labor, equipment, tools, supplies, insurance, materials, vehicles, storage sheds, bins, and incidentals (including acquisition of all agency permits and inspections) required for LEAD-BASED PAINT ABATEMENT, located at the: Hollywood Train Station, 3001 Hollywood Boulevard, Hollywood, Florida (Broward County). Project time will be Forty-five (45) calendar days.

The required personnel and contractor qualifications for the proposed project include, but are not limited to the following: Labor personnel shall possess a minimum of two (2) years of relevant experience and Supervisory personnel shall possess a minimum of four (4) years of relevant experience.

Contractor shall have been engaged in the business of lead-based paint abatement a minimum of five (5) years and successfully completed five (5) previous projects of similar magnitude.

Contractor disclosure of any and all citations, penalties, violations and other actions taken against him/her by any regulatory agency (federal, state, or local) within the last three (3) years that relate to the operations of the firm.

A REQUEST FOR DOCUMENTS should be directed to: Mr. Robert Becker, TCRA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Fifty Dollars (\$50.00) non-refundable. Checks or money orders made payable to Tri-Rail should be forwarded to Mr. Robert Becker at the address above. Solicitation documents will be available on or about May 24, 1999.

A PRE-BID CONFERENCE will be held in the TCRA Main Conference Room at the address above on June 9, 1999, 2:00 p.m. Attendance is not mandatory but is highly recommended. RECEIPT OF SEALED BIDS: All bids must be received in a sealed envelope no later than 3:00 p.m., June 24, 1999 at the TCRA office in Pompano Beach. All envelopes must bear the TCRA provided label, which clearly indicates the BIDDER'S NAME, ITB NUMBER, TITLE, AND OPENING DATE.

BID SECURITY in the amount of five percent (5%) of the Bid must accompany each Bid.

TCRA reserves the right to postpone, to accept, or reject any and all Bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All bids must remain in effect for One Hundred Eighty (180) days from the Bid opening.

This project is funded in part by the Federal Transit Administration. Davis-Bacon wage rates and other federal provisions shall apply.

DBE PARTICIPATION: The Disadvantaged Business Enterprise participation goal for this Solicitation is Seventeen percent (17%)

## 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. on June 24, 1999, Bid No. 700:0817, for OFFICE SPACE IN TALLAHASSEE – 17,724 SQ FT AVAILABLE NO LATER THAN SEPTEMBER 1, 1999 AND 32,697 SQ FT AVAILABLE JUNE 1, 2000. A pre-proposal conference will be held at 10 a.m. on June 3, 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.

### NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, Department of Corrections, Bureau of Facilities Services, announces that Professional Structural Engineering Services are required on the project listed below. Applications from qualified firms are to be sent to the attention of Jim Ervin, Architect, Bureau of Facilities Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

### INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, and attach current copies of:

(1) A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated August 1998), with current data.

(2) A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida.

Attach a current copy of the SF 254.

Provide a current copy of MBE Certificate, if applicable.

Submit the required data in order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and disqualified. The plans and specifications developed by this A/E project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded following the recommendations of the Competitive Selection Committee in accord with the negotiation procedures. Selected firms will be notified after approval by the Secretary; all applicants will receive copies of this information.

PROJECT: Provide structural engineering services to the Florida Department of Corrections, Central Office, Tallahassee, Florida for various projects on a continuing contract basis. Each of the various projects shall not exceed \$500,000 construction cost or \$25,000 for study activities.

RESPONSE DATE: June 17, 1999, 4:00 p.m.

Project Administrator: Jim Ervin, Architect, (850)487-1330

**LEGAL NOTICE**

The Department of Corrections is soliciting competitive bids for 6,168 Square Feet of full service office space in the Ft. Myers area with the following boundaries: North: State Road 80 / McGregor Blvd.; West: McGregor Blvd.; South: College Parkway; East: State Road 739 / Metro Parkway.

Bid Specifications and blank proposal forms can be obtained from Malcolm Wilson, General Services Manager, Department of Corrections, Regional Office, 4520 Oak Fair Blvd. Tampa, Florida 33610, Telephone Numbers (813)744-8742 or Fax number (813)744-8549. A pre-proposal conference will be held on June 11, 1999, 10:00 a.m. at the Ft. Myers Circuit Office, 4415 Metro Parkway, Suite 310, Ft. Myers, Florida 33916. Attendance is not mandatory but is highly encouraged. Bids will be accepted prior to the bid opening which is scheduled for Friday June 25, 1999, 2:00 p.m. in the Department of Corrections, Ft. Myers Circuit Office, 4415 Metro Parkway, Suite 310, Ft. Myers, Florida 33916. Bids should be addressed to Malcolm Wilson, General Services Manager.

Historical Properties will be considered pursuant to Section 267.061, Florida Statutes. The Department of Corrections reserves the right to reject any bids which are not in the best interest of the State of Florida or to reject all bids.

