

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE: Disapproval of Directors or Executive Officers
RULE NO.: 3C-100.03852

PURPOSE AND EFFECT: This rule is being updated to incorporate changes made by Chapter 99-138, Laws of Florida; to refer to the current biographical form used elsewhere by the Division of Banking and its federal regulatory counterparts; and to otherwise update, clarify, correct, and simplify the rule.

SUBJECT AREA TO BE ADDRESSED: Disapproval of directors or executive officers.

SPECIFIC AUTHORITY: 655.0385 FS.

LAW IMPLEMENTED: 655.0385, 658.21, 658.33, 665.013 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., November 22, 1999

PLACE: Room 630, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Linda Charity, Chief, Bureau of Research, Planning, and Staff Development, Division of Banking, 101 East Gaines Street, 614 Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9111

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3C-100.03852 Disapproval of Directors or Executive Officers.

(1) Section 655.0385, Florida Statutes, requires state financial institutions to notify the Department of the proposed appointment of any individual to the board of directors or the employment of any individual as an executive officer or equivalent position 60 30 days before such appointment or employment becomes effective, if the applying financial institution:

- (a) Has been chartered for less than 2 years;
(b) Has undergone a change in control or conversion within the preceding 2 years, and is not exempted under subsection (6) of this rule;
(c) Is not in compliance with the minimum capital requirements applicable to such financial institution; or

(d) Is otherwise operating in an unsafe or unsound condition, as determined by the Department, on the basis of such financial institution's most recent report of condition or report of examination.

(2) Notice.

(a) A financial institution shall provide a substantially complete written notice to the Department at least 60 30 days prior to the effective date of the appointment of a director or the employment of an executive officer or equivalent position. Each notice shall include a completed Biographical Report Form DBF-C-10-B, Interagency Biographical and Financial Report, revised 11/97, 12/93 which is hereby incorporated by reference. Notices shall be submitted to and Form DBF-C-10-B, effective date 12 14 93, which is incorporated by reference, may be obtained by request from the Department of Banking and Finance, Division of Banking, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350. Form DBF-C-10 may also be found at the Department's Internet website: http://www.dbf.state.fl.us/banking.html by using the icon "Download Department of Banking and Finance Application Forms" and by selecting the icon "DBF-C-10."

(b) A notice is not deemed substantially complete until the financial institution provides all the information requested in paragraph (2)(a), including complete explanations where material issues arise regarding the competence, experience, character, or integrity, or business acumen and judgment of the proposed director or executive officer or equivalent position, and any additional information that the Department requests following a determination that the financial institution's original submission of the notice was not substantially complete.

(c) Each proposed director or executive officer, or equivalent position, shall make certain that the notice submitted on his or her behalf is accurate.

(3) Processing.

(a) The Department shall have 60 30 days after receipt of a substantially complete notice to issue a letter of disapproval. Such disapproval letter shall be mailed to the financial institution and the disapproval shall be effective upon notification. Any financial institution so notified shall immediately require the individual to disassociate himself or herself from the financial institution.

(b) A financial institution shall not allow an individual who which has been proposed to become a member of the board of directors or employed as an executive officer, or equivalent position, to serve in such capacity before the expiration of the 60 30 day review period unless the Department notifies the financial institution of an intention not to disapprove the individual.

(c) The Department will conduct background investigations on individuals proposed to become a directors or executive officers, or equivalent positions. The investigations shall, in general, include contacts with the FBI, local law

enforcement and prosecutorial agencies, federal and state financial institution regulatory agencies, and other federal and state government agencies. Background investigations of proposed individuals who are not citizens of the United States will include appropriate foreign and international contacts.

(d) If the Department makes a request for additional information during the review of an incomplete notice, the financial institution must provide the information within 25 days of such a Departmental request or request in writing that the Department suspend processing of the notice.

~~(e) If the Department does not timely receive the information it requested pursuant to paragraphs (3)(c) or (3)(d) concerning an individual proposed by the financial institution, or if the Department requires additional time to fully review the notice or information requested pursuant to paragraphs (3)(c) or (3)(d), the Department shall suspend the processing of the notice for an additional 60 days.~~

~~(f) The processing of a substantially complete notice shall also be suspended for a period of up to 60 days or such longer period of time if such suspension is requested by the financial institution and the Department determines that such a delay will not be detrimental to the safety and soundness of the concerned institution or cause a risk of harm to the public interest.~~

#### (4) Requests For Interim Appointment.

(a) Any financial institution may file a written request with the Department to permit an individual proposed as a director or executive officer, or equivalent position, to assume his or her position on an interim basis prior to the expiration of the ~~60~~ 30 day prior notice period ~~or applicable period of suspension.~~

(b) The Department shall not consider a request for interim appointment or employment of a director or executive officer, or equivalent position, unless the Department has received a completed Form DBF-C-10 for the proposed individual.

(c) The Department shall only grant a request for the interim appointment or employment of a director or executive officer, or equivalent position, if the interim appointment or employment is not likely to cause a risk of harm to the financial institution or the public interest.

(d) The granting of a request for the interim appointment or employment of an individual to the position of director or executive officer, or equivalent position, shall not affect the Department's ability to subsequently issue a notice of disapproval ~~within or suspend~~ the ~~60~~ 30 day prior notice period.

(5) Regulatory Standards for Evaluating Requests for Proposed Directors or Executive Officers, or Equivalent Positions.

(a) The financial institution may appoint or employ an individual to begin service as a director or executive officer, or equivalent position, on a permanent basis if:

1. The Department notifies the financial institution of an intent not to disapprove the proposed director or executive officer, or equivalent position; or

2. The ~~60~~ 30 day review period expires ~~and was not extended or suspended, by the Department or the financial institution,~~ and during such review period the concerned individual was not disapproved.

(b) The Department shall issue a notice of disapproval if the ~~competence, experience, character, or integrity, or business acumen and judgment~~ of the proposed individual to be appointed or employed indicates that it is not in the best interests of the depositors, the members, or the public to permit the individual to be employed by or associated with the state financial institution.

(c) Unless the Department finds, in writing, that the proposed individual has shown rehabilitation, the proposed director or executive officer, or equivalent position, shall not be eligible for permanent or interim employment, if the individual:

1. Has been convicted of or has entered a plea of guilty or nolo contendere, regardless of adjudication, to a felony or of an offense involving moral turpitude, dishonesty, a breach of trust, a violation of state or federal financial institution law, the Florida Financial Institutions Codes, or fraud;

2. Has been removed by any regulatory agency as a director, officer, or employee of any financial institution;

3. Has performed acts of fraud or dishonesty, or has failed to perform duties, resulting in a loss to a financial institution; or

4. Has been convicted or found guilty, regardless of adjudication, of a violation of Section 655.50, Florida Statutes, relating to the Florida Control of Money Laundering in Financial Institutions Act; Chapter 896, relating to offenses related to financial transactions; or any similar state or federal law.

(d) If an individual proposed as a director or executive officer, or equivalent position, has demonstrated a lack of responsibility in relation to financial matters which is reflected by ~~either~~ the credit ~~worthiness~~ payment history and/or bankruptcy of the person or by such person's business history, it shall be permissible to consider such ~~a~~ conditions in evaluating the character and integrity of the individual in managing one's personal financial affairs.

(e) Material errors or omissions in any information submitted to the Department regarding an individual shall be grounds for a finding by the Department that the individual fails to meet the requisite standards for service as a director or executive officer, or equivalent position, of a state financial institution.

(f) If an individual is proposed for the position of chief executive officer, president, or equivalent position, he or she shall have had at least 1 year of direct experience, ~~including policy making responsibilities,~~ as an executive officer,

financial institution regulator, or director of a financial institution within the last 3 years. A financial institution may request a waiver of this requirement by writing to the Director of the Division of Banking detailing why the proposed officer's overall experience and expertise compensates for the lack of recent, direct financial institution or financial institution regulator experience. The Department shall grant a request for a waiver only when it is clear that the proposed officer's overall experience and expertise suggests he or she will perform satisfactorily in office.

(g) If the proposed executive officer, president, or equivalent position is to be employed by a state financial institution that does not meet the minimum capital requirements or is otherwise operating in an unsafe or unsound condition, the Department shall, based on the unique needs of the financial institution, require more extensive financial institution experience.

(6) Pursuant to Section 655.0385(1)(b), Florida Statutes, the Department may exempt from the 60 day notice requirement a financial institution which has undergone a change of control or conversion within the preceding two years and which operates in a safe and sound manner.

(a) A financial institution with a composite rating of "1" or "2" in its most recent safety and soundness report of examination or, in the case of a trust company, its most recent trust report of examination, and which is not subject to a state or federal regulatory action shall be automatically exempted from the 60 day notice requirement. For purposes of this section "regulatory action" shall include cease and desist orders, written agreements, memoranda of understanding, documents of resolution, letters of understanding and agreement, resolutions adopted at the request of financial institution regulators, and any other equivalent action initiated by a financial institution regulator. (Examination ratings are based on the Federal Financial Institutions Examinations Council's Uniform Interagency Trust Rating System and Uniform Financial Institutions Rating System, often called the CAMELS rating system.)

(b) Other financial institutions may request an exemption by writing to the Director of the Division of Banking detailing why the institution believes it is operating in a safe and sound manner, and why an exemption is appropriate.

Specific Authority 655.012(3), 658.0385(4) ~~420.53(1)(b)~~ FS. Law Implemented 655.0385, 658.21, 658.33, 665.013 FS. History--New 12-14-93, Amended \_\_\_\_\_.

**DEPARTMENT OF INSURANCE**  
**Residual Markets and Special Risk Pools**

RULE TITLE:  
FWUA Plan of Operation and Articles of Agreement Adopted

RULE NO.:  
4J-1.001

PURPOSE AND EFFECT: To amend the FWUA Plan of Operation and Articles of Agreement to conform it to legislative changes which occurred subsequent to the adoption of the Plan, and to address various administrative matters relating to the day-to-day operation of the FWUA.

SUBJECT AREA TO BE ADDRESSED: The Florida Windstorm Underwriting Association Plan of Operation and Articles of Agreement.

SPECIFIC AUTHORITY: 624.308(1), 627.351(2) FS.

LAW IMPLEMENTED: 624.307(1), 627.351(2) 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., November 29, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steve Roddenberry, Chief, Bureau of Property and Casualty Forms and Rates, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5310

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, (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4J-1.001 Plan of Operation and Articles of Agreement Adopted.

The Florida Windstorm Underwriting Association Amended and Restated Plan of Operation and Restated Articles of Agreement, as revised June 2, 1999 ~~June 1997~~, is hereby adopted and incorporated by reference.

Specific Authority 624.308(1), 627.351(2) FS. Law Implemented 624.307(1), 627.351(2) FS. History--New 6-29-83, Formerly 4-49.01, Amended 9-7-88, 10-18-90, Formerly 4-49.001, Amended 11-20-95, 12-5-96, 11-19-97, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

RULE TITLE: Notification to Custodians; Custodial Responsibilities  
RULE NO.: 12-21.203

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-21.203, FAC., is to implement a 1999 legislative change. This change authorizes the Department to only freeze that portion of a taxpayer's assets which equal the taxpayer's unpaid liability, instead of the entire amount of a taxpayer's assets which are held by a custodian (financial institution). However, this partial freeze can not be used if the

taxpayer has a history of tax delinquencies. The effect of these proposed amendments is to reduce the amount of a taxpayer's assets the Department must freeze, when the agency is garnishing the assets to collect an unpaid tax liability.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this rule development workshop is the procedures the Department uses to garnish a taxpayer's assets for the purpose of collecting unpaid taxes.

**SPECIFIC AUTHORITY:** 72.011(2), 213.06(1) FS.

**LAW IMPLEMENTED:** 213.67 FS.

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

**TIME AND DATE:** 10:00 a.m., November 22, 1999

**PLACE:** Room 435, Conference Room, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from: Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone, (850)922-4830.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, (850)922-4830

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

12-21.203 Notification to Custodians; Custodial Responsibilities.

(1) To initiate this garnishment procedure, the Department will prepare a Notice of Freeze (Form DR-44, incorporated herein by reference, dated 09/98). Defaced copies of this form may be obtained by written request to the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304. This Notice shall be sent by registered mail to custodians exercising control or possession of a noncompliant taxpayer's assets. The following employees of the Department are authorized to initiate this administrative garnishment procedure:

(a) The Executive Director or the Deputy Executive Director;

(b) The General Counsel or Deputy General Counsel;

(c) The Senior Program Director, General Tax Administration;

(d) The Program Director, General Tax Administration; and

(e) Any of the following positions within the Compliance Enforcement Process, General Tax Administration:

1. The Process Manager;
2. Regional Managers;
3. Service Center Managers; and
4. Process Group Managers.

(f) Any of the following positions within the Taxpayer Services Process, General Tax Administration:

1. The Process Manager;
2. Revenue Administrator III; and
3. Revenue Specialist Supervisor.

(2) The notice shall state the Department's authority to initiate the garnishment procedure; specifically identify the noncompliant taxpayer subject to garnishment; specify the amount of tax, penalty, or interest owed by the taxpayer; indicate the dates during which the freeze of assets is effective; specify the amount of the taxpayer's assets which must be frozen by the custodian; and fully describe the custodian's responsibilities pursuant to s. 213.67, F.S., and this Rule.

(3) The Notice of Freeze (Form DR-44) informs the custodian that:

(a) The custodian is prohibited from disposing, transferring, or returning to the noncompliant taxpayer or other party the specified partial amount or the entire amount ~~any~~ of such taxpayer's assets in the custodian's control or possession at the time of receipt of the Notice of Freeze, or any additional assets of which the custodian subsequently acquires control or possession during the time period prescribed by this Notice, unless authorized by the Department in writing;

(b) The Notice of Freeze is effective as of the date of its receipt, and remains in effect until the Department consents to a transfer, disposition, or return, or until sixty (60) consecutive calendar days have elapsed from the date of its receipt, whichever occurs first. However, if the noncompliant taxpayer contests the intended levy in circuit court or under Chapter 120, F.S., within the time period specified under s. 213.67, F.S., the Notice of Freeze will remain effective until final resolution of the contest;

(c) If, during the time period prescribed by this Notice, a custodian makes any transfer or disposition of the assets required to be withheld, the custodian will be liable for any indebtedness owed to the department by the noncompliant taxpayer to the extent of the value of such assets if the state is unable to recover the indebtedness, solely by reason of the transfer or disposition.

(4) Each custodian who receives a Notice issued pursuant to this Rule must:

(a) Inform the Department in writing, within 5 days of the receipt of the notice, of those specific assets and their value attributable to the noncompliant taxpayer which the custodian controls, possesses, or is owed;

(b) Inform the Department in writing, within 5 days after coming into subsequent possession or control of assets attributable to the noncompliant taxpayer; and

(c) Comply with the statutory prohibition against disposing, transferring, or releasing the amount any of the noncompliant taxpayer's assets which the Department specified in the Notice of Freeze.

(5) through (6) No change.