**METROPOLITAN PLANNING ORGANIZATIONS**

**NOTICE OF CONSULTANT SHORT-LIST SELECTIONS  
PINELLAS COUNTY**

**METROPOLITAN PLANNING ORGANIZATION  
FLORIDA DEPARTMENT OF TRANSPORTATION**

Project: Pinellas County MPO General Planning Consultant Services

Please be advised that the following consultant firms have been short-listed:

Dyer, Riddle, Mills, and Precourt, Inc.

King Engineering Associates, Inc.

Science Applications International Corporation

Tindale-Oliver and Associates, Inc.

Post, Buckley, Schuh and Jernigan, Inc.

**WATER MANAGEMENT DISTRICTS**

**INVITATION TO BID  
CONSTRUCTION OF WETLAND IMPACT  
MITIGATION PROJECTS  
ITB #99B-005**

The Northwest Florida Water Management District, Route 1, Box 3100, Havana, Florida 32333, will receive sealed bids until 2:00 p.m. EDT, June 10, 1999, for the removal of existing culverts and in-place earth fill at five (5) sites, and for the

construction of hardened low water crossings at four (4) of the sites, to restore the natural low-flowing hydrology of wetlands that have been impacted by the construction of logging roads. The project sites are located along the Choctawhatchee River in Washington and Holmes Counties, Florida. All bids must conform to the instructions in the Invitation to Bid. Interested parties may obtain a copy of the complete bid package at the above address or by calling (850)539-5999.

A pre-bid meeting will be held at District Headquarters in Midway (10 miles west of Tallahassee on Highway 90) on June 1, 1999, 2:00 p.m. EDT. The opening of the bids is public. Provisions will be made to accommodate the handicapped provided the District is given at least 72 hours advance notice. All bids must comply with applicable Florida Statutes.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FLORIDA 32446**

**BID NO. 99-03JG – 4 MONTH GROCERY ORDER**  
SEALED BIDS ARE SOLICITED BY FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY, 1999 THROUGH OCTOBER, 1999. SEALED BIDS WILL BE RECEIVED UNTIL 1:00 PM (CDST) TUESDAY, JUNE 8, 1999. COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345 OR 46. YOU MAY FAX YOUR REQUEST TO (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN, PURCHASING DEPARTMENT,  
SUNLAND CENTER

**INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FLORIDA 32446**

**BID NO. 99-04JG – FROZEN FOODS & JUICE**  
SEALED BIDS ARE SOLICITED BY FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY, 1999 THROUGH OCTOBER, 1999. SEALED BIDS WILL BE RECEIVED UNTIL 1:00 PM (CDST) TUESDAY JUNE 8, 1999. COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345

OR 46. YOU MAY FAX YOUR REQUEST TO (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN, PURCHASING DEPARTMENT, SUNLAND CENTER

INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FLORIDA 32446

BID NO. 99-05JG – ICE CREAM & SHERBERT

SEALED BIDS ARE SOLICITED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY 1, 1999 THROUGH JUNE 30, 2000. SEALED BIDS WILL BE RECEIVED UNTIL 1:00 P.M. (CDST) TUESDAY JUNE 8, 1999. COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345 OR 46, OR YOU MAY FAX A REQUEST TO THIS NUMBER: (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN, PURCHASING DEPARTMENT, SUNLAND CENTER

INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FLORIDA 32446

BID NO. 99-06JG – MILK, CREAM AND COTTAGE CHEESE

SEALED BIDS ARE SOLICITED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY 1, 1999 THROUGH JUNE 30, 2000. SEALED BIDS WILL BE RECEIVED UNTIL 1:00 P.M. (CDST) TUESDAY JUNE 8, 1999. COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345 OR 46, OR YOU MAY FAX A REQUEST TO THIS NUMBER: (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN, PURCHASING DEPARTMENT, SUNLAND CENTER

INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FLORIDA 32446

BID NO. 99-07JG – BREAD, ROLLS & BUNS

SEALED BIDS ARE SOLICITED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY 1, 1999 THROUGH JUNE 30, 2000. SEALED BIDS WILL BE RECEIVED UNTIL 1:00 P.M. (CDST) TUESDAY, JUNE 8, 1999. COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345 OR 46, OR YOU MAY FAX A REQUEST TO THIS NUMBER: (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN, PURCHASING DEPARTMENT, SUNLAND CENTER

INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FL 32446

BID # 99-08JG

TRAYS CARTS TO HOLD THERMAL SYSTEMS ULTIMA TRAYS SEALED BID ARE SOLICITED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER, PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR IMMEDIATE DELIVERY, SEALED BIDS WILL BE RECEIVED UNTIL 1:00 P.M. (CDST), THURSDAY, JUNE 10, 1999, COPIES OF THE BID MAY BE OBTAINED FROM THE ABOVE ADDRESS OR CALL (850)482-9345 OR FAX A REQUEST TO THIS NUMBER (850)482-9369, THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JIMMIE GOODWIN OR JONI GRIFFIN, PURCHASING DEPARTMENT, SUNLAND CENTER

INVITATION TO BID  
SUNLAND CENTER – MARIANNA  
3700 WILLIAMS DRIVE  
MARIANNA, FL 32466

BID #99-09JG ASSORTED GROCERIES

SEALED BIDS ARE SOLICITED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES, SUNLAND CENTER, PURCHASING OFFICE, 3607 REESE ROAD, MARIANNA, FL 32446 FOR THE DELIVERY OF THE ABOVE COMMODITIES FOR THE PERIOD OF JULY

31, 1999 SEALED BIDS WILL BE RECEIVED UNTIL 1:00 P.M. (CDST), WEDNESDAY, JUNE 9, 1999 COPIES OF THE BID MAY BE OBTAINED FROM THE SUNLAND PURCHASING OFFICE AT ABOVE ADDRESS OR CALL (850)482-9345, OR YOU MAY FAX REQUEST TO, (850)482-9369. THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS AND TO WAIVER MINOR IRREGULARITIES.

JONI L. GRIFFIN, PURCHASING DEPARTMENT, SUNLAND AT MARIANNA

**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

TO ALL HEALTH INSURERS, THIRD PARTY ADMINISTRATORS, PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND CASE MANAGEMENT COMPANIES LICENSED OR AUTHORIZED TO TRANSACT BUSINESS IN THE STATE OF FLORIDA

\*\*\*\*\*

Selection of an Administrator (or Administrators) for the Florida Comprehensive Health Plan

\*\*\*\*\*

The Florida Comprehensive Health Association was created in 1990 by amendment of F.S. 627.6488. This legislation created a legal non-profit entity (the Association) for the purpose of providing health insurance for each eligible Florida resident applying to the Association for coverage. During periods of open enrollment, a person is considered eligible for Association coverage upon showing that he or she has been rejected by two carriers for coverage, without material underwriting restriction at a rate equal or less than the Association Plan rate.

The Association exercises its powers through a three-member Board of Directors, all appointed by the Insurance Commissioner.

As required by the amended statute, the Board of Directors is in the process of selecting a Plan Administrator (or Administrators) for a three-year period. The current three year administrative agreement ends as of December 31, 1999. The current Administrator is: Administrative Services, Inc., 7990 S. W. 117 Avenue, Miami, FL 33183

The Administrator(s) will be selected by the Board in a competitive bidding process using criteria established by the Board. Such criteria will include but are not limited to:

- 1. The Administrator's proven ability to administer any or all of the following: health insurance, a preferred provider network, a health maintenance organization, and a cost containment program.
2. The efficiency and flexibility of the Administrator's premium billing and claims paying systems and procedures.

3. The ability to work with managed care networks, cost containment programs and with other administrators of this program.

4. Estimate of the total charges for administration of all or part of the Plan's activities.

The Administrator(s) selected by the Board will execute a contract with the Association and provide all necessary services and assistance as specified within the Request of Proposal. The Association may select different Administrators to administer different aspects of the Association Plan. Companies responding to the Request for Proposal may bid separately for the various elements of the Plan or for the administration of the total Plan. s. 627.6488, F.S., allows the Board of Directors to contract with insurance companies, third party administrators, preferred provider organizations, health maintenance organizations, case management companies, and with other cost containment programs to administer the Association Plan in the most cost-effective manner possible.

IF YOUR COMPANY IS INTERESTED IN RECEIVING A COPY OF THE REQUEST FOR PROPOSAL, PLEASE SEND A WRITTEN REQUEST TO: RYLAND MUSICK, EXECUTIVE DIRECTOR, FLORIDA COMPREHENSIVE HEALTH ASSOCIATION, 175 SALEM COURT, TALLAHASSEE, FL 32301

Requests for copies of the Request for Proposal may be sent via fax to FCHA, (850)309-1222. The following is the anticipated procurement schedule for the RFP.

Table with 2 columns: Activity and Date. Rows include Advertisement (5/21/99), Release of RFP (5/21/99), Questions to FCHA, Last Day (5/25/99), Proposal Submission (6/1/99), Proposal Reviews (6/2 - 6/30/99), Cost Negotiations and Proposal Evaluations by FCHA (6/2 - 6/30/99), Oral Presentations (6/2 - 6/30/99), Contract Award Date (7/1/99), and Operational Date (1/1/2000).

Ryland Musick, Executive Director, Florida Comprehensive Health Association.

**Section XII Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636,

Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 11, 1999):

**APPLICATION TO MERGE**

Constituent Institutions: SunTrust Bank, West Florida, Pensacola, Florida and SunTrust Bank, Tallahassee National Association, Tallahassee, Florida  
 Resulting Institution: SunTrust Bank, West Florida  
 With Title Of: SunTrust Bank, Northwest Florida  
 Received: May 5, 1999

**APPLICATION WITHDRAWN**

Application for Conversion of a Federal Credit Union to a State Credit Union  
 Applicant and Location: Atlantic Coast Federal Credit Union, Waycross, Georgia  
 Withdrawn: May 5, 1999