Specific Authority 72.011(2), 213.06(1) FS. Law Implemented 213.67 FS. History—New 6-16-93, Amended 3-31-99,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Contract Auditor Prerequisites	12-25.004
Selection Procedures for Contract Auditors	12-25.005
Applicants Ranking Committee	12-25.0054
Applicant Ranking Process	12-25.0056
Dispute Resolution	12-25.0058

**PURPOSE AND EFFECT:** A) Rule 12-25.004, FAC., eliminates the requirements that an applicant be a certified public accountant in good standing in the state where the audit work will be done, and that the applicant file a sworn statement stating he or she has not been convicted of a public entity crime; B) Rule 12-25.005, FAC., transfers and revises statistical sampling procedures used to select applicants to rank for potential contracts when the applicant pool exceeds 75; provides that an applicant who is completing a contract audit is automatically included in the ranking process if the applicant meets specific criteria; explains how the “delivery date” for a submitted file or application will be determined when it is sent using an overnight delivery service; defines the term “completed” case file to mean that the contract audit file is ready for departmental review; provides criteria a firm may use to substitute team members originally identified in the Request For Information; and, clarifies the procedures used to determine if an application has been timely filed; C) Rule 12-25.0054, FAC., adjusts various provisions to conform to a recent reorganization of the Department; provides that all meetings of the Applicants Ranking Committee will be noticed in the Florida Administrative Weekly; eliminates a discussion of the procedures used to pull a statistical sample of applicants when an applicant pool exceeds 75, since this procedure is moved to Rule 12-25.005, FAC.; authorizes the chairperson of the Applicants Ranking Committee to designate an individual who will review the selection committee members’ completed ranking forms, resolve discrepancies, and enter ranking form scores into the database; establishes procedures for

determining how to handle selection scores which result in a tie among two or more applicants; D) Rule 12-25.0056, FAC., changes the scoring for the evaluation criterion which is based on “experience”; eliminates the requirement that applicants successfully pass tax courses and adds Certified Audit program courses as part of the evaluation criterion based on “knowledge of Florida tax law”; states that a general law degree (i.e., one without a concentration in tax law) does not qualify for advanced degree points within the evaluation criterion based on “Advanced Degrees in Taxation”; eliminates the “Superior Performance” rating; revises the method for scoring performance evaluations; adds an example explaining how the Department will calculate an applicant’s ranking; eliminates language concerning the exclusion of an applicant based on the existence of disciplinary actions by a Better Business Bureau; and, increases the weighted score granted to certified minority business enterprises; E) Rule 12-25.0058, FAC., adjusts a provision to conform to a recent reorganization of the Department.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this rule development workshop is the proposed revision of rules governing the Contract Auditing program, which are being changed and clarified based on issues raised during the initial years in which the program has operated.

**SPECIFIC AUTHORITY:** 213.06(1), 213.28(4) FS.

**LAW IMPLEMENTED:** 213.28 FS.

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

**TIME AND DATE:** 10:00 a.m., November 22, 1999

**PLACE:** Room 435, Conference Room, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from: Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone, (850)922-4830.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Larry Green, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, (850)922-4830.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-25.004 Contract Auditor Prerequisites.

An applicant and the applicant's firm, prior to being considered for a contract or renewal of a contract to provide auditing services pursuant to Section 213.28, F.S., shall comply with the following qualifying criteria:

(1) Must be a certified public accountant in good standing under the laws of the state in which the applicant is licensed, ~~and under the laws of the state where the audit services will be performed;~~

(2) through (4) No change.

~~(5) File a sworn statement with the Department that they have not been convicted of a public entity crime, as provided in Section 287.133, F.S.~~

~~(5)(6)~~ Comply with contractual requirements regarding the confidentiality of tax information, which acknowledges the applicant's legal responsibility to not disclose any taxpayer or departmental records.

~~(6)(7)~~ Timely provide the information, as specified by the Request for Information (when applicable), required by the Department for use in the applicant ranking procedure. "Timely provide" means the information must either be hand-delivered to the Contract Manager's Office or postmarked by the U. S. Postal Service by the deadline established in the Request for Information. Facsimile information will not be accepted.

~~(7)(8)~~ Shall not have any currently unpaid Florida state tax liability, and, to the best of the applicant's knowledge, be in compliance with Florida revenue laws. This provision applies to any business entity owned or controlled by, or related to, the applicant, including a parent, subsidiary, brother or sister company or other affiliated entity.

Specific Authority 213.06(1), 213.28(4) FS. Law Implemented 242.40; 213.28 FS. History--New 5-11-92, Amended 3-20-94, 11-2-96, \_\_\_\_\_.

12-25.005 Selection Procedures for Contract Auditors.

(1) No change.

(2)(a)1. through 2. No change.

3. When the Department identifies the need to revise or replace the group of firms under contract, and the number of applicants exceeds 75, then the following statistical sampling techniques will be utilized to select applications to be ranked in that particular pool:

a. The population will be defined as the applications filed in a complete, timely manner (as determined by the Request for Information), for the subject contract size pool, exclusive of any applicant that has satisfactorily completed a contract at the time they submit an application and who meets all the criteria established in subsection (2) of this rule at the cut-off date established by the Contract Manager.

b. A random number generator software package will be used to select which applicants from the population will be ranked.

c. The size of this statistical sample will be of sufficient size to ensure that there are at least 2 firms competing for each available contract. The critical factor in determining the sample size will be the time available for the Applicant Ranking Committee to perform its function.

d. Any applicant that has completed a contract at the time they submit an application and who meets all the criteria established in subsection (2) of this rule at the cut-off date established by the Contract Manager will automatically be included in the ranking process.

(b) Until the Department identifies the need to revise or replace the group of firms under contract, the Contract Manager will develop a ranked list from those firms that have had contracts within the two immediately preceding program years for General Tax Administration (GTA) management approval. The approved ranked list will then be used by the Contract Manager to negotiate contracts, using the same procedure set forth in this rule section. The following method will be used to develop this ranked list, and the list discussed in paragraph (2)(a) of this rule:

1. Step A: The Contract Manager will establish a cut-off date prior to developing the ranked list. The Evaluation rating(s) and the Efficiency rating(s) for any individual audit submitted to the Department subsequent to the established cut-off date will not be considered in the current ranking process. ~~The cut off date will be within six weeks of the date the ranked list is presented to GTA management for approval.~~ The Contract Manager will eliminate from the list of firms any firms that, at the cut-off date:

a. No longer meet the prerequisites stated in Rule number 12-25.004, F.A.C.; or,

b. Fail to comply with the requirements of Rule number 12-25.0056, F.A.C.; or,

c. Have not submitted for review and approval at least 40 percent of their assigned audit hours. "Submitted" is defined as the completed audit file(s) delivered to the Department for final review on or before the cut-off date. If the applicant elects to use an overnight mail service to deliver their completed files, the delivery date is the date the service actually provides it to the Department, not the date the completed files are provided to the overnight mail service, and not the date the overnight mail service is paid by the applicant. The U. S. Postal Service postmark date on the mailing envelope, which constitutes the mailing date, containing such completed file(s) will be used to determine if the file(s) were submitted on or before the cut-off date. The 40 percent will be calculated by dividing the sum of the budgets for the submitted audits by the sum of the total assigned hours for the subject program year. For the purposes of these rules, the term "completed" is defined as the case file being ready for final Department

review--the Notice of Intent to Make Audit Changes has been issued, the taxpayer response received, necessary adjustments have been made to the file and all required work papers have been prepared.

2. Step B: The Contract Manager will calculate at the cut-off date the overall evaluation rating provided in Rule number 12-25.0056, F.A.C., for each firm remaining after Step A is completed. The Contract Manager will eliminate from the list firms that do not have an overall weighted evaluation rating, as provided in Rule number 12-25.0056, F.A.C., of at least 1.50. ~~3.0~~.

3. Step C: The Contract Manager will calculate at the cut-off date the overall Efficiency rating provided in Rule number 12-25.0056, F.A.C., for each firm remaining after Step A is completed. The Efficiency rating will be taken to four decimal places.

4. Step D: The Contract Manager will use weight the ratings developed in Steps B and C, and the Fee Proposals use these weights to develop a ranked list of qualified applicants. A firm's points resulting from its overall Evaluation rating will be weighted 33 percent, the points resulting from its overall Efficiency rating will be weighted at 17 percent, and the points resulting from its Fee Proposal will be weighted at 50 percent.

~~(e) When the Department identifies the need to revise or replace the group of firms under contract, the following statistical sampling techniques shall apply:~~

~~1. The population will be defined as the applications filed in a complete, timely manner (as determined by the Request for Information), for the subject contract size pool.~~

~~2. A random number generator software package will be used to select which applicants from the population will be ranked.~~

(3) through (4) No change.

(5)(a) Applicants must submit their written application in response to the Department's Request For for Information to the address specified in the subject Request For Information.:

Florida Department of Revenue  
Contract Manager  
Room 182, Building G, Capital Center Complex  
Post Office Box 5139  
Tallahassee, Florida 32314-5139.

(b) To be timely, an application in response to the Request for Information must be postmarked by the U. S. Postal Service or hand-delivered within 30 calendar days of the issue date of the Florida Administrative Weekly in which the Request for Information is published. If the applicant elects to use an overnight mail service to deliver the application, the delivery date is the date the service actually provides it to the Department, not the date the application is provided to the overnight mail service, and not the date the overnight mail service is paid by the applicant.

(6) The Department's Request for Information will solicit information which reflects, at a minimum, the qualifications of the team identified by the applicant in its application to perform tax audit services for the Department, as follows:

(a) through (i) No change.

(j) The names of the professional staff and the engagement partner (i.e. the team) who will work on the audits. Except as discussed next, all team members listed in the response to the Request For Information must work on the contract. Once a contract is awarded, the Department is authorized to approve firm member substitutions if:

1. The original firm member cannot work on the contract due to either health reasons or because the member is no longer employed by the firm; and,

2. The substituted firm member has approximately at least the same number of months of professional experience, the same general educational background, and the same general position level within the firm; and

~~2. The original firm member cannot work on the contract due to either health reasons or because the member is no longer employed by the firm;~~

(k) through (l) No change.

(7) After reviewing those written responses to the Department's Request for Information that are selected for ranking, the Applicants Ranking Committee will ~~determine which applicants have the necessary qualifications to conduct tax compliance audits for the Department and~~ rank the applicants in order based on requested technical criteria and their fee proposal, for negotiation purposes.

(8) The Contract Audit Section will then enter into contract negotiations with the highest ranked applicants in order of their ranking. The negotiation process will continue until all the available contracts for the subject period are let.

Specific Authority 213.06(1), 213.28(4) FS. Law Implemented 212-10, 213.28 FS. History--New 5-11-92, Amended 3-20-94, 11-2-96, \_\_\_\_\_.

12-25.0054 Applicants Ranking Committee.

(1) Composition of the Committee.

(a) The Program Director of the General Tax Administration Program (GTA) Compliance and Education will appoint a seven-member committee, known as the "Applicants Ranking Committee", to perform the ranking function.

(b)1. This Committee will include the Contract Manager, who will serve as chairperson, and six voting members.

2. The chairperson is authorized to recommend candidates for Committee membership to the Program Director of GTA Compliance and Education, schedule meetings, prepare agendas and necessary materials, and chair the meetings.

3. The chairperson will not prepare any qualification ranking forms, and will not "vote" on ranking issues.

(c) No change.

(d) The Program Director of ~~GTA Compliance and Education~~ will use the following criteria in making appointments to the Committee:

1. through 5. No change.

(e) Each member, including the chairperson, must complete a conflict of interest disclosure statement. The member must either state the absence of any existing business or family relationship with applicants, or must list any such relationships. If relationships do exist for a particular Committee member, then the Program Director of ~~GTA Compliance and Education~~ will excuse the member from participating in ranking the particular firm(s) with which the member has a relationship. The statements will be completed at the beginning of each fiscal year, prior to the start of the ranking process.

(2)(a) No change.

(b) The Contract Manager will publicly notice the date, time, and location of any meeting held by the Applicants Ranking Committee. This notification will, at a minimum, be published in the Florida Administrative Weekly ~~mailed or publicly posted~~ at least 14 calendar days prior to any scheduled meeting of the Committee.

(c) through (d) No change.

(3) Committee Procedures.

~~(a)1. If the number of applicants exceeds 75, then statistical sampling techniques will be utilized to select applications to be ranked in that particular pool. The size of this statistical sample will be determined through professional judgment. The sample will be of sufficient size to ensure that there are at least 2 firms competing for each available contract. The critical factor in determining the sample size will be the time available for the Applicant Ranking Committee to perform their function.~~

~~2. Any applicant that has completed a contract at the time they submit an application and who meets all the criteria established in Rule number 12-25.005(2)(b) at the cut off date established by the Contract Manager, will automatically be included in the ranking process.~~

~~(a)(b)~~ No change.

~~(b)(c)~~1. At the meeting, the Committee will conduct an open discussion on each applicant's qualifications prior to completing their individual qualification ranking form.

2. After the open discussion, the members must independently complete their individual qualification ranking forms. ~~To ensure objective results, there must be no disclosure between members as to their respective scores.~~ The members must sign and date each ranking form.

3. When each member has completed, signed and dated a qualification ranking form for each applicant, the forms will be given to the chairperson. ~~The chairperson will then compile and distribute copies of all completed ranking forms to the Committee members.~~

4. The chairperson or the chairperson's designee will review the completed forms to verify that the supporting facts entered in the comments sections are consistent between members, and are accurate. The chairperson or the chairperson's designee will resolve any discrepancies through discussion with the involved members and review of the facts documented in the subject application.

~~(c)(4)~~ The chairperson or the chairperson's designee will enter the scores from each form into a database to determine the total of the six scores of each of the applicants evaluated by the Committee. If a Committee member is excused from ranking a particular applicant due to a potential conflict of interest, then an average of the other 5 members' scores will be used as the sixth score. A Ranking Report for each pool will be prepared based on the composite scores of the applicants in the pool. The Ranking Reports will reflect, at a minimum:

1. Composite scores for each applicant in total; and

2. A ranking of the applicants in numerical order.

(d) In the event of a tie(s) on a ranking report the following steps will be performed, in numeric order, until the tie(s) is broken:

1. The individual numeric calculations comprising the total score for each applicant will be recalculated to ten decimal places;

2. Then, if the tie(s) is not broken, the applicants will be ranked against each other based on the scores for the criteria specified in subparagraphs 1., 6., 7., 9., and 10. of subsection 12-25.0056(12), F.A.C.

3. Then, if the tie(s) is not broken, the applicants will be ranked against each other based on their scores for the criteria specified in subparagraph 9. of subsection 12-25.0056(12), F.A.C.

(4) No change.

Specific Authority 213.06(1), 213.28(4) FS. Law Implemented 242-10; 213.28 FS. History—New 3-20-94, Amended 11-2-96, \_\_\_\_\_.

#### 12-25.0056 Applicant Ranking Process.

The criteria and definitions established in this rule will be used by the Applicants Ranking Committee to evaluate and rank the qualifications of applicants.

(1) Experience in Florida tax law. This term means working directly with the Florida statutes (tax law), Department rules and the interpretative decisions, opinions, and rulings relevant to the subject tax. The type of experience can either be:

(a) No change.

(b) Preparation – assisting a taxpayer in, or preparing tax returns for, clients, or representing clients or others with respect to audit issues during the Department's tax compliance audit process.

(c) No change.



(d) Audit Experience	=	Score
1 to <del>4</del> 2 years	=	2
<del>5</del> 3 to 8 4 years	=	3
<del>9</del> 5 or more years	=	5

Points awarded for experience are based on the sum of the experience of individual team members. For team members who have previously worked on Section 213.28, F.S., contracts, one year of audit experience is awarded for each contract worked on.

(e) through (f) No change.

(2) Knowledge of Florida tax law. This is textbook/academic knowledge of the application, concepts and issues concerning the statutes, Department rules, rulings and decisions in administrative and court cases relevant to the subject tax. It is the combined knowledge (i.e., courses attended ~~and successfully passed~~) of the firm members named in the application who will work on the audits. The methods by which the applicant may have gained this knowledge are:

(a) Attended and, where applicable, successfully passed a course ~~of the Florida Institute of Certified Public Accountants which is approved by the Department and~~ which is designed specifically to teach audit applications for the Florida revenue law.

(b) Successfully completed a Department course in the Florida revenue laws (each of the Department's contract audit program and certified audit program ~~one day "update" or "review" courses~~ meet this criteria).

(c) No change.

(3) Experience in Federal tax law. This is experience in working directly with the Federal Statutes, Internal Revenue Service rules and court cases relevant to the subject tax. It is the combined experience of the firm members named in the application who will work on the audits. The type of experience can either be:

(a) No change.

(b) Preparation – assisting a taxpayer in or preparing Federal tax returns for clients or representing clients on audit issues during the I.R.S. tax compliance audit process in the practice of public accounting.

(c) through (4) No change.

(5) Advanced Degrees in Taxation.

(a) These are qualifications above those of an undergraduate accounting degree. Specifically, masters or doctoral degrees in taxation. Advanced business, accounting, or law degrees with a stated major in taxation will be scored as a master's degree in taxation. Possession of a law degree without a stated concentration in taxation does not qualify for receiving advanced degree points. The score will be based on the combined number of advanced degrees, if any, of the firm members named in the application who will work on the audits.

(b) through (6) No change.

(7) Performance Evaluation.

(a) The Contract Manager or his/her designee will complete a Performance Evaluation Form for each contract audit completed, excluding surveys, when the General Tax Administration program has completed the review of the subject audit. The contract C.P.A. firm will be evaluated in four areas:

1. through (b) No change.

(c) The Contract Manager is authorized to perform a special performance evaluation at any point, based on the contract firm's failure to comply with contract terms, Department policies and procedures, or the Contract Manager's express written instructions. The special performance evaluation will be weighted at 10 percent of the total hours used as the denominator in the calculation discussed in this subsection ~~assigned under the subject contract~~, and will be included in the ranking process.

(d)1. The Contract Manager or his/her designee will rate the subject firm on each of the line items for the four criteria discussed in this subsection (Communication, Knowledge of Florida Tax Law, Preparation of Audit File, and Professional Conduct) and then determine an overall score for each evaluation completed.

2. Each individual line item in the performance evaluation will be rated as "Below Performance Standards", "Achieves Performance Standards", or "Exceeds Performance Standards"; ~~or "Superior Performance"~~. The ratings will carry the following numerical ratings:

- a. "Below Performance Standards" equals ~~2.0~~;
- b. "Achieves Performance Standards" equals 3.0;
- c. "Exceeds Performance Standards" equals 5.0 ~~4.0~~;
- ~~d. "Superior Performance" equals 5.0;~~

The individual line item scores for each performance evaluation will be totaled and divided by the number of line items rated. The resulting average will be the overall rating for that performance evaluation.

3. The Contract Manager or his/her designee will provide supporting comments for any area rated anything other than "Achieves Performance Standards." All evaluations require Contract Manager approval prior to becoming final.

~~(e)(4)~~ The methodology for scoring this category is determined as follows:

Performance Evaluation		
Overall Weighted Rating	=	Ranking Equation Points
<del>2.9 or less</del>	=	0
3.0 to 3.5	=	2
3.6 to 4.5	=	4
4.6	=	5

~~(f)(e)~~1. The performance evaluation points awarded a firm will be determined using the weighted total of the overall ratings for performance evaluations.

2. For a performance evaluation to be considered in a ranking process, ~~the associated audit #~~ must have been:

a. Assigned and completed by the cut-off date provided in Rule ~~number~~ 12-25.005 (if applicable);

b. ~~And the Performance Evaluation must be dated~~ ~~Dated~~ no earlier than the two immediately preceding program ~~funding~~ years; and

c. Not included in any previous ranking process.

3. The weight assigned to each included performance evaluation will be the ratio which the incurred audit hours, up to the approved budget, in the subject audit bear to the total of the hours for all audits for all included performance evaluations.

4. An example of the calculation for any C.P.A. firm is as follows:

Step 1: For example – A firm has two Performance Evaluations eligible for the subject ranking process. The firm received two “Below Performance Standards”, 12 “Achieves Performance Standards” and four “Exceeds Performance Standards” on the Performance Evaluation for audit #1, which had a 900 hour budget. The overall rating for that Performance Evaluation would be 3.1 (56 total points divided by 18 line items). The firm received six “Achieves Performance Standards” and 12 “Exceeds Performance Standards” on the Performance Evaluation for audit #2, which had a 100 hour budget. The overall rating for the second Performance Evaluation would be 4.3 (78 total points divided by 18 line items.)

OVERALL SCORE	AUDIT HOURS	FACTOR X	WEIGHTED OVERALL SCORE
Audit # 1- <del>3.1</del> <del>3.5</del>	900	90% (900/1000)	<del>2.8</del> <del>3.15</del>
Audit # 2- <del>4.3</del> <del>2.7</del>	100	10% (100/1000)	<del>4.27</del>
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1000	1000	100%	<del>3.2</del> <del>3.42</del>

Step 2: 3.2 points for Performance Evaluations would be used in the subject weighted ranking equation. 3.42 is between 3.0 to 3.5, which equates to 2 ranking equation points, as provided in this rule.

Any points resulting from performance evaluations accrue only to the legal entity with which the Department entered into the contract.

(8) through (10) No change.

(11) Exclusion from Ranking Process. An applicant will be excluded from the ranking process for the subject fiscal year if:

(a) The applicant has been found guilty in a Board of Accountancy disciplinary action within the last three years.

(b) There are two or more disciplinary actions taken by the Division of Consumer Services, Department of Agriculture and Consumer Services or similar agency in the applicant firm's state of domicile, ~~or by in-state or out-of-state Better Business Bureaus against the subject applicant.~~

(c) The applicant misrepresents any material fact affecting the applicant's weighted score.

(d) ~~The applicant or any business entity owned by, or related to, the applicant, including a parent, subsidiary, brother or sister company or other affiliated entity,~~ has any currently unpaid Florida state tax liability or has failed to comply with Florida revenue laws.

(12) Criteria and Weighted Equation.

(a) The criteria and associated weights provided in this section, in conjunction with the ~~provisions~~ ~~provision~~ of subsections (1) through (9) of this section, will be employed in the applicant ranking process whenever a Request for Information has been published. The information used in applying the described criteria will primarily be provided by the applicants' responses to the Request for Information. Other sources are described in this section.

(b)~~(a)~~ Weighting is accomplished by multiplying the scores for each criteria by an assigned percentage, with the sum of the percentages equaling 100 percent, as follows:

CRITERIA	MAXIMUM POINTS	X	WEIGHT	=	SCORE
1. Experience in Florida tax law	5		15%		.75
2. Knowledge of Florida tax law	4		5%		.20
3. Experience in Federal tax law	5		5%		.25
4. Results of On-Site Quality Review or Peer Review	4		5%		.20
5. Advanced Degrees in Taxation	4		5%		.20
6. Certified Minority Business Enterprise	5		10 %		.50 <del>.25</del>
7. Performance Evaluation	5		15 <del>20</del> %		.75 <del>4.00</del>
8. Other	5		5%		.25
9. Fee Proposal	5		25%		1.25
10. Efficiency Calculation	5		10%		.50

(13) The Committee is authorized to award a bonus score, ranging from .25 to 1.00 points, to any applicant who develops ~~developing~~ significant improvements in audit tools and techniques. The subject improvements must have been successfully used in a Department tax compliance audit file which was reviewed and approved by the Contract Audit Section. The Department is contractually authorized to take such improvements for use by its own audit staff. The Contract Manager is responsible for informing the Committee of any improvements so the Committee can evaluate awarding the bonus. Also, the Committee is authorized to award a bonus score of 1.00 to any applicant that lists on their response to the Request for Information experience that the contract manager has identified as beneficial for the subject program year. The bonus will be added to the total calculated weighted score. Accordingly, the maximum score a contract firm could receive is 6.85 ~~5.80~~ (4.85 ~~4.80~~ plus 1.00 plus 1.00 equals 6.85 ~~5.80~~).

Specific Authority 213.06(1), 213.28(4) FS. Law Implemented ~~242.10~~, 213.28 FS. History—New 3-20-94, Amended 11-2-96, \_\_\_\_\_.

12-25.0058 Dispute Resolution.

(1) through (2)(d) No change.

(e) The Process Manager, Compliance Support Process ~~process~~, will provide a written response within 45 calendar days of receipt of the request for reconsideration.

(f) No change.

Specific Authority 213.06(1), 213.28(4) FS. Law Implemented 212.10; 213.28 FS. History—New 3-20-94, Amended 11-2-96, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Industrial Machinery and Equipment for Use in a New or Expanding Business	12A-1.096
Public Use Forms	12A-1.097

**PURPOSE AND EFFECT:** A) The proposed amendments to Rule 12A-1.096, FAC., are necessary to address significant changes made during the 1996, 1998, and 1999 legislative sessions to Section 212.08(5)(b), F.S., which provides an exemption from sales and use tax on purchases of machinery and equipment made by new and expanding businesses. The 1996 Legislature lowered the tax threshold for expanding businesses from \$100,000 to \$50,000 per calendar year, eliminated the express exclusion of printing firms and certain publishing firms from the exemption, and established the requirement that businesses seeking the exemption must register with the WAGES Program Business Registry. The 1998 Legislature exempted expanding printing businesses from the \$50,000 tax threshold requirement. The 1999 Legislature eliminated the express exclusion of phosphate or other solid minerals severance, mining or processing operations from the exemption. However, the 1999 Legislature further provided that those new and expanding mining-related businesses must demonstrate the creation of a certain number of new Florida jobs in order to qualify for the exemption and those businesses may only get the exemption by way of a prospective credit against severance taxes. The 1999 Legislature also provided that new and expanding businesses engaged in spaceport activities do not have to manufacture, process, compound, or produce tangible personal property for sale in order to qualify for the exemption.

B) The amendments to subsection (1) of Rule 12A-1.096, FAC., revise the existing definitions for the terms “fixed location,” “industrial machinery and equipment,” “physically comparable,” “production process,” and “productive output.” The amendments provide additional definitions for the terms “integral to,” “manufacture, process, compound, or produce,” “mining activities,” and “spaceport activities.” The existing separate definition of “process” is deleted, since that term is incorporated within the new definition of “manufacture, process, compound, or produce.”

C) The amendments to subsection (2) of Rule 12A-1.096, FAC., clarify that the labor necessary to install machinery and equipment at a new business is exempt; clarify that machinery and equipment must be purchased, or a purchase agreement made, before the start of production or the beginning of spaceport activities; provide guidance to the qualification for exemption of amendments, change orders, or substitutions to purchase agreements; provide guidance as to when production

or spaceport activities begin at a new business; clarify general examples of what represents a new business and eliminate specific examples of new businesses; and replace the concept that a new business means the production of an item of tangible personal property that is not physically comparable to an item or other items, which have been or are being produced by that business, with the concept that a new business means the production of an item of tangible personal property that represents a distinct and separate economic activity from other items that have been or are being produced by that business.

D) The amendments to subsection (3) of Rule 12A-1.096, FAC., clarify that the labor necessary to install machinery and equipment at an expanding business is exempt; reflect the lowering of the tax threshold for expanding businesses from \$100,000 to \$50,000 and provide that printing firms are not subject to the threshold; clarify that only purchases of qualifying machinery and equipment count toward the fulfillment of the tax threshold; update referenced years in examples for greater relevance; clarify general examples of what represents an expanding business and eliminate specific examples of expanding businesses; and provide that expanding spaceport activities are not subject to the productive output increase requirement, which is imposed upon other expanding businesses.

E) A new subsection (4) is added to Rule 12A-1.096, FAC., providing that new and expanding mining activities may only receive the exemption by way of a prospective credit against severance taxes; providing requirements for creating new Florida jobs; defining new Florida jobs; and providing that the exemption for mining activities may not be approved until such time as the Office of Tourism, Trade, and Economic Development has certified to the Department of Revenue that the required number of new Florida jobs have been created.

F) Existing subsection (4) of Rule 12A-1.096, FAC., which provides a flowchart illustrating whether purchases of machinery and equipment will or will not qualify for exemption, is eliminated as having historically shown no practical value in the actual administration of the exemption.

G) A new subsection (5) of Rule 12A-1.096, FAC., provides six classification factors to be considered by the Department of Revenue when determining whether an applicant business should be classified as new or expanding for the purposes of the exemption.

H) Existing subsection (5) of Rule 12A-1.096, FAC., is renumbered (6) and eliminates the requirement for applicant businesses to submit obsolete forms DR-1207 and DR-1208; provides that to receive the exemption for mining activities, a qualifying business entity must also submit form DR-1214; provides that a temporary tax exemption permit will not be issued to mining businesses, since those businesses may only receive the exemption by way of a prospective credit against severance taxes; provides that a certified statement is not needed where the business claiming a refund has self-accrued

and remitted the tax directly to the State of Florida; provides timing criteria for when new and expanding businesses engaged in spaceport activities may seek a refund of previously paid tax; provides timing criteria for when new and expanding businesses engaged in mining activities may seek a credit for previously paid tax; and deletes obsolete language concerning the statute of limitations for refund requests.

I) Existing subsection (6) of Rule 12A-1.096, FAC., is renumbered (7).

J) Existing subsection (7) of Rule 12A-1.096, FAC., is renumbered (8) and removes obsolete language that excludes phosphate or other solid minerals severance, mining or processing operations, printing firms, and certain publishing firms from the exemption; deletes the term "fabricate" from the subsection, since that term is not used in the exemption statute; and provides that where a publisher is also a printer, that business will be considered a printer for the purposes of the exemption.

K) Existing subsection (8) of Rule 12A-1.096, FAC., is renumbered (9) and provides additional examples of machinery and equipment that will or will not qualify for exemption; provides that parts and accessories purchased tax exempt pursuant to s. 212.08(7)(eee), F.S., for replacement, maintenance, or repair shall not be allowed an exemption for the same amount of tax pursuant to the exemption provided by s. 212.08(5)(b), F.S.; and eliminates verbose language within the enumerated examples.

L) Existing subsection (9) of Rule 12A-1.096, FAC., is renumbered (10) and clarifies that the exemption only applies to the original term of an operating lease and provides that a purchase option at the end of an operating lease is considered to be a purchase made after the start of production and is subject to tax.