**DEPARTMENT OF INSURANCE**

NOTICE IS HEREBY given by the Department of Insurance the following carrier, pursuant to s. 627.6699(10), F.S., has elected to become "risk-assuming": Corporate Health Insurance Company. Public comments will be received until June 11, 1999. Comments may be addressed to Larry Daniels, Bureau of Life and Health Forms and Rates, 200 East Gaines Street, Tallahassee, Florida 32399-0327, (850)922-3152, Ext. 5026.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF PROPOSED ACTION  
 REGARDING SUBGRANT APPLICATIONS**

The Department of Community Affairs, Florida Coastal Management Program, hereby indicates its intent to include the following subgrant applications, submitted pursuant to Rule 9M-1, Florida Administrative Code, and the "Notice of Availability of Funds" noticed in the 7-31-98 Florida Administrative Weekly, in its official application for federal coastal zone management funding for Fiscal Year 1999-2000 to the U.S. Department of Commerce pursuant to the Coastal Zone Management Act of 1972, as amended (16 USC 1451 et seq.):

City of Panama City – Oaks by the Bay II (FCMP Subgrant #00-006); Palm Beach County – Sea Turtle Monitoring and Public Education (00-018); Tampa Bay Regional Planning Council – Island Restoration and Education (00-027);

Miami-Dade County – Bear Cut Preserve Boardwalk/Reef Overlook (00-002); Flagler County – Enhancing Access to Princess Place II (00-013); Palm Beach County Juno Hills: Access to Coastal Resources (00-015); City of Cocoa – Cocoa Harbor Revitalization Master Plan/Dock Improvements (00-019); City of Satellite Beach – Dune Crossover for Handicapped Access (00-021).

Inclusion in the state's official application does not guarantee approval of funding by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration.

**NOTICE OF EXPANSION OF SERVICES**

The Department of Community Affairs (DCA) is seeking to expand the Community Services Block Grant (CSBG) program into Collier and Monroe counties. These two counties are currently not served by the program. The CSBG program is administered by designated CSBG eligible entities that are either public/private agencies, a farm worker organization or native American tribal groups. Funding is provided by the U. S. Department of Health and Human Services. The CSBG program provides a range of services to assist low-income people in attaining the skills, knowledge and motivation necessary to achieve self-sufficiency. A minimum 20 percent match is required from a grantee of which two percent must be cash. Applicants must follow the procedures given below to be designated by the Governor to serve a specific county. Only one provider is funded per county. Once designated as the CSBG eligible entity of CSBG services by the Governor, funds will be provided annually based on the federal funds available and distributed according to the state funding formula.

Nonprofit organizations and county governments desiring to become a CSBG eligible entity must:

**1) WITHIN 60 DAYS OF THE DATE OF THIS NOTICE SUBMIT TO DCA:**

- a) if the applicant is a nonprofit organization – a letter requesting to be designated a CSBG eligible entity to serve specific county(ies), and an agency board resolution to serve the unserved county(ies), or
- b) if the applicant is a county government – a board resolution requesting that a CSBG eligible entity be established within the county government structure.

**2) WITHIN 90 DAYS OF THIS NOTICE SUBMIT TO DCA:**

- a) for both nonprofit organizations and county government – bylaws that meet the board requirements of Public Law 97-35, Section 675(c)(3) and Rule Chapter 9B-22, Florida Administrative Code, and evidence that a publicly noticed hearing sponsored by the local governing body on the selection of a proposed service provider was held in the unserved area; and
- b) if the applicant is a nonprofit organization – Articles of Incorporation and current Certificate of Good Standing from the Secretary of State, and a letter from the chief executive

officer of the unserved county requesting that the applicant organization be designated the CSBG eligible entity to serve the county.

The public hearing must be noticed in the local newspaper and all known interested parties notified by mail at least two weeks prior to the date of the hearing. All agencies interested in providing the CSBG services must be given an opportunity to present their qualifications to the board of county commissioners prior to the commission making its recommendation to DCA.

Once all documents are received and accepted, DCA will:

- a) hold a public hearing concerning the requests for CSBG eligible entity designation, and
- b) formally request that the Governor designate the entity.

Prior to receipt of CSBG funds, the eligible entity must submit to DCA a Community Action Plan that meets the requirements of Public Law 97-35, Section 675(c)(13).

**THE FOLLOWING COUNTIES ARE UNSERVED.**

Organizations interested in providing these services should notify the following contact person in the applicable county. If agreement is reached, then the organization and the county should notify DCA as set forth above.

**COLLIER COUNTY**

Mr. Thomas Olliff, Public Services Administrator, Collier County, Health and Community Services Building, 3301 E. Tamiami Trail, Naples, Florida 34112, (941)774-8468.

**MONROE COUNTY**

Ms. Deanna Lloyd, Grants Manager, County of Monroe, Public Service Building, 5100 College Road, Key West, Florida 33040, (305)292-4474.

Any person requiring an accommodation for a disability in order to participate in this solicitation, please notify the individual identified below at least five days before the accommodation is required. If you are hearing or speech impaired, contact the Bureau of Community Assistance using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For additional information concerning the CSBG program or the expansion process, you may call or write: Ms. Hilda Frazier, Planning Manager, Bureau of Community Assistance, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone number (850)488-7541, Facsimile number (850)488-2488.