M) Existing subsection (10) of Rule 12A-1.096, FAC., is renumbered (11) and eliminates verbose language referring to the Executive Director or designee in the responsible program.

N) Subsection (12) is added to Rule 12A-1.096, FAC., to provide that no machinery and equipment purchased or leased will be eligible for the exemption without the business seeking the exemption being registered with the WAGES Program Business Registry.

O) The proposed amendments to Rule 12A-1.097, FAC., eliminate forms DR-1207 (Florida Contract Data Form) and DR-1208 (Schedule of Contractors) as not necessary to the administration of the application process; and the reference to form DR-1214 (Application for Temporary Tax Exemption Permit) is updated to reflect the current version of the form.

SUBJECT AREA TO BE ADDRESSED: A) The subsections within Rule 12A-1.096, FAC., to be addressed concern: the definitions of terms; qualifying purchases by, the start of production by, and examples of, new businesses; threshold amounts for, examples of, and productive output requirements for, expanding businesses; requirements for mining activities

for the creation of new Florida jobs; the elimination of an unnecessary illustrative flowchart; the provision of factors for consideration by the Department of Revenue when determining whether an applicant business should be classified as new or expanding for the purposes of the exemption; the forms that must be filed by an applicant business in order to obtain the exemption; the provisions that mining businesses will not be issued a temporary tax exemption permit and may only receive the exemption by way of a credit against severance taxes; and the events that must occur before a refund may be issued or a credit authorized for a new or expanding business.

B) Existing subsections (28), (29), and (30) of Rule 12A-1.097, FAC., concerning the elimination of forms DR-1207 and DR-1208 and the current version of form DR-1214 will be affected by the amendments.

SPECIFIC AUTHORITY: 212.08(5)(b)4., 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(4),(14),(21),(22), 212.05, 212.06, 212.08(5)(b), 212.13(2), 212.17(6), 212.18(2), 215.26(2) FS., Section 2, Chapter 99-171, Laws of Florida.

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

TIME AND DATE: 10:00 a.m., December 1, 1999

PLACE: Room B-12, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)488-0717. If you are hearing or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jeffery L. Soff, Tax Law Specialist, Sales Tax Unit 3, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.096 Industrial Machinery and Equipment for Use in a New or Expanding Business.

(1) Definitions – The following terms and phrases when used in this rule shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

(a) "Fixed location" means being permanently affixed to one location or plant site. The term also includes, ~~or~~ any portable plant which is set up for a period of not less than six

months in a stationary manner so as to perform the same industrial manufacturing, processing, compounding, or production process that could be performed at a permanent location or plant site. The geographical limits of the "fixed location" for purposes of this rule are limited to the immediate permanent location or plant site. Facilities or plant units that are within the same building, or that are on the same parcel of land if not contained in a building, are considered to be one fixed location.

(b) "Industrial machinery and equipment" means tangible personal property or other property with a depreciable life of 3 years or more that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale or is exclusively used in spaceport activities. Buildings and their structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment itself is replaced. Heating and air conditioning systems are not considered industrial machinery and equipment, unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees, or serves, to an insubstantial degree, non-production activities. For example, a dehumidifier installed for the sole purpose of conditioning air in a factory, where the manufacturing of electronic components requires a controlled-humidity environment, will be considered industrial machinery and equipment. (See subsection (9) of this rule.) "Section 38 Property" as defined in Section 48(a)(1)(A) and (B)(i) of the United States Internal Revenue Code, as amended, and includes parts and accessories, essential to the manufacturing, processing, compounding or producing of tangible personal property for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S. "Industrial machinery and equipment" also means pollution control equipment, or sanitizing and sterilizing equipment which is essential to manufacturing, processing, compounding or producing items of tangible personal property. "Industrial machinery and equipment" also means monitoring machinery and equipment which is essential to manufacturing, processing, compounding or producing items of tangible personal property. In determining what is essential to manufacturing, processing, compounding or producing items of tangible personal property, the examination will not turn on how vertically integrated the taxpayer is but rather on the specific activity that the taxpayer asserts is part of the production process. For example, if the activity is essentially one of transportation or storage, associated equipment and machinery will not qualify for exemption unless specifically exempted in subsection (8) of this rule.

(c) "Integral to" means that the machinery and equipment provides a significant function within the production process, such that the production process could not be complete without that machinery and equipment.

(d) "Manufacture, process, compound, or produce for sale" means the various industrial operations of a business where raw materials will be put through a series of steps to make an item of tangible personal property that will be sold. The industrial operations must bring about a change in the composition or physical nature of the raw materials. Where materials are merely repackaged or redistributed, those operations are not manufacturing, processing, compounding, or producing for sale. The item of tangible personal property may be sold to another manufacturer for further processing or for inclusion as a part in another item of tangible personal property that will be sold, or the item may be sold as a finished product to a wholesaler or an end consumer. The business performing the manufacturing, processing, compounding, or production process may or may not own the raw materials. However, the phrase "manufacture, process, compound, or produce for sale" does not include fabrication, alteration, modification, cleaning, or repair services performed on items of tangible personal property belonging to others where such items of tangible personal property are not for sale.

(e) "Mining activities" means phosphate and other solid minerals severance, mining, or processing operations. Mining activities end at the point where the mineral is readily identifiable as the final product of mining or where it is ready to be compounded or mixed with other materials to form a new material. (See subsection (4) of this rule.)

(f)(e) "Physically comparable" means the similarity or equivalency of the characteristics of the items of tangible personal property being manufactured, processed, compounded, or produced. Physical comparability applies to the units used to measure the increase in productive output of an expanding business. The taxpayer shall have the burden of demonstrating that items of tangible personal property are not physically comparable to other items which have been or are being produced at that particular fixed location. Such demonstration may require the submission of an independent engineer's report by the taxpayer if Department personnel are unable to determine if items are, or are not, physically comparable.

(d) "Process" means a series of operations conducing to an end which is an item of tangible personal property for sale or for exclusive use in spaceport activities as defined in s. 212.02, F.S.

(g)(e) "Production process" or "production line" means those industrial production activities beginning when raw materials are delivered to at the fixed location of the new or expanding business' fixed location facility and generally ending when the items of tangible personal property have been packaged for sale, or are in saleable form if packaging is not

done, or are for exclusive use in spaceport activities as defined in s. 212.02, F.S. However, the production process may include quality control activities for perishable ~~foods~~ ~~food goods~~ for human consumption after the food ~~items have good~~ has been packaged (or ~~are~~ ~~is~~ in saleable form if packaging is normally not done), if such quality control activities are required by good manufacturing practices mandated by state or federal government agencies. The ~~One~~ production process may encompass more than one fixed location if the ~~qualifying~~ business transfers work-in-process from ~~one~~ ~~the first~~ fixed location to a ~~the~~ second fixed location for further manufacturing, processing, compounding, or production ~~producing of the items of tangible personal property for sale or for exclusive use in spaceport activities as defined in s. 212.02, F.S.~~ For example, a company purchases machinery and equipment to produce raw orange juice at one fixed location, and this raw orange juice is transferred as work-in-process to a second fixed location where the company will use the raw orange juice to make five different products. A production ~~Production~~ process does not include natural processes occurring before raw material is delivered to the receiving operation or after the packaging operation ~~production process~~ (as defined in this paragraph, (1)(c), above) that ~~produces the items of tangible personal property~~. For example, the natural transformation of grass or feed into raw milk by cows is not part of the production process. In this case, the production process begins when the cows (i.e., raw materials) are brought into the milking parlor. Neither is the planting, growing, or harvesting of crops, nor the raising of livestock or poultry, part of the production process. ~~Furthermore, machinery and equipment qualifying for partial exemption under s. 212.08(3), F.S., is not eligible for the exemption under s. 212.08(5)(b), F.S.~~ Also, the natural aging or fermentation of alcoholic beverages or other food products, after they have been packaged, is not part of the production process. There, ~~Here~~ the production process ends when the alcoholic beverage or other food product has been packaged for sale. (See paragraph ~~(9)(8)~~(b) of this rule.)

(h)(f) ~~(h)(f)~~ "Productive output" ordinarily means the number of units actually produced by a single plant or operation in a single continuous 12 month period, ~~irrespective of sales~~. The increase in "productive output" shall be measured by the output for 12 continuous months immediately following the completion of the installation of machinery and equipment for the expansion project as compared to the "productive output" of 12 continuous months immediately preceding the beginning of the installation of machinery and equipment for the expansion project. However, if a different 12 month continuous period would more accurately reflect the increase in productive output as a result of a business expansion, the increase in productive output may be measured during an alternate 12 month continuous period provided that prior to the start of production by the expanded business the Executive Director or the Executive Director's designee agrees to such alternate

measuring period. Such alternate continuous 12 month measuring period approved by the Executive Director or the Executive Director's designee must begin within 24 months following the completion of installation of qualifying machinery and equipment. If an alternate 12 month measuring period is requested by the business entity and is agreed to by the Executive Director or the Executive Director's designee, only the selected alternate 12 month period will be used to measure the increased productive output for the business expansion, even though some 12 month period other than the selected and approved 12 month period may show a production increase of 10 percent or more as a result of the expansion project. Productive output may not be measured by sales dollars or by production labor hours for the purposes of this exemption.

(i) "Spaceport activities" means those activities as defined in Section 212.02, Florida Statutes.

(2) New Business.

(a) The purchase ~~and installation~~ of industrial machinery and equipment, parts and accessories, and the ~~parts and~~ installation labor thereof, is exempt from tax when purchased by a new business which uses such machinery and equipment at a fixed location in this state for exclusive use in spaceport activities, or to manufacture, process, compound, or produce in manufacturing, processing, compounding or producing for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., items of tangible personal property for sale.

(b) Machinery ~~The purchase agreement for the machinery~~ and equipment must be purchased, or a purchase agreement made, before the new business begins spaceport activities or starts production, and delivery of the purchased items must be made within 12 ~~twelve (12)~~ months from the beginning of spaceport activities or the start of production.

(c) The date of purchase of the machinery and equipment is established by the date of the purchase agreement. If no purchase agreement was made, or in the absence of proof that a purchase agreement was made prior to the determined beginning of spaceport activities or the start of production date, the machinery and equipment vendor's sales invoice will be the controlling document for determining whether the machinery and equipment qualifies for the an exemption. No exemption will be allowed even though delivery of machinery and equipment is made within 12 ~~twelve (12)~~ months from the beginning of spaceport activities or the start of production if the machinery and equipment was ordered after the beginning of spaceport activities or the start of production. Amendments or change orders to the original purchase agreement made after the start of production that increase the quantity of items purchased will not qualify for the exemption. Substitutions of like kind machinery and equipment will qualify for the exemption to the extent that the cost of the item is not increased. If the cost of the item is increased, the amount of the increase shall be subject to tax.

(d) The start of production shall be the date that a product is manufactured, processed, compounded, or produced where such product will be inventoried for sale or will be immediately sold. However, if this date does not reflect the actual start of production, the date of the start of production shall be determined by the Executive Director or the Executive Director's designee on a case by case basis. In such cases, the business taxpayer shall maintain sufficient records to enable the Executive Director or the Executive Director's designee department to make a proper determination as to the initial production activities of the new facility. (See subsection (7)(6) of this rule.)

a. Initial test or trial runs necessary to calibrate or evaluate the operation of machinery and equipment, where the products made are scrapped or sold for salvage value, are not considered to be the start of production. The operation of machinery and equipment at less than full capacity, where the products made are inventoried or immediately sold, is considered to be the start of production.

b. Production is considered to have started even though the production line may not be complete, if any part(s) of the production process is subcontracted to others and a finished product can be inventoried or immediately sold.

2. The beginning of spaceport activities shall be the date that industrial machinery and equipment is first exclusively used for that purpose. However, if this does not reflect the actual beginning of spaceport activities, the date shall be determined by the Executive Director or the Executive Director's designee on a case by case basis. In such cases, the business shall maintain sufficient records to enable the Executive Director or the Executive Director's designee to make a proper determination as to the beginning of spaceport activities of the new facility. (See subsection (7) of this rule.)

(e) The Executive Director or the Executive Director's designee shall determine if a business qualifies for the exemption as a new business, status based on the facts in each particular case, using the following guidelines, provided the requirements of paragraphs (2)(a), (b), (c), and (d) are complied with:

1. A new business means a newly-formed company that opens a new facility or plant, at a fixed location in this state, to manufacture, process, compound, or produce items of tangible personal property which manufactures, processes, compounds or produces for sale, or to exclusively use industrial machinery and equipment for exclusive use in spaceport activities as defined in s. 212.02, F.S., an item of tangible personal property at a fixed location in the state.

2. A new business means an addition to, or the enlargement of, an existing facility or plant, or the installation of additional machinery and equipment, for the purpose of manufacturing, processing, compounding, or producing items of tangible personal property for sale that represent a distinct and separate economic activity from other items that have been

~~or are being produced at that same fixed location, or to exclusively use industrial machinery and equipment in distinct and separate spaceport activities. (See subsection (5), of this rule.) for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., items of tangible personal property which are not physically comparable to other items which have been or are being produced at that particular fixed location. The taxpayer shall have the burden of demonstrating that items of tangible personal property are not physically comparable to other items which have been or are being produced at that particular fixed location. Such demonstration may require the submission of an independent engineer's report by the taxpayer if Department personnel are unable to determine if items are, or are not, physically comparable.~~

3. A new business means opening a new facility or plant, at a fixed location in this state, to manufacture, process, compound, or produce an item of tangible personal property which manufactures, processes, compounds or produces for sale, or to exclusively use industrial machinery and equipment for exclusive use in spaceport activities, as defined in s. 212.02, F.S., an item of tangible personal property provided no other facility or plant in this state that which manufactured, processed, compounded, or produced the same or a similar for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., a physically comparable item of tangible personal property, or performed the same or a similar spaceport activity, at a fixed location in this state, was closed to open the new facility or plant, or will be closed within 12 months.

4. A new business does not mean the change of ownership of an existing facility or plant, at a fixed location in this state, that which manufactures, processes, compounds, or produces items of tangible personal property for sale, or exclusively uses industrial machinery and equipment for exclusive use in spaceport activities, as defined in s. 212.02, F.S., an item of tangible personal property at a fixed location in this state by a purchase arrangement, merger, or some other similar means, unless such facility or plant ceased doing productive operations for a period of 12 months one year.

(f) Activities presumed to be a new business include, but are not limited to, assuming the requirements of paragraphs (2)(a), (b), (c), and (d) are complied with:

1. A company opens a new manufacturing plant in the State of Florida, without closing any existing manufacturing facilities within the state.

2. A company which manufactures leather baseball gloves purchases additional machinery and equipment which will be used to manufacture aluminum baseball bats in its existing facility.

3. A company which manufactures automobile parts and accessories purchases additional machinery and equipment which will be used to manufacture golf clubs in its existing facility.

~~4. A company which manufactures automobile rubber heat shields purchases additional machinery and equipment which will be used to manufacture spark plug boots in its existing facility.~~

~~5. A company which manufactures automobile engine manifolds enlarges its existing facility and purchases additional machinery and equipment which constitutes a new dedicated assembly line and which will be operated by the company as a separate cost center in order to manufacture automobile engines.~~

~~6. A company purchases an existing manufacturing facility which had been closed for 12 months and retools the facility in order to manufacture the same product which was manufactured at the facility prior to its closing.~~

(3) Expanding Business.

(a) Industrial machinery and equipment, ~~and the parts and accessories, and the installation labor~~ thereof, purchased by a business for the purpose of expanding spaceport activities, or the operation of a plant ~~which uses such machinery and equipment in manufacturing, processing, compounding or producing for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S.,~~ an item of tangible personal property at an existing fixed location in this state to manufacture, process, compound, or produce items of tangible personal property for sale is exempt from any amount of taxes imposed due in excess of \$50,000 ~~\$100,000~~ per calendar year. The taxpayer may elect to pay the entire \$50,000 ~~\$100,000~~ in tax directly to the Department at the beginning of the expansion project or at the beginning of the calendar year, ~~whichever occurs first,~~ or accrue or pay the tax on each qualifying purchase until the \$50,000 ~~\$100,000~~ tax limitation is reached. The business entity may ~~then obtain and~~ extend a Temporary Tax Exemption Permit in lieu of paying any additional sales tax in excess of the \$50,000 ~~\$100,000~~ in tax for the remainder of the calendar year. For each subsequent year the project is ongoing, the taxpayer may again elect to pay the entire \$50,000 ~~\$100,000~~ in tax directly to the Department at the beginning of the calendar year, or accrue or pay the tax on each qualifying purchase until the \$50,000 ~~\$100,000~~ tax limitation is reached.

(b)1. Only the actual sales or use tax imposed on qualifying purchases for the calendar year shall apply to the \$50,000 ~~\$100,000~~ tax threshold limitation even though the tax may be paid in a subsequent calendar year.

2. EXAMPLE 1. Sales or use tax paid to the state in January ~~1999, 1991,~~ for the period ending December 31, ~~1998 1990,~~ would be allowed as part of the \$50,000 ~~\$100,000~~ tax threshold limitation for ~~1998 1990,~~ since the tax paid with the December ~~1998, 1990,~~ sales tax return would have been imposed in ~~1998 1990.~~

3. EXAMPLE 2. Sales or use tax paid to the state in January ~~1999, 1991,~~ for the period ending December 31, ~~1998 1990,~~ would not be allowed as part of the \$50,000 ~~\$100,000~~

tax threshold limitation for ~~1999 1991,~~ since the tax paid with the December ~~1998, 1990,~~ sales tax return would have been imposed in ~~1998 1990.~~

4. Expanding printing facilities or printing plant units are not subject to the \$50,000 tax threshold.

(c) The Executive Director or the Executive Director's designee shall determine whether ~~if~~ a business qualifies for the exemption as an expanding business, status based upon the facts of each case using the following guidelines, provided the requirements of paragraphs (3)(a) and ~~(d)(e)~~ are complied with:

1.a. An expanding business means an addition to, or the modernization or enlargement of, an existing facility or the installation of additional machinery and equipment to manufacture, process, compound, or produce which manufactures, processes, compounds or produces for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., an item of tangible personal property which is already being produced at that ~~the~~ fixed location in this state or which is similar physically comparable to an ~~the~~ item of tangible personal property which is already being produced at that ~~the~~ fixed location in this state.

b. An expanding business means an addition to, or the modernization or enlargement of, an existing facility or the installation of additional machinery and equipment to perform a spaceport activity that is already being performed, or is similar to an activity that is already being performed, at that fixed location.

2. An expanding business means closing an existing ~~a~~ plant or an operation in a plant in this state and moving it to a new location in this state within 12 months of the closing.

3. An expanding business means the purchase of an existing facility to manufacture, process, compound, or produce an item of tangible personal property which is already being produced at that facility, or which is similar to an item of tangible personal property which is already being produced at that facility.

~~(d) Activities that are presumed to be an expanding business include, but are not limited to, assuming the requirements of subsections (3)(a) and (e) are complied with:~~

~~1. A company opens a new manufacturing plant in the State of Florida, but closes an existing manufacturing facility in this state which produced the same or a physically comparable product.~~

~~2. A company which manufactures tennis shoes purchases additional machinery and equipment which will be used to manufacture track shoes in its existing facility.~~

~~3. A company which manufactures boats retools for a new model year.~~

~~4. A company which produces domestic sausage adds a smoked sausage line which will be produced on a dedicated production line at their existing facility where the smoked sausage line will be marketed under a different product logo.~~



5. A company purchases an existing manufacturing facility which had been closed for less than 12 months and retools the facility in order to manufacture the same product which was manufactured at the facility prior to its closing.

(d)(e) In order to qualify for an exemption as an expanding business, the taxpayer shall provide information to the satisfaction of the Executive Director or the Executive Director's designee Department that the items purchased shall be used to increase the productive output of the existing facility or specific product line(s) by not less than 10 percent. An expanding business is allowed to specify whether the 10 percent increase in productive output is for the entire plant or for specific product line(s). However, where the increase in productive output applies to a product that becomes part of different product lines, the increase in productive output will be determined by measuring the increase in the combined output of the different product lines. For example, if a company purchases machinery and equipment that increases its production of raw orange juice by 25 percent, and this raw orange juice is used by the company to make five different products, the increase in productive output would be determined by measuring the volume increase in the combined output of all five different products. Expanding spaceport activities are not subject to the increase in productive output requirement.

(4) Mining Activities.

(a) The exemption for new and expanding mining activities is available only by way of a prospective credit against severance taxes due under Chapter 211, Florida Statutes. In order to qualify for the exemption, businesses engaged in mining activities must demonstrate the following:

1. A new business must demonstrate the creation of at least 100 new Florida jobs.
2. An expanding business that has 2,500 or fewer Florida employees must create new Florida jobs in an amount equal to at least 5 percent of its Florida employees; or
3. For an expanding business that has more than 2,500 Florida employees, that business must create new Florida jobs in an amount equal to at least 3 percent of its Florida employees.
4. In addition to the requirements of subparagraph 2. or 3. above, expanding mining businesses must also meet the requirements of paragraphs (3)(a) and (d) above.

(b) "New Florida job" means a new position created and filled within 24 months after the completion of construction of the new or expanded facility. The term includes a transfer of a position from an existing Florida operation so long as the transfer is the result of the closure or reduction of the other Florida operation. For an expanding business, the number of existing Florida employees shall be determined as of the date on which the business commences construction of the expansion.

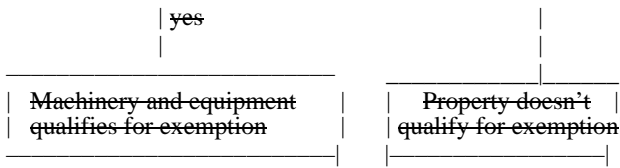
(c) The Office of Tourism, Trade, and Economic Development shall certify the creation of new Florida jobs to the Department of Revenue. The exemption to new and expanding businesses engaged in mining activities will not be approved until the Department of Revenue has received such certification.

(4) Decision Flow Chart.

(a) The following is a flow chart that graphically illustrates the analysis sequence that will assist the Department in determining if industrial equipment and machinery qualifies for sales tax exemption under s. 212.08(5)(b), F.S. Note that this analysis is subsequent to the analysis required to determine if there is a new or expanded business.

(b) Flow analysis of whether equipment or machinery qualifies for exemption:

Is equipment or machinery Section 38 property?	no
yes	
As defined in Section 48(a)(1)(A) or (B)(i) of IRC?	no
yes	
Used as an essential part of manufacturing, processing, compounding, or producing?	no
yes	
Items of Tangible Personal Property (TPP) produced?	no
yes	
At fixed locations?	no
yes	
TPP produced for sale or for exclusive use in Spaceport Activities?	no



(5) Manufacturing Business Classification Factors.

(a) When an additional product is made at an existing fixed location, the determination whether that business is classified for the exemption as a new business or as an expanding business will depend upon whether the additional product represents an economic activity that is distinct and separate from a product, or a group of products, that is already being manufactured, processed, compounded, or produced at that fixed location.

(b) The Executive Director or the Executive Director's designee will make a determination regarding the classification of a business' application for exemption on a case-by-case basis. The Department will be guided by the following factors when making a determination:

1. The general nature of the applicant's predominant existing business;
2. The Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) industry number of the existing product(s) versus the additional product;
3. The raw materials or components used to make the existing product(s) versus the additional product;
4. Whether the additional product is an alternative to, or represents a replacement for, the existing product(s);
5. The differences in machinery and equipment needed to make the existing product(s) versus the additional product; and
6. The units used to measure production of the existing product(s) versus the additional product.

(c) No single factor within paragraph (b) will decide whether the additional product represents a distinct and separate economic activity.

(d) Products that merely differ in size, color, flavor, style, packaging, or model line are not considered to be a distinct and separate economic activity.

(e) The business claiming an exemption as a new business shall have the burden of demonstrating that the additional product represents a distinct and separate economic activity from a product, or group of products, that is already being manufactured, processed, compounded, or produced at the fixed location.

(6)(5) Temporary Tax Exemption Permit – Refund or Credit.

(a) 1. To receive the exemption provided by subsections (2) or (3), a qualifying business entity must apply to the Florida Department of Revenue, Technical Assistance and Dispute Resolution, Post Office Box 7443, Tallahassee, Florida

32314-7443, for a temporary tax exemption permit. (See subsection (12) for registration requirements with the WAGES Program Business Registry.) The business entity applying for the temporary tax exemption permit must file an form DR 1214, Application for Temporary Tax Exemption Permit, Form DR-1214, incorporated by reference in Rule 12A-1.097, F.A.C., 10/82, form DR-1207, Florida Contract Data, 1/82, and form DR-1208, Schedule of Contractors, 1/82, with the Department prior to purchasing machinery and equipment for starting the construction of the new or expanded business. These forms, adopted herein by reference, may be obtained at no cost from the above address or from a local Department of Revenue Taxpayer Service Center or by calling 1-800-FLA-DORI. Form DR-1214 must state that a temporary tax exemption permit number is being requested by either a new or an expanding business entity. The Upon a positive determination by the Executive Director or the Executive Director's designee will issue, a temporary tax exemption permit shall be issued to the principal business entity that meets the exemption requirements under s. 212.08(5)(b), F.S.

2. To receive the exemption provided by subsection (4) for mining activities, a qualifying business entity must also file an Application for Temporary Tax Exemption Permit (Form DR-1214). However, those businesses will not be issued a temporary tax exemption permit, since the exemption is only available to that industry by way of a prospective tax credit.

(b) 1. A temporary tax exemption permit may be issued only to the qualified business entity which will use the qualifying machinery and equipment at a fixed location in this state in manufacturing, processing, compounding, or producing tangible personal property for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., items of tangible personal property. Such permit may be extended by the business entity to its vendor(s) or to its authorized contractor(s) operating under lump sum, cost plus, fixed fee, guaranteed price, or any other type of contract executed for the purpose of constructing a new or expanded business. The authorized contractor(s) may, likewise, extend the temporary tax exemption permit to its vendor(s) for use in purchasing qualifying machinery and equipment tax exempt. The business entity that extends the temporary tax exemption permit to a contractor or subcontractor for the purpose of authorizing that the contractor or subcontractor to purchase qualifying machinery and equipment tax exempt will be responsible for paying the sales and use tax on any nonqualified items purchased tax exempt by the contractor or subcontractor.

2. Upon completion of purchases of qualifying machinery and equipment, the temporary tax exemption permit Temporary Tax Exemption Permit shall be hand delivered to the Department or returned to the Department by certified or registered mail. If the permit is returned by certified or

registered mail, the permit shall be mailed to the Florida Department of Revenue, Technical Assistance and Dispute Resolution, P.O. Box 7443, Tallahassee, Florida 32314-7443.

(c)l. If a qualifying business entity fails to apply for a temporary tax exemption permit before purchasing qualifying machinery and equipment for a new or expanded business, or if the initial determination by the Executive Director or the Executive Director's designee is negative, the exemptions provided by subsections (2) and (3) above may be obtained only by a refund to the business entity of previously paid taxes. Refunds shall not be allowed until information has been provided to the satisfaction of the Executive Director or the Executive Director's designee that such machinery and equipment meets the requirements of this rule and is used as designated herein. Only the qualified business entity which will use the qualifying machinery and equipment at a fixed location in this state in manufacturing, processing, compounding, or producing tangible personal property for sale, or for exclusive use in spaceport activities ~~as defined in s. 212.02, F.S., items of tangible personal property~~ is entitled to request a refund of sales or use taxes paid on qualifying industrial machinery and equipment, or installation thereof. A qualifying mining activity business under subsection (4) of this rule will receive the exemption by way of a credit against severance taxes instead of a refund of sales and use tax.

2. Before the owners of a qualifying new or expanded business under subsection (2) or (3) may request a refund of, or a qualifying mining business under subsection (4) may request a credit for, sales or use taxes paid by their contractors on qualifying industrial machinery, and equipment, or installation thereof, the following certified statement(s) must be executed:

a. If a subcontractor was involved, the subcontractor must obtain ~~have obtained~~ a certified statement from its ~~his~~ supplier(s) or other subcontractor(s) certifying that the supplier or other subcontractor has remitted the tax to the State, or certifying that the subcontractor has remitted use tax directly to the State. The subcontractor must then extend the statement(s) it ~~he~~ has executed or obtained from suppliers or other subcontractors to the prime contractor; and,

b. The prime contractor must obtain ~~have obtained~~ a certified statement from its ~~his~~ supplier(s) and subcontractor(s) certifying that the supplier or subcontractor has remitted the tax to the State, or certifying that the prime contractor has remitted use tax directly to the State. The prime contractor must then extend the statement(s) it ~~he~~ has executed or obtained from its ~~his~~ supplier(s) or subcontractor(s) to the qualifying new or expanded business entity to support the refund claim.

(d)l. The following is a suggested format for a certified statement that tax has been remitted to the State of Florida:

COMPANY, incorporated in the state of STATE, its undersigned officer who is duly authorized, hereby certifies to QUALIFYING NEW OR EXPANDING BUSINESS, OR CONTRACTOR, OR SUBCONTRACTOR it has paid sales tax to the Department of Revenue, State of Florida, totaling the sum of \$\_\_\_\_\_. Said taxes were collected by COMPANY upon the sales of tangible personal property as evidenced by the attached invoice(s).

The company further certifies the sales tax for the attached invoice(s) was paid to the State of Florida in the month following the date of sale under sales tax number \_\_\_\_\_.

Dated at \_\_\_\_\_ County \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AUTHORIZED OFFICER OF COMPANY  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

2. The above certified statement will not be necessary where the business entity claiming the refund has self-accrued and remitted the tax directly to the State of Florida. However, documentation that the tax has been remitted to the State of Florida in a timely manner is required.

(e) The right to a refund of, or credit for, sales or use taxes.  
1. New Businesses.

a. The right to a refund of sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the ~~or~~ installation labor thereof, shall not be allowed before the date ~~accrue when~~ the new manufacturing or printing business first places a product in inventory or immediately sells a product.

b. The right to a refund of sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the installation labor thereof, shall not be allowed before the date the new business engaged in spaceport activities begins those activities.

c. The right to a credit for sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the installation labor thereof, shall not be allowed before the date the new business engaged in mining activities has been certified as having created the required number of new Florida jobs.