**REGIONAL PLANNING COUNCILS**

**Request for Letters of Interest**

The North Central Florida Regional Planning Council, is seeking qualified agencies or firms interested in coordinating transportation services for the transportation disadvantaged in

Madison County, Florida. The selected contractor will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2).

The transportation disadvantaged are defined by Chapter 427, Florida Statutes as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in s. 411.202."

Interested parties should contact Ms. Lynn Franson-Godfrey, North Central Florida Regional Planning Council, Senior Planner, (352)955-2200 extension 110 no later than Thursday, June 24, 1999.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED**

**DECISION ON EXPEDITED APPLICATIONS**

County: Lake Service District: 3  
CON #: 9112 Decision Date: 2/22/99 Decision: P  
Facility/Project: Lake Highlands Retirement and Nursing Home

Applicant: Lake Highlands Associates, Inc.  
Project Description: Cost overrun on CON #8097  
Approved Cost: \$999,584

County: Collier Service District: 8  
CON #: 9114 Decision Date: 4/28/99 Decision: A  
Facility/Project: ManorCare at Lely Palms

Applicant: ManorCare of Boynton Beach, Inc.  
Project Description: Cost overrun on CON #8189  
Approved Cost: \$655,255

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900E0099.

CERTIFICATE OF NEED  
EXEMPTIONS

County: Bay District: 2  
 ID #: 9900142 Issue Date: 5/7/99  
 Facility/Project: HealthSouth Emerald Coast Rehabilitation Hospital  
 Applicant: Lakeshore System Services of Florida, Inc.  
 Project Description: Operate a separate off-site, outpatient clinic  
 Proposed Project Cost: \$15,000 Equipment Cost:  
 County: Indian River District: 9  
 ID #: 9900143 Issue Date: 5/7/99  
 Facility/Project: Indian River Memorial Hospital  
 Applicant: Indian River Memorial Hospital, Inc.  
 Project Description: Renovate 3 patient rooms each on the 3rd and 4th floors of the south wing  
 Proposed Project Cost: \$400,000 Equipment Cost:  
 County: Broward District: 10  
 ID #: 9900146 Issue Date: 5/10/99  
 Facility/Project: Holy Cross Hospital  
 Applicant: Holy Cross Hospital, Inc.  
 Project Description: Addition of a new combination single plane cardiac catheterization/electrophysiology lab  
 Proposed Project Cost: \$1,250,000 Equipment Cost:  
 County: Pasco District: 5  
 ID #: 9900158 Issue Date: 5/7/99  
 Facility/Project: Zephyr Haven Nursing Home  
 Applicant: South Central Nursing Homes of Zephyrhills  
 Project Description: Administrative offices renovation  
 Proposed Project Cost: \$8,000 Equipment Cost:  
 County: Dade District: 11  
 ID #: 9900167 Issue Date: 5/5/99  
 Facility/Project: North Miami Nursing and Rehab Center  
 Applicant: HCPH South Florida, Inc.  
 Project Description: Install a common bath  
 Proposed Project Cost: \$35,000 Equipment Cost:  
 County: Pasco District: 5  
 ID #: 9900168 Issue Date: 5/5/99  
 Facility/Project: East Pasco Medical Center  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Renovate current waiting area into an additional 10 treatment beds for emergency center  
 Proposed Project Cost: \$1,500,000 Equipment Cost:  
 County: Hillsborough District: 6  
 ID #: 9900170 Issue Date: 5/5/99  
 Facility/Project: Tampa Shriners Hospital for Children  
 Applicant: Shriners Hosps. for Crippled Children-A Colorado Corp.  
 Project Description: Facility enhancement program  
 Proposed Project Cost: \$13,100,000 Equipment Cost:  
 County: Brevard District: 7

ID #: 9900171 Issue Date: 5/7/99  
 Facility/Project: Wuesthoff Memorial Hospital  
 Applicant: Wuesthoff Memorial Hospital, Inc.  
 Project Description: Acquisition of a Magnetic Resonance Imaging (MRI) unit  
 Proposed Project Cost: \$1,825,000 Equipment Cost:  
 County: Hillsborough District: 6  
 ID #: 9900172 Issue Date: 5/6/99  
 Facility/Project: Brandon Regional Hospital  
 Applicant: Galencare, Inc.  
 Project Description: Relocate the existing 15 bed NICU from the third floor to the second floor  
 Proposed Project Cost: \$1,700,000 Equipment Cost:  
 County: Brevard District: 7  
 ID #: 9900174 Issue Date: 5/7/99  
 Facility/Project: Cape Canaveral Hospital  
 Applicant: Cape Canaveral Hospital, Inc.  
 Project Description: Renovate the fifth floor Cardiopulmonary department  
 Proposed Project Cost: \$400,000 Equipment Cost:  
 County: Palm Beach District: 9  
 ID #: 9900182 Issue Date: 5/7/99  
 Facility/Project: Boca Raton Community Hospital  
 Applicant: Boca Raton Community Hospital  
 Project Description: Add a second cardiac catheterization/electrophysiology lab  
 Proposed Project Cost: \$2,790,000 Equipment Cost:  
 County: Broward District: 10  
 ID #: 9900184 Issue Date: 5/10/99  
 Facility/Project: HealthSouth Sunrise Rehabilitation Hospital  
 Applicant: HealthSouth of Ft. Lauderdale, Limited Partnership  
 Project Description: To operate a separate off-site outpatient clinic  
 Proposed Project Cost: \$21,505 Equipment Cost:  
 County: Pinellas District: 5  
 ID #: 9900188 Issue Date: 5/11/99  
 Facility/Project: Morton Plant Hospital  
 Applicant: Morton Plant Hospital Association, Inc.  
 Project Description: Renovate the existing CT Scan suite and replace the General Electric 9800 CT scan  
 Proposed Project Cost: \$2,000,000 Equipment Cost:  
 County: Pinellas District: 5  
 ID #: 9900191 Issue Date: 5/11/99  
 Facility/Project: Largo Medical Center  
 Applicant: Largo Medical Center, Inc.  
 Project Description: Renovate an existing cardiac cath lab  
 Proposed Project Cost: \$1,880,240 Equipment Cost:  
 AHCA Purchase Order Number S5900D00277.