2. Expanding Businesses.

a. The right to a refund of sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the installation labor thereof, for an expanding manufacturing or printing business shall not be allowed before the date ~~accrue when~~ the expanding business can substantiate that the business expansion has increased the productive output at the existing facility by not less than 10 percent ~~or more~~.

b. The right to a refund of sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the installation labor thereof, for an expanding

business engaged in spaceport activities shall not be allowed before the date of completion of the installation of the machinery and equipment.

c. The right to a credit for sales or use taxes paid on qualifying industrial machinery and equipment, parts and accessories, and the installation labor thereof, for an expanding business engaged in mining activities shall not be allowed before the date that business can substantiate that the business expansion has increased the productive output at the existing facility by not less than 10 percent, and the Department of Revenue has received the certification of new Florida jobs.

~~3. Application for refunds shall be filed within 3 years after the right to refund accrues, or else such right shall be barred.~~

~~(7)(6)~~ Record Keeping Requirements.

The applicant shall maintain all necessary books and records to support the exemption. All such books, invoices, certified statements, and other records shall be open for inspection by the Department at all reasonable hours at the qualifying business entity's location in this state. Any qualifying business entity which maintains such books and records at a point outside this state shall make such books and records available for inspection by the Department where the general records are kept.

~~(8)(7)~~ Exclusions.

(a) The exemptions provided by subsections (2), (3), and (4) and (3) above shall not apply to machinery and equipment purchased or used by electric utility companies; communication companies; phosphate or other solid minerals severance, mining or processing operations; oil or gas exploration or production operations; printing or publishing firms that do not export at least 50 percent of their finished product out of the state; any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; or any firm which does not manufacture, process, compound, fabricate or produce items of tangible personal property for sale, or exclusively use machinery and equipment for exclusive use in spaceport activities as defined in s. 212.02, F.S.; items of tangible personal property.

(b) If a publishing firm is also the printer of the finished product, the Department will consider the business to be a printer for the purpose of the exemption. Therefore, the above indicated 50 percent requirement would not apply to such a business.

~~(9)(8)~~ Types of industrial machinery and equipment that will or will not qualify for the exemption.

(a) For the purpose of this exemption industrial machinery and equipment includes:

1. Special foundations required for the support of such qualifying machinery and equipment; ~~and~~

2. Electrical wiring from the nearest power panel or disconnect box to the qualifying machinery and equipment; ~~and-~~

3. Plumbing connections necessary to connect the machinery and equipment to the nearest water supply or drain line.

(b) The exemption for industrial machinery and equipment ends at that stage of the production process where at which point the product produced is placed in a package (or is in saleable form if packaging is normally not done) to be sold to the wholesaler, ~~or~~ retailer, or other purchaser. However, the production process may include quality control activities for perishable goods after the item of tangible personal property has been packaged (or is in saleable form if packaging is normally not done), if such quality control activities are required by good manufacturing practices mandated by state or federal government agencies.

(c) Quality control equipment installed within the production line ~~as a part of the production activity~~ and required to perform quality checks on each item, article, or batch produced before the item, article, or batch can be sold qualifies for the exemption.

(d) Preproduction, random, or postproduction quality control equipment shall qualify as industrial machinery and equipment, if it is an integral part of the production process.

(e) Industrial machinery and equipment which is an integral part of the production process, as well as in postproduction, such as a fork-lift, will qualify for the exemption.

(f) The materials used in the construction of a railroad spur that is on the property of a new or expanding business and belongs to such business for the purpose of transporting raw materials shall be exempt. If a railroad spur is used solely for the purpose of transporting the finished product, tax will apply to the total cost of the materials used in the construction of that railroad spur.

(g) Pollution control equipment, or sanitizing and sterilizing equipment that is an integral part of the production process essential to the "production process" as defined in subsection (1)(c), above, which is used in manufacturing, processing, compounding or producing items of tangible personal property for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., qualifies for exemption.

(h) Monitoring machinery and equipment that is an integral part of the production process essential to the "production process" as defined in subsection (1)(c), above, which is used in manufacturing, processing, compounding or producing items of tangible personal property for sale, or for exclusive use in spaceport activities as defined in s. 212.02, F.S., qualifies for exemption.

(i) Machinery and equipment used to remove waste materials away from industrial machinery and equipment, where the removal is required to maintain the operation of the

production process, will qualify for exemption. For example, equipment used to remove wood chips and sawdust from around a qualified industrial wood lathe will qualify for exemption.

(j) Parts and accessories for industrial machinery and equipment purchased for replacement, maintenance, or repair purposes do not qualify for this exemption unless purchased by:

1. A new business before production or spaceport activities begin ~~begins~~ and delivery is made within 12 months from the start date of production or spaceport activities; or

2. An expanding business before the completion of the expansion project production begins.

3. Parts and accessories purchased for replacement, maintenance, or repair that have already received an exemption pursuant to s. 212.08(7)(eee), F.S., shall not be allowed an exemption for the same amount of tax pursuant to this paragraph.

(k) Conveyers or related equipment used to transport raw materials from the storage area located at the fixed location to the production line will qualify for exemption.

(l) Computers used to direct and control the functions of exempt industrial machinery and equipment will qualify for exemption, even though such computers may also have non-production related applications or uses.

(m) Machines used to control exempt industrial machinery and equipment through the reading or sensing of a tape or some other similar means will qualify for exemption.

(n) ~~Masks, molds, jigs, or templates Machinery and equipment which is essential in the manufacture, production, processing or compounding of tangible personal property, such as masks or molds, where such property is integral essential to the production process manufacture, production, compounding or processing of an item of tangible personal property for sale will qualify for exemption. The machinery and equipment that which is integral to the creation or maintenance of those masks, molds, jigs, or templates essential to manufacture, produce, process or compound the tangible personal property, such as masks or molds, will also qualify for exemption even though such machinery and equipment is not a direct part of may be located at a point in the production process prior to the introduction of the raw materials which are used to manufacture, produce, compound or process an item of tangible personal property.~~

(o) Machinery and equipment used in the general repair or maintenance of the plant or production machinery and equipment, such as welders, gear-pullers, or bench grinders, does not qualify for the exemption. However, specialized machinery and equipment that is continuously required to keep production machinery and equipment calibrated or in optimum condition such as a sharpening machine in a sawmill, will qualify for the exemption.

(p) Machinery and equipment qualifying for a partial exemption from tax under Section 212.08(3), F.S., is not eligible for the exemption under Section 212.08(5)(b), F.S.

(q) Scales at the start of, or within, the production process that are necessary to weigh raw materials or ingredients, or finished goods at the time of packaging, will qualify for the exemption.

(r) Office equipment, such as telephones, copy machines, typewriters, or calculators, will not qualify for the exemption.

(s) Furniture items for office or production personnel will not qualify for the exemption.

(t) General or task lighting fixtures will not qualify for the exemption.

(u) Installation labor charges qualify for exemption. However, other installation costs, such as equipment rental or expendable supplies, which do not become a physical part of qualifying machinery and equipment, do not qualify for exemption.

~~(10)(9)~~ Operating Leases of Machinery and Equipment.

(a) The lease, letting, or rental of machinery and equipment, under the terms of an operating lease, shall be treated in the same way as a sale for the purpose of this exemption.

(b) When a qualifying new business entity leases industrial machinery, equipment, or parts thereof, in lieu of purchasing ~~those items them~~, the exemption from tax shall only apply to the original term of the lease agreement. Any subsequent renewal or extensions of the original term of the lease agreement shall be fully taxable.

(c) When a qualifying expanding business entity leases industrial machinery, equipment, or parts thereof, in lieu of purchasing ~~those these~~ items, the tax exemption limitation for the sales or use taxes paid on such industrial machinery, equipment, or parts thereof, shall only apply to each calendar year of the original term of the lease agreement. For example, an expanding business (non-printing) that enters into a 60-month operating lease will be subject to the \$50,000 tax threshold for each calendar year that the lease is in effect. Any subsequent renewals or extensions of the original term of the lease agreement shall be fully taxable.

(d) The exercise of a purchase option in an operating lease is considered to be a purchase made after the start of production and is subject to tax.

~~(11)(10)~~ Capital Leases of Machinery and Equipment.

(a) The lease, letting, or rental of machinery and equipment, under the terms of a capital lease, sales-type lease, or direct financing lease, shall be treated in the same way as a sale for the purpose of this exemption.

(b) In the case of a capital lease, sales-type lease, or direct financing lease, ~~the Executive Director or designee in the responsible program will consider~~ such leases will be considered to be sales and purchases ~~at from~~ their inception.

(12) WAGES Program Business Registry.

No machinery and equipment purchased, or lease payments made, by any new or expanding business will be eligible for the exemption without that business being registered with the WAGES Program Business Registry.

Specific Authority 212.08(5)(b)4., 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), (14), (21), (22), 212.05, 212.06, 212.08(5)(b), 212.13(2), 215.26(2) FS, Section 2, Chapter 99-171, Laws of Florida. History—New 5-11-92, Amended 7-1-99,\_\_\_\_\_.

12A-1.097 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
(2) through (27)	No change.	
<del>(28) DR 1207</del>	<del>Florida Contract Data Form (N. 01/82)</del>	<del>08/92</del>
<del>(29) DR 1208</del>	<del>Schedule of Contractors (N. 01/82)</del>	<del>08/92</del>
<del>(28)</del> <del>(30)</del> DR-1214	Application for Temporary Tax Exemption Permit (r. <del>09/99 05/92</del> )	<del>08/92</del>

(31) renumbered (29) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.17(6), 212.18(2) FS. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Prompt Settlement or Legal Defense of Claims and Disqualification for Failure to Settle Claims

RULE CHAPTER NO.: 14-24

RULE TITLE: Provisions for Prompt Settlement or Legal Defense of Claims and Disqualification for Failure to Settle Claims

RULE NO.: 14-24.001

PURPOSE AND EFFECT: The form, commonly referred to as “Form 21-A,” is revised. This rule amendment is to update the reference to this form, which actually is incorporated by reference under Rule 14-79.006.

SUBJECT AREA TO BE ADDRESSED: This amendment updates a reference to a form which is incorporated by reference under another rule.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(28), 337.141, 337.18 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 IS: James C. Myers, Administrative and Management Support Level IV, Florida

Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-24.001 Provisions for Prompt Settlement or Legal Defense of Claims and Disqualification for Failure to Settle Claims.

Any surety which does not settle or provide defense for claims or actions in connection with liabilities arising under a contract promptly and satisfactorily shall be disqualified from issuing bonds for future contracts by the Department in accordance with this rule.

(1) Failure on the part of the surety to furnish an affidavit to the effect that these requirements have been met on Contractor’s Affidavit and Surety Consent (Form 21-A), Florida Department of Transportation Form 700-050-21 600-030-21, Rev. 10/99 04/96, which is incorporated by reference under Rule 14-79.006, to the Department within 90 days of the Department’s offer of final payment shall constitute grounds for disqualification. Preliminary Notice of disqualification will be furnished to the surety 30 days prior to disqualification. Qualification will be reinstated upon receipt by the Department of the properly executed Form Contractor’s Affidavit and Surety Consent (Form 21-A).

(2) Notice of the Department’s intended action will be provided in accordance with Rule 28-106.111, F.A.C. The Department’s action will become final unless a timely petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201, and 28-106.301, F.A.C. In order to be timely, the petition must be filed with the Department’s Clerk of Agency Proceedings within 21 days after receipt of the Department’s notice, in accordance with Rule 28-106.111, F.A.C.

Specific Authority 334.044(2) FS. Law Implemented 334.044~~(28)~~ ~~(27)~~, 337.141, 337.18(1) FS. History—Formerly 14-10.01, F.A.C., Amended 3-21-64, 9-24-75, Formerly 14-24.01, Amended 10-30-96, 1-17-99,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: Construction Management Development Program and Bond Guarantee Program

RULE CHAPTER NO.: 14-79

RULE TITLE: Construction Management Development Program

RULE NO.: 14-79.006

PURPOSE AND EFFECT: Form Number 600-030-21, commonly referred to as “Form 21-A,” is revised and renumbered 700-050-2. This rule amendment is to update this form, which is incorporated by reference under Rule 14-79.006. A corresponding amendment to Rule 14-24.001 is being made to update a cross reference to this form as incorporated by reference in this rule.

**SUBJECT AREA TO BE ADDRESSED:** This amendment updates a reference to a form which is incorporated by reference under Rule 14-79.006. Specific amendments are to 14-79.006(10)(a)2. and 14-79.006(14). Section 334.044(28) is being added to Law Implemented because the form is an affidavit.

**SPECIFIC AUTHORITY:** 334.044(2), 339.0805(1)(b) FS.

**LAW IMPLEMENTED:** 334.044(28), 337.141, 339.0805(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 IS:** James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

14-79.006 Construction Management Development Program.

This rule implements a voluntary comprehensive Construction Management Development Program (CMDP) for Disadvantaged Business Enterprises and other small businesses and establishes a program for providing financial assistance to Disadvantaged Business Enterprises through a Bond Guarantee Program (BGP).

(1) through (9) No change.

(10) Bond Guarantee Program.

(a)1. No change.

2. As a condition of receiving a bond guarantee on a Department contract, the Department shall retain five percent of the total contract amount designated for the Disadvantaged Business Enterprise. This bond guarantee retainage shall be released upon final acceptance of the project and receipt of a Contractor's Affidavit and Surety Consent (Form 21-A), Florida Department of Transportation Form 700-050-21 ~~600-030-21~~, Rev. 10/99 04/96, showing all subcontractors and suppliers have been paid.

(b) through (13) No change.

(14) Forms. The following listed forms are hereby incorporated by reference and made a part of the rules of the Department:

Form Number	Form Title	Revision Date
275-030-070-a	Application for Construction Management Development Program (CMDP) and Bond Guarantee Program (BGP)	03/89
275-030-071-a	Application for Small Business Certification (SBC)	03/89
275-030-073-a	Technical Assistance Request	03/89
275-030-074-a	Justification for Bond Guarantee	03/89
<del>700-050-21</del> <del>600-030-21</del>	<u>Contractor's Affidavit and Surety Consent (Form 21-A)</u>	<u>10/99 04/96</u>

Copies of these forms are to be obtained from the Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, Mail Station 65, Tallahassee, Florida 32399-0450.

Specific Authority 334.044(2), 339.0805(1)(b)(5) FS. Law Implemented 334.044(28), 337.141, 339.0805(2) FS. History--New 5-24-89, Amended 8-5-96, 10-30-96, 5-6-97, 1-17-99, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

**RULE TITLE:** Offender Travel **RULE NO.:** 33-302.106

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to set forth guidelines for approval of offender requests to travel. The effect of the proposed rule is to provide criteria which must be met for an offender to receive permission to travel and to provide instructions for officers related to offender travel requests.

**SUBJECT AREA TO BE ADDRESSED:** Offender travel.

**SPECIFIC AUTHORITY:** 944.09 FS.

**LAW IMPLEMENTED:** 944.09 FS.

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

**TIME AND DATE:** 9:00 a.m., December 3, 1999

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

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

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

33-302.601 Offender Travel.