**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE OF AWARD

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
515-630	1-25-99	Bridges Eq. Co. P. O. Box 3530 Brandon, FL 33509	\$1,250,000	9-25-98	Sealed Bid
		Country Clipper P. O. Box 51 Corydon, IA 50060			
		Florida Outdoor Eq. 3533 Mercy Dr. Orlando, FL 32808			
		Hustler Turf Eq. 8259A Causeway Blvd. Tampa, FL 33619			
		Live Oak Lawn Supply 6406 Danner Dr. Sarasota, FL 34240			
		Mulvaney's Inc. 2148 W. Tennessee St. Tallahassee, FL 32304			
		Robinson Eq. Co. P. O. Box 156 Mims, FL 32754			
		Sarlo Power Eq. P. O. Box 1169 Ft. Myers, FL 33902			
		Snapper, Inc. P. O. Box 777 McDonough, GA 30253			
		Southeast Eq. Dist. 1741 Hamilton St. Jacksonville, FL 32210			
		Tresca Ind. 4827 Phillips Hwy. Jacksonville, FL 32207			
		Wesco Turf Supply, Inc. 300 Technology Park Lake Mary, FL 32746			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
880-001	3-1-99	3M Visual Systems 6801 River Place Blvd. Austin, TX 78726  Audio Visual Innovations 6313 Benjamin Rd. Tampa, FL 33634  Audio Visual Solutions P. O. Box 222126 Hollywood, FL 33022  Central Audio Visual 1212 S. Andrews Ave. Ft. Lauderdale, FL 33316  Dukane Corp. 2900 Dukane Dr. St. Charles, IL 60174  EIKI International 26794 Visa Terrace Dr. Lake Forest, CA 92630  Proxima Corp. 9440 Carroll Park Dr. San Diego, CA 92121  Sharp Electronics Corp. Sharp Plaza, Mail Stop One Mahwah, NJ 07430	\$3,000,000	11-10-98	Sealed Bid
445-001	4-24-99	Ace Tool Co. 7337 Bryan Dairy Rd. Largo, FL 33777  Cameron & Barkley P. O. Box 26879 Jacksonville, FL 32226  Grainger Ind. Supply 1005 Fairfax Lane Weston, FL 33326  IMA Tool Dist. 211 E. Oakland Park Blvd. Ft. Lauderdale, FL 33334	\$3,000,000	1-28-99	Sealed Bid

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
445-001	4-24-99	MSC Industrial Supply 131 B N. E. 17th Place Ocala, FL 34470	\$3,000,000	1-28-99	Sealed Bid
		Sears Industrial Sales P. O. Box 42538 Cincinnati, OH 45242			
		Snap-On Tools P. O. Box 6900 Norcross, GA 30091			
740-650	1-15-99	Gulf Ice Systems P. O. Box 15151 Pensacola, FL 32514	\$1,075,992	10-30-99	ITB
		IMI Cornelius 120 Interstate Pkwy., E. No. 314 Atlanta, GA 30339			
730-650	2-5-99	Lucent Technologies Inc. 2536 Capital Medical Blvd. Tallahassee, FL 32308	\$6,500,000	5-29-98	ITB
		Siemens Info. & Comm. Net. Inc. 1800 Pembroke Drive, Ste. 260 Orlando, FL 32810			
		Sprint P. O. Box 165000 Altamonte Springs, FL 32716-5000			
730-310	3-8-99	Inter-Tel Technologies Inc. 8010 Woodland Center Blvd. No. 1200 Tampa, FL 32308	\$3,000,000	5-29-98	ITB
		Sprint P. O. Box 165000 Altamonte Springs, FL 32716-5000			
030-040	2-22-99	Friedrich Air Conditioning 4200 PanAm Expressway San Antonio, TX 78295-1540	\$1,104,444	12-3-98	ITB