(1) Officers are required to instruct each offender under the officer's supervision not to change his or her residence, or leave the county of residence, without first procuring the consent of the officer. In order for an offender to obtain permission to travel, the following conditions must exist:

(a) The offender is not prohibited by the order of supervision from traveling to the desired location.

(b) The offender is not wanted or facing prosecution for criminal charges or violation of the order of supervision.

(c) The offender presents a plan of travel that is verifiable by providing a specific location name, telephone number, and contact person by which the information is to be verified, in advance, by the officer.

(d) The offender has provided the officer with reasonable advance notice of his or her request to travel and has provided the officer ample time to verify the travel plan and review any documentation prior to travel authorization.

(e) The travel does not interfere with condition compliance or treatment programming.

(f) Monetary obligations are current when the travel requested is purely recreational in nature. However, travel shall be denied for purely recreational purposes when there is any outstanding, court ordered victim restitution and the offender will expend monies in the course of travel.

(g) No extenuating circumstances exist which indicate that authorizing the offender to travel would constitute a lack of prudence. Such extenuating circumstances include those that would cause a reasonable person to believe that the offender may be likely to violate a condition of supervision if travel were authorized.

(2) An officer shall transfer the supervision of an offender who is travelling to a single judicial circuit in the state of Florida for more than 30 consecutive days. An officer shall transfer the supervision an offender who is travelling to a single other state or Puerto Rico for more than 45 consecutive days. The transfer of supervision involves the forwarding of all pertinent supervision documents to the receiving location and the formal assumption of supervision of the offender by a probation officer in the receiving location.

(3) Offender travel outside the United States or its territories shall not be approved by an officer or supervisor, without the written approval of the sentencing or releasing authority.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New

**DEPARTMENT OF CORRECTIONS**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Care of Inmates	33-602.101
Inmate Property	33-602.201
Inmate Property – Forms	33-602.202

**PURPOSE AND EFFECT:** The proposed rules are needed in order to reorganize provisions concerning inmate property for easier accessibility, to update staff titles and forms associated with inmate property issues, and to allow for possession of additional property items by female inmates.

SUBJECT AREA TO BE ADDRESSED: Inmate property.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 2:00 p.m., November 30, 1999

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

(1) No change.

~~(2) The reception center Correctional Officer Chief shall ensure that property files are established for all new inmates. The inmate property file shall become part of the inmate's institutional file. All forms and correspondence pertaining to inmate property shall be placed in this file in chronological order. The Correctional Officer Chief or his designee shall be responsible for the maintenance of the inmate property file.~~

~~(3)(a) When an inmate is initially received by the Department, the receiving or property officer shall take charge of the Inmate's personal property. The officer shall inventory all items in the inmate's possession at that time using Form DC3-001, Inmate Personal Property List.~~

~~(b) After final disposition is completed, the officer shall give one copy of the receipt to the inmate along with that property the inmate is authorized by the Department to keep. Personal property remaining in the possession of an inmate is the responsibility of that inmate and not of the institution. One copy of the receipt shall be placed with any property which is not authorized within the Department and which is to be stored. Final disposition of this property shall be in accordance with Rule 33-602.201. One copy of the receipt shall be placed in the package to be mailed to the inmate's home or to the person designated on the form; if the inmate chooses to forfeit the items, this copy of the receipt shall be given to the inmate. One copy of the receipt shall be placed in the inmate property file.~~

~~(4) Upon receipt at any facility of the department, a written receipt for money or other valuables that are in excess of that allowed shall be given to the inmate. When such monies or valuables are returned a receipt shall be obtained from the inmate. Inmates shall be given an opportunity to send money or valuables to their families or other persons of their choice at~~



no expense to the Department of Corrections. When it becomes necessary to confiscate and impound the authorized personal property of an inmate subsequent to his reception in the institution, it will be immediately inventoried by an officer in the presence of the inmate, and a written, signed receipt itemizing the property will be given to the inmate. If the inmate's behavior is such that the security and order of the institution is jeopardized by his presence during the inventory process, the inmate's presence shall not be required. In such cases a second officer shall witness the inventory process. Proper procedures will be taken to safeguard and store such property so as to prevent its loss, damage or theft. Upon release of the property, a signed receipt will be obtained from the inmate. Money in excess of the amount allowed by institutional policies found in the possession of an inmate will be handled in accordance with rule 33-602.203(5)(a) of these rules.

(5)(a) Whenever an inmate is Transferred from one institution to another, the inmate's personal property and personal property file shall be transferred with him. The sending institution shall have the responsibility of ensuring that the inmate being transferred has only that property which belongs to him and that such property is authorized. The inmate and the officer inspecting the property shall sign and date Form DC3-304, Receipt for Personal Property, at the time of the transfer. Any property that is left behind or missing shall be noted on the form.

(b) If an inmate is transferred without his personal property, the property shall be forwarded to the inmate by the sending institution within five working days. The property along with an itemized list shall be placed in a sealed container for transporting. A staff member at the receiving institution shall check the property against the property list to ensure that all property is accounted for. The inmate shall sign Form DC3-304, Receipt for Personal Property, when the property is given to the inmate. Any discrepancies shall be noted on the form. If the inmate refuses to sign Form DC3-304, Receipt for Personal Property, a notation to that effect shall be placed on the form and a second employee shall witness and sign the form.

(6) Any inmate transferring to an outside community hospital for treatment or to a court appearance shall take only items of personal clothing and hygiene items except in those cases in which the inmate is expected to be absent for a period of more than 30 days. If the inmate is to return within 30 days, remaining personal property as well as state issued property shall be inventoried and stored in accordance with Rule 33-602.201, Inmate Property.

(7) Any inmate being released by parole or expiration of sentence shall take all personal property with him and sign Form DC3-304, Receipt for Personal Property, at the time of release. Personal property left behind will be handled in

accordance with subsection (3)(i) of Rule 33-602.201, Inmate Property. Missing property will be handled in accordance with subsection (3)(l) of the above referenced rule.

(8) through (17) renumbered (2) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended \_\_\_\_\_.

33-602.201 Inmate Property.

(1) The reception center Chief of Security shall ensure that property files are established for all new inmates. The inmate property file shall become part of the inmate's institutional file. All forms and correspondence pertaining to inmate property shall be placed in this file in chronological order. The Chief of Security or his designee shall be responsible for the maintenance of the inmate property file. An addendum will be made to the Inmate Personal Property List, Form DC6-224, any time the status of inmate personal property changes. Examples of changes include when an inmate receives additional property through an approved source or when the inmate chooses to dispose of a broken or worn out item.

(2)(a) When an inmate is initially received by the Department, the receiving or property officer shall take charge of the inmate's personal property. The officer shall inventory all items in the inmate's possession at that time using Form DC6-224, Inmate Personal Property List.

(b) After final disposition is completed, the officer shall give one copy of the receipt to the inmate along with that property the inmate is authorized by the Department to keep. Personal property remaining in the possession of an inmate is the responsibility of that inmate and not of the institution. One copy of the receipt shall be placed with any property which is not authorized within the Department and which is to be stored. One copy of the receipt shall be placed in the package to be mailed to the inmate's home or to the person designated on the form; if the inmate chooses to forfeit the items, this copy of the receipt shall be given to the inmate. One copy of the receipt shall be placed in the inmate property file. The unauthorized property will be held at the institution for 30 days. During this 30 day period, the inmate shall be given an opportunity to have the items picked up by an approved visitor, relative or friend, or to mail money or valuables to their families or other persons of their choice at no expense to the Department of Corrections. The 30 day time period will not include any time during which an appeal or grievance is pending.

(3) Upon receipt at any facility of the department, a written receipt for personal property that is in excess of that allowed shall be given to the inmate. When it becomes necessary to confiscate and impound the authorized personal property of an inmate subsequent to his reception in the institution, it will be immediately inventoried by an officer in the presence of the inmate, and a written, signed receipt, Form

DC6-220, Inmate Impounded Personal Property List, itemizing the property will be given to the inmate. If the inmate's behavior is such that the security and order of the institution is jeopardized by his presence during the inventory process, the inmate's presence shall not be required. In such cases a second officer shall witness the inventory process. Proper procedures will be taken to safeguard and store such property so as to prevent its loss, damage or theft. Upon release of the property, a signed receipt will be obtained from the inmate. Money in excess of the amount allowed by institutional policies found in the possession of an inmate will be handled in accordance with rule 33-602.203(5)(a).

(4)(1) No change.

(5)(2) Unauthorized Property. (Also see Control of Contraband, 33-602.203).

(a) through (b) No change.

(c) Property that is authorized for inmates in general population such as shaving powders, oils and lotions shall be unauthorized or restricted based upon an inmate's confinement status when that item presents a security risk. Further limits on personal items for inmates in confinement may be imposed as referenced in rules 33-602.220, 33-602.221, 33-602.222 and 33-601.811.

(6)(3) Impounded Property.

(a) No change.

(b) When personal property of an inmate is taken, it will be inventoried according to the following procedure on Form DC6-220 DC3-009, Inmate Impounded Personal Property List, and, whenever practical, in the presence of the inmate. Exceptions may be made when the inmate's presence during this process jeopardizes institutional security or in times of an emergency such as a general disturbance creating security concerns. New inmates being processed into the department at one of the reception centers will have their property recorded on Form DC6-220 DC3-004 with a copy being given to the inmate. Unauthorized property will be stored pending final disposition as provided in this rule. At the time of receipt into the department each inmate will also sign an Authorization for Disposition of Mail and Property, Form DC6-226 DC3-003, which authorizes the department to dispose of the property should the inmate abandon it.

1. The inventory shall specifically list and identify each item or each group or package of personal items such as letters, legal papers, etc., as an assortment on Form DC6-220 DC3-009.

2. through 5. No change.

(c) through (d) No change.

(e) If it is appropriate to return part, but not all, of the impounded property to the inmate, the following procedure will be followed:

1. That part of the property being returned will be listed on the approved release Form DC6-225 DC3-002, Inmate Partial Property Return Receipt, and any property found to be missing

at that time will be noted on the form. The employee making the release and the inmate will date and sign the release form each in the presence of the other. One signed copy of the release form shall be given to the inmate. One copy shall be attached to the original inventory list and kept with the remaining impounded property until all property is returned to the inmate, and then to the inmate's property file.

2. The remaining unauthorized impounded property shall be held by the institution for 30 days. It shall be the responsibility of the inmate to make arrangements to have the property picked up by an approved visitor, relative or friend. In the alternative, the inmate may pay to have the property mailed sent to one of these approved individuals. The 30-day time period shall not include any time during which an appeal or grievance proceeding relating to the impounded property is pending. This paragraph does not apply to property that will be returned to the inmate pursuant to subsection (6) 3(d) after release from close management, administrative or disciplinary confinement.

3. No change.

(f) No change.

(g) When an inmate whose personal property has been taken and impounded is transferred to another facility, that property shall be transported with the inmate or as soon as possible thereafter. It is the responsibility of the sending location to ensure that only authorized property is transported and that the inmate has signed the proper receipt for the property, Form DC6-227, Receipt for Personal Property (DC3-304). The procedures for returning property listed in (e) ~~and~~ (f) shall be followed. When the inmate has excessive authorized property which cannot be transported with the inmate, the procedures for making a partial return listed in (e)(f) shall be followed.

(h) Whenever an inmate is transferred from one institution to another, the inmate's personal property and personal property file shall be transferred with him. The sending institution shall have the responsibility of ensuring that the inmate being transferred has only that property which belongs to him and that such property is authorized. The inmate and the officer inspecting the property shall sign and date Form DC6-227, Receipt for Personal Property, at the time of transfer. Any property that is left behind or missing shall be noted on the form.

(i) If an inmate is transferred without his personal property, the property shall be forwarded to the inmate by the sending institution within five working days. The property, along with an itemized list, shall be placed in a sealed container for transporting. A staff member at the receiving institution shall, in the presence of the inmate to whom the property belongs, check the property against the property list to ensure that all property is accounted for. The inmate shall sign Form DC6-227, Receipt for Personal Property, when the property is given to the inmate. Any discrepancies shall be

noted on the form. If the inmate refuses to sign Form DC6-227, Receipt for Personal Property, a notation to that effect shall be placed on the form and a second employee shall witness and sign the form.

(7) Any inmate transferring to an outside community hospital for treatment or to a court appearance shall take only items of personal clothing and hygiene items except in those cases in which the inmate is expected to be absent for a period of more than 30 days. If the inmate is to return within 30 days, remaining personal property shall be inventoried utilizing Form DC6-220, Inmate Impounded Personal Property List, and stored in a secure location.

(8) Any inmate being released by parole or expiration of sentence shall take all personal property with him and sign Form DC6-227, Receipt for Personal Property, at the time of release.

(9)(h) No change.

(10)(i) When an inmate dies, escapes, or otherwise voluntarily abandons his or her property, that property will be inventoried and the procedures listed below will be followed:

(a) The property will be inventoried and stored in a secure area.

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

(e) Abandoned property will be held by the institution for a period of 30 days to ensure sufficient time to incorporate the procedures outlined above.

(j)1. through 3. renumbered (11) (a) through (c) No change.

(12)(k) The warden or his designee is authorized to require an inmate to bring all of his personal property to the disciplinary hearing if he determines that this is necessary after evaluating the factors set out in paragraph (11)(i) above.

(13)(4) If items of impounded property cannot be located and are missing any time stored when the property is returned to an inmate, a written report of this fact, listing the missing items and their possible value, with attached property records documenting ownership, shall be given to the Assistant warden or other designee of the warden or Officer in Charge, who will conduct or initiate a thorough investigation of the loss.

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

(d)4. If claims are substantiated, the warden shall forward a cover letter, along with a copy of the investigation and verification of ownership through inmate property records to the service center general services manager Regional Safety/Loss Control Manager outlining reasons for recommending reimbursement.

(e)5. The service center general services manager Regional Safety/Loss Control Manager shall:

1.a. Ensure that the claim has been properly investigated and contains all supporting documents.

2.b. Ensure that supporting documents provide evidence of ownership of lost or destroyed property.

3.e. Return the claim to the institution for further investigation or action if the claim is incomplete or if there is insufficient evidence available to support the claim.

d. Forward the claim and supporting documents to the Bureau of General Services Safety Office for processing if the claim is complete.

4.6. The Bureau of General Services Safety Office shall review and forward the claim to the Department of Insurance, Division of Risk Management, for review and reimbursement consideration. Form DC6-238, Report of Risk Management Claim for Inmate Property, shall be used for this purpose.

(4) through (5) renumbered (14) through (15) No change.

(16) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope.

(a) Form DC6-224, Inmate Personal Property List, effective date \_\_\_\_\_.

(b) Form DC6-220, Inmate Impounded Personal Property List, effective date \_\_\_\_\_.

(c) Form DC6-226, Authorization for Disposition of Mail and Property, effective date \_\_\_\_\_.

(d) Form DC6-225, Inmate Partial Property Return Receipt, effective date \_\_\_\_\_.

(e) DC6-227, Receipt for Personal Property, effective date \_\_\_\_\_.

(f) DC6-238, Report of Risk Management Claim for Inmate Property, effective date \_\_\_\_\_.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended \_\_\_\_\_.

APPENDIX ONE  
PROPERTY LIST

Introductory language – No change.

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
4 2	Each		Bras (state issue – female only)
7 4	Each		Panties (state issue – female only)
1	Each		Robe (state issue – female only)
3 2	Each		Slips (state issue – female only)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
*			<u>Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack of envelopes or 25 1-ounce 1st class stamps as set for thr individual items</u>
2	each		Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) <u>Contact lenses will only be provided if medically indicated</u>

33-602.202 Inmate Property – Forms.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 11-3-87, Amended 11-14-95, Formerly 33-3.00275, Repealed \_\_\_\_\_.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Exceptions to Uniform Rules of Procedure	40E-0
RULE TITLES:	RULE NOS.:
Procedures for Processing Permit Applications	40E-0.103
Consideration of Intended Agency Decision on Permit Applications	40E-0.105
Emergency Authorization	40E-0.018
Point of Entry into Proceedings and Mediation	40E-0.109
Exemptions and Variances for Well Construction Permits	40E-0.111
Variances from Specified Review Criteria for Environmental Resource Permits	40E-0.113
Variances from Water Use Restrictions	40E-0.115

PURPOSE AND EFFECT: The purpose of the South Florida Water Management District’s proposed rule development is to address the comments raised by the Joint Administrative Procedures Committee to ensure that procedural rules are in compliance with §120.545, F.S., are consistent with §120.54(5), F.S., and the uniform rules of procedure (Chapter 28, F.A.C.).

SUBJECT AREA TO BE ADDRESSED: The proposed amendments: Provide that extensions of time to complete a permit application under §120.60, F.S., shall be granted upon a showing of good faith by the permit applicant; deletes language regarding the scope of an administrative hearing on an amended agency action; deletes language defining conditions for receiving emergency authorizations; amends language providing for a point of entry to challenge amended agency actions; deletes language regarding the right to waive a §120.57(1) formal hearing to request a §120.57(2) informal

hearing before the governing board; clarifies the circumstances under which a water well construction variance will be issued and conditions to be imposed on the variance; clarifies that the duration of a variance from specified review criteria for environmental resource permits is limited by law; clarifies conditions on variances from water use restrictions.

SPECIFIC AUTHORITY: 120.53, 120.54(5), 373.044, 373.113, 373.439 FS.

LAW IMPLEMENTED: 120.53(1), 120.54(5), 120.54(17), 120.57, 120.60, 373.107, 373.109, 373.113, 373.116, 373.439 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, PURSUANT TO §120.54, F.S. A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PROPOSED RULE IS: Cecile I. Ross, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343, or (561)682-6343, (internet: cross@sfwmd.gov).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

General and Procedural	40E-1
RULE TITLES:	RULE NOS.:
DECISIONS DETERMING SUBSTANTIAL INTERESTS	PART V
Publication of Notice of Agency Decision or Intended Agency Decision	40E-1.5095
Point of Entry into Proceedings	40E-1.511
Initiation of Formal Proceedings	40E-1.521
Exceptions to Recommended Order	40E-1.564
Final Order	40E-1.565
PERMITS	PART VI
Application Procedures for Conceptual Approval, Individual and General Permits	40E-1.603
Publication and Requests for Notification of Permit Applications or Notices of Intent	40E-1.6058
Consideration of Intended Agency Decision on Permit Applications	40E-1.6065
Denial of Permits	40E-1.608
Suspension, Revocation and Modification of Permits	40E-1.609
Permit Renewal	40E-1.610
Emergency Authorization	40E-1.6115
COMPLIANCE AND ENFORCEMENT	PART VII
Administrative Enforcement Action	40E-1.705

PURPOSE AND EFFECT: The purpose of the South Florida Water Management District's proposed rule development is to address the comments raised by the Joint Administrative Procedures Committee to ensure that procedural rules are in compliance with §120.545, F.S., are consistent with §120.54(5), F.S., and the uniform rules of procedure (Chapter 28, F.A.C.).

SUBJECT AREA TO BE ADDRESSED: The proposed amendments: Delete reference to a form for notice of proposed agency action; incorporate reference to Rule 28-106.111, F.A.C., for uniform point of entry procedures; define standard for scope of point of entry for challenging amended governing board action; delete language regarding ability to waive right to formal hearing; and request an informal §120.57(2) hearing before the governing board; delete language regarding procedures to waive action on petition by governing board; delete procedure regarding deferral of governing board action on challenged proposed agency action; delete procedures for exceptions to recommended orders; delete procedures for governing board consideration of final orders; clarify procedures for granting extensions for completing permit applications; delete language defining scope of administrative hearing on amended agency action; delete requirements for permit denials; clarify that permit suspensions are temporary; delete definition of grounds for emergency authorization; delete rule regarding administrative enforcement actions.

SPECIFIC AUTHORITY: 120.53, 120.54(5), 373.044, 373.113, 373.413, 373.429, 373.439 FS.

LAW IMPLEMENTED: 120.53, 120.54(5), 120.54(17), 120.57, 120.59, 120.60, 120.60(2), 120.60(3), 120.68, 120.69, 373.107, 373.109, 373.113, 373.116, 373.119, 373.129, 373.136, 373.209, 373.216, 373.219, 373.323, 373.324, 373.229, 373.239, 373.243, 373.308, 373.309, 373.413, 373.417, 373.421, 373.422, 373.426, 373.429, 373.433, 373.439, 373.603 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, PURSUANT TO §120.54, F.S. A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PROPOSED RULE IS: Cecile I. Ross, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343, or (561)682-6343, (internet: cross@sfwmd.gov).

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: Water Well Construction Permits  
RULE CHAPTER NO.: 40E-3

RULE TITLE: Exemption and Variances  
RULE NO.: 40E-3.0511

PURPOSE AND EFFECT: The purpose of the South Florida Water Management District's proposed rule development is to address the comments raised by the Joint Administrative Procedures Committee to ensure that procedural rules are in compliance with §120.545, F.S., are consistent with §120.54(5), F.S., and the uniform rules of procedure (Chapter 28, FAC.).

SUBJECT AREA TO BE ADDRESSED: The proposed amendments: Clarify that a variance from water well construction requirements shall be granted in certain circumstances; delete provision allowing for oral variances.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

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

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, PURSUANT TO §120.54, F.S. A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PROPOSED RULE IS: Cecile I. Ross, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343, (internet: cross@sfwmd.gov).

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: Environmental Resource Permits  
RULE CHAPTER NO.: 40E-4

RULE TITLE: Variances from Specified Review Criteria for  
RULE NO.: 40E-4.311

PURPOSE AND EFFECT: The purpose of the South Florida Water Management District's proposed rule development is to address the comments raised by the Joint Administrative Procedures Committee to ensure that procedural rules are in compliance with §120.545, F.S., are consistent with §120.54(5), F.S., and the uniform rules of procedure (Chapter 28, FAC.).

SUBJECT AREA TO BE ADDRESSED: The proposed amendment clarifies that the duration for variances from specified review criteria for environmental resource permits is limited by law.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.414(17) FS.

LAW IMPLEMENTED: 403.201 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, PURSUANT TO §120.54, F.S. A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PROPOSED RULE IS: Cecile I. Ross, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Ext. 6343, or (561)682-6343, internet: cross@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS NOT AVAILABLE.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE CHAPTER TITLE: Water Shortage Plan  
 RULE CHAPTER NO.: 40E-21

RULE TITLE: Variances from Water Shortage Restrictions  
 RULE NO.: 40E-21.275

PURPOSE AND EFFECT: The purpose of the South Florida Water Management District’s proposed rule development is to address the comments raised by the Joint Administrative Procedures Committee to ensure that procedural rules are in compliance with §120.545, F.S., are consistent with §120.54(5), F.S., and the uniform rules of procedure (Chapter 28, FAC).

SUBJECT AREA TO BE ADDRESSED: The proposed amendments: deletes language allowing the governing board to waive or modify limiting conditions for variances provided by rule.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.175, 373.246 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, PURSUANT TO §120.54, F.S. A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PROPOSED RULE IS: Cecile I. Ross, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6343 or (561)682-6343, (internet: cross@sfwmd.gov).

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

**Fleming Island Plantation Community Development District**

RULE CHAPTER TITLE: Fleming Island Plantation Community Development District  
 RULE CHAPTER NO.: 42BB-1

RULE TITLES: Establishment  
 Boundary  
 Supervisors  
 RULE NOS.: 42BB-1.001  
 42BB-1.002  
 42BB-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (CDD), the Fleming Island Plantation Community Development District (District), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Centrex Homes, (Petitioner), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Fleming Island Plantation CDD. The land area proposed to be served by the District will be approximately 1,580 acres. All proposed lands in the District are within the unincorporated area of Clay County, generally located just south of County Road 220 and west of U.S. 17. The proposed community within the District has been approved as the Fleming Island Plantation Development of Regional Impact. The development plan for the District currently includes land-uses consisting of single and multi-family residential, retail, light industrial/office, in addition to various park and recreational facilities. The property has a projected development build-out date of December 31, 2012. The District, if established, intends to provide internal and external roads, irrigation system and landscaping, sanitary sewer, potable water, reuse water and storm sewer lines, fire station contribution, master drainage system, amenity center and community buildings, and certain other projects when expressly approved or required by a local government.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Fleming Island Plantation Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Wednesday, December 1, 1999

PLACE: Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)488-7793, at least 5 business days in advance to make appropriate arrangements

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan C. McDonald, Rogers, Towers, Bailey, Jones & Gay, P. A., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207, telephone (904)346-5587 or Barbara Leighty, Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

42BB-1.001 Establishment.

The Fleming Island Plantation Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New

42BB-1.002 Boundary.

The boundaries of the district are as follows:

EAST PARCEL:

A PART OF THE GEORGE FLEMING GRANT, SECTION 38, TOWNSHIP 5 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES AS RECORDED IN PLAT BOOK 4, PAGE 61 OF THE PUBLIC RECORDS OF SAID COUNTY WITH THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15 AS NOW ESTABLISHED BY THE STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT OF WAY SECTION NO. 71020 2508 RIGHT OF WAY MAP; THENCE SOUTH 60°31'53" EAST, ALONG SAID SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES, A DISTANCE OF 2,342.36 FEET; THENCE SOUTH 29°28'07" WEST, ALONG THE NORTHWESTERLY OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 100.00 FEET TO REFERENCE POINT "A"; THENCE FROM THE AFOREMENTIONED POINT OF BEGINNING OF SAID PARCEL BEING DESCRIBED RUN SOUTH 02°51'40" WEST, ALONG THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15, A DISTANCE OF 1,134.95 FEET TO AN ANGLE POINT IN SAID EASTERLY RIGHT OF WAY LINE; THENCE SOUTH 02°54'42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 988.87 FEET; THENCE SOUTH 87°05'18" EAST, ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK 69, PAGE 351 OF SAID PUBLIC RECORDS, A DISTANCE OF 165.00 FEET; THENCE

SOUTH 02°54'42" WEST, ALONG THE EASTERLY LINE OF SAID LANDS, A DISTANCE OF 200.00 FEET; THENCE NORTH 87°05'18" WEST, ALONG THE SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 165.00 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15; THENCE SOUTH 02°54'42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 278.27 FEET TO A POINT OF CURVE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 23,125.73 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF SOUTH 04°09'37" WEST AND A CHORD DISTANCE OF 1,007.86 FEET TO A POINT OF REVERSE CURVE, SAID CURVE BEING CONCAVE EASTERLY HAVING A RADIUS OF 22,996.74 FEET; THENCE SOUTHERLY, ALONG AND WITH THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, A CHORD BEARING OF SOUTH 04°57'41" WEST AND A CHORD DISTANCE OF 359.01 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 02°54'42" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 293.16 FEET; THENCE SOUTH 87°05'18" EAST, ALONG THE NORTHERLY LINE OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PARK, A DISTANCE OF 272 FEET, MORE OR LESS TO ITS INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATERLINE OF THE ST. JOHNS RIVER; THENCE NORTHEASTERLY ALONG AND WITH SAID APPROXIMATE MEAN HIGH WATER LINE, A DISTANCE OF 3.800 FEET, MORE OR LESS TO ITS INTERSECTION WITH A LINE WHICH BEARS SOUTH 60°31'53" EAST FROM AFOREMENTIONED REFERENCE POINT "A"; THENCE NORTH 60°31'53" WEST, ALONG THE SOUTHWESTERLY LINE OF THOSE AFOREMENTIONED LANDS AS RECORDED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 70 FEET, MORE OR LESS TO THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 394 OF SAID CURRENT PUBLIC RECORDS, SAID CORNER LYING SOUTH 6°31'53" EAST, A DISTANCE OF 190.00 FEET FROM REFERENCE POINT "A"; THENCE SOUTH 29°28'07" WEST, ALONG THE SOUTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 20.00 FEET; THENCE NORTH 60°31'53" WEST, ALONG THE SOUTHWESTERLY LINE OF LANDS, A DISTANCE OF 90.00 FEET; THENCE NORTH 29°28'07" EAST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, A DISTANCE OF 20.00 FEET; THENCE NORTH 60°31'53" WEST, ALONG THE AFOREMENTIONED SOUTHWESTERLY LINE OF THOSE LANDS AS

DESCRIBED IN OFFICIAL RECORDS BOOK 208, PAGE 701, A DISTANCE OF 100.00 FEET TO REFERENCE POINT "A"; THENCE NORTH 29°28'07" EAST, ALONG THE AFOREMENTIONED NORTHWESTERLY LINE OF THOSE LANDS, A DISTANCE OF 100.00 FEET; THENCE NORTH 60°31'53" WEST, ALONG THE AFOREMENTIONED SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES, A DISTANCE OF 2,342.38 FEET TO THE POINT OF BEGINNING.

AND, WEST PARCEL:

A PART OF SECTIONS 4, 5, 6, 8, 9, 16, 17, AND ALSO A PART OF THE GEORGE FLEMING GRANT, SECTION 8, ALL LYING IN TOWNSHIP 5 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE CORNER COMMON TO SAID SECTIONS 5 AND 8 WITH SECTIONS 6 AND 7, SAID TOWNSHIP AND RANGE; THENCE SOUTH 06°25'27" WEST, ALONG THE LINE DIVIDING SAID SECTION 7 FROM SAID SECTION 8, A DISTANCE OF 2,029.71 FEET; THENCE NORTH 88°34'03" EAST A DISTANCE OF 1,519.07 FEET TO THE SOUTHWEST CORNER OF LANDS RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN BOOK 1285, PAGE 079; RUN THENCE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES ALONG THE WEST LINE OF SAID OFFICIAL RECORDS BOOK 1285, PAGE 079: 1ST COURSE, NORTH 01°25'57" WEST, 1,200.00 FEET; 2ND COURSE, NORTH 67°09'17" EAST, 369.74 FEET; 3RD COURSE, NORTH 03°05'06" WEST, 100.0 FEET; 4TH COURSE, NORTH 56°54'54" EAST, 100.0 FEET; 