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
030-040	2-22-99	Sears Contract Sales 3825 Forsty Road Winter Park, FL 32792-6893	\$1,104,444	12-3-98	ITB
		Whirlpool Corporation 412 N. Peters Road Knoxville, TN 37922			
070-840	2-1-99	Brettel Equipment Corp. 2308 Sunset Point Rd. Clearwater, FL 33765	\$2,700,000 est		Comp Bid
		Club Car, Inc. P. O. Box 204658 Augusta, GA 30917-4658			
		E-Z-Go Textron P. O. Box 388 Augusta, GA 30903-0388			
		Golf Ventures, Inc. 2101 E. Edgewood Dr. Lakeland, FL 33803			
		G.W.P., Inc.-Argo Sales 6753 Garden Rd., Ste. 109 Riviera Beach, FL 33404			
		Harley Davidson of Seminole Co., Inc. 8155 S. Hwy. 17-92 Fern Park, FL 32730			
		John Deere Company 4401 Bland Rd. Raleigh, NC 27609			
		Ocala Ford New Holland, Inc. P. O. Box 2738 Ocala, FL 34478			
		Palmetto Motorsports 6400 W. 20th Ave. Hiialeah, FL 33016			
		Powersports of Boca 7750 N. Federal Hwy. Boca Raton, FL 33487			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
070-840	2-1-99	Suzuki of Lake Wales, Inc. D/B/A Sky Powersports 1100 U.S. Highway 27, N. Lake Wales, FL 33853	\$2,700,000 est		Comp Bid
863-000	3-15-99	The Goodyear Tire & Rubber Co. 1144 E. Market Street D/709 Akron, OH 44316-0001	\$23,000,000 est		Comp Bid
045-001	4-6-99	Automated Laundry 8282 Western Way Circle Jacksonville, FL 32222  Chernoff Sales, Inc. 3308 Park Central Blvd., North Pompano Beach, FL 33064  Coin Laundry Equipment 1626 Tradewinds Dr. Gulf Breeze, FL 32561  Fla's Food Equipment 7611 Davie Rd. Ext. Hollywood, FL 33024  General Electric 307 N. Hurstbourne Parkway Louisville, KY 40222	\$950,000		ITB
045-001	4-6-99	MFB International 12710 S. W. 149th St. Miami, FL 33186  O'Rourke Bros., Dist. 4469 35th St. Orlando, FL 32811  Star Laundry Co. 1701-A McCoba Dr. Smyrna, GA 30080  Whirlpool Corp. 412 North Peters Rd. Knoxville, TN 37992	\$950,000		ITB

\* This number was calculated as the total estimated sales through the term of the contract divided by the number of contractors.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF AVAILABILITY**

**FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
STEINHATCHEE WATER ASSOCIATION, INC.**

The Florida Department of Environmental Protection has determined that the proposed construction project for the Steinhatchee Water Association, Inc. will not adversely affect the environment. The project consists of installing two wells, two raw water pumps, about 800 feet of raw water transmission main, chemical addition facilities, one hydro-pneumatic tank, two pressure filters, chlorination facilities, one finished water ground storage tank, three high service pumps, about 2.6 miles of finished water transmission main, one backwash holding tank and sludge drying beds. The total cost of the proposed facilities is estimated at \$2,567,000. The project may qualify for a Drinking Water State Revolving Fund grant and loan composed of federal and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: J. N. Ramaswamy, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**NOTICE OF AVAILABILITY**

**FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
TOWN OF CROSS CITY**

The Florida Department of Environmental Protection has determined that the proposed construction project for the Town of Cross City will not adversely affect the environment. The project consists of installing three wells, three raw water pumps, about two miles of raw water transmission main, two aeration tanks, two filters, chlorination facilities, one high service pump, about three miles of finished water transmission main, and increasing the capacity of the existing

backwash/sludge holding tank. The total cost of the proposed facilities is estimated at \$3,512,000. The project may qualify for a Drinking Water State Revolving Fund grant and loan composed of federal and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: J. N. Ramaswamy, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**NOTICE OF INTENT TO GRANT  
WATER QUALITY EXEMPTION**

The Department of Environmental Protection gives notice of its intent to grant a water quality exemption for the aesthetically based secondary drinking water standard for color (standard 15 color units, exemption limit 60 color units), to Florida Water Services, Mr. Rafael A. Terrero, P.E., Manager of Environmental Services. The water quality exemption is for the raw water aquifer storage and recovery (ASR) project at the Marco Lakes raw water supply. The exemptions are granted for the duration of the Marco Lakes raw water ASR Class V well construction permit. Future exemptions must be petitioned for by the applicant in conjunction with an operation permit for any ASR project at this site. The ASR facility is located east of CR 951, north of US 41, and west of Henderson Creek, Collier County, Florida.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petitioner must mail a copy of the petition to the applicant, Mr. Rafael A. Terrero, P. E., Manager

of Environmental Services, 1000 Color Place, Apopka, Florida 32703, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petitions have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Tallahassee Office, 2600 Blair Stone Road, Room 212E, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY  
 FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
 PLANT CITY, FLORIDA  
 STORMWATER FACILITIES

The Florida Department of Environmental Protection has determined that the proposed Plant City's Stormwater Facilities will not have a significant adverse affect on the environment. The potential amount of the loan is \$5,382,920 consisting of \$483,000 for Project #1, \$1,003,000 for Project #2, \$1,701,000 for Project #3, \$1,431,003 for Project #4, \$590,103 for Project #5, and \$174,814 for Project #6. These projects are 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.

NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
 BELLEVIEW, FLORIDA

IMPROVEMENT TO SLUDGE TREATMENT FACILITY  
 The Florida Department of Environmental Protection has determined that proposed Installation of Centrifuge Dewatering system for Belleview Wastewater Treatment Facility will not have a significant adverse impact on the environment. The total project cost is estimated at \$198,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY  
 FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
 TOWN OF WHITE SPRINGS

The Florida Department of Environmental Protection has determined that the proposed construction project for the Town of White Springs, Florida, will not adversely affect the environment. The project consists of installing two wells, two raw water pumps, about 1,000 feet of raw water transmission main, two aeration tanks, chlorination facilities, one finished water ground storage tank, three high service pumps, about 4,000 feet of finished water transmission main, an elevated storage tank and an auxiliary power generator. The total cost of the proposed facilities is estimated at \$2,375,000. The project may qualify for a Drinking Water State Revolving Fund grant and loan composed of federal and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: J. N. Ramaswamy, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

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NOTICE OF AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
CITY OF GREEN COVE SPRINGS  
CLAY COUNTY, FLORIDA  
DW1001 TRANSMISSION AND DISTRIBUTION

The Department of Environmental Protection has determined that the City of Green Cove Springs' Transmission and Distribution project will not adversely affect the environment. The project consists of replacement of deteriorated two inch pipeline in the Core City area with six inch water lines and the

completion of loops in the distribution system to prevent dead ends that may result in a public health risk. Further, the project will provide for looping the main transmission system to eliminate the dead ends as well as provide redundancy in the transmission system. The total cost of the project is estimated to be \$4,970,000. The project may qualify for assistance under the State Revolving Fund Program which is composed of federal funds and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Al Bishop, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**  
**RULES FILED BETWEEN May 4, 1999**  
**and May 10, 1999**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**  
**University of Central Florida**

6C7-4.006	5/6/99	5/26/99	Newspaper	
6C7-4.009	5/6/99	5/26/99	Newspaper	
6C7-4.011	5/6/99	5/26/99	Newspaper	
6C7-4.012	5/6/99	5/26/99	Newspaper	
6C7-4.016	5/6/99	5/26/99	Newspaper	
6C7-4.017	5/6/99	5/26/99	Newspaper	
6C7-4.018	5/6/99	5/26/99	Newspaper	
6C7-4.021	5/6/99	5/26/99	Newspaper	
6C7-4.023	5/6/99	5/26/99	Newspaper	
6C7-4.024	5/6/99	5/26/99	Newspaper	
6C7-4.026	5/6/99	5/26/99	Newspaper	
6C7-4.027	5/6/99	5/26/99	Newspaper	
6C7-4.028	5/6/99	5/26/99	Newspaper	
6C7-4.035	5/6/99	5/26/99	Newspaper	
6C7-4.037	5/6/99	5/26/99	Newspaper	

**DEPARTMENT OF TRANSPORTATION**

14-85.004	5/5/99	5/25/99	25/6	25/14
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**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST**

18-20.004	5/7/99	5/27/99	24/39	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid Program Office**

59G-4.030	5/4/99	5/24/99	25/7	
59G-4.040	5/4/99	5/24/99	25/8	
59G-4.210	5/4/99	5/24/99	25/7	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
59G-4.220	5/4/99	5/24/99	25/8	
59G-4.270	5/4/99	5/24/99	25/7	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

61G8-24.042	5/6/99	5/26/99	25/5	
61G8-24.043	5/6/99	5/26/99	25/5	

**Board of Professional Land Surveyors**

61G17-6.002	5/5/99	5/25/99	25/11	
61G17-6.003	5/5/99	5/25/99	25/11	
61G17-6.0031	5/5/99	5/25/99	25/11	
61G17-6.004	5/5/99	5/25/99	25/11	

**Board of Veterinary Medicine**

61G18-11.002	5/7/99	5/27/99	25/11	
61G18-12.002	5/7/99	5/27/99	25/11	
61G18-12.005	5/7/99	5/27/99	25/13	

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-4.100	5/10/99	5/30/99	25/1	25/13
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**FLORIDA HOUSING FINANCE CORPORATION**

67-16.001	5/4/99	5/24/99	25/11	
67-16.002	5/4/99	5/24/99	25/11	
67-16.004	5/4/99	5/24/99	25/11	
67-16.005	5/4/99	5/24/99	25/11	
67-16.006	5/4/99	5/24/99	25/11	
67-16.007	5/4/99	5/24/99	25/11	
67-16.008	5/4/99	5/24/99	25/11	
67-16.009	5/4/99	5/24/99	25/11	
67-16.010	5/4/99	5/24/99	25/11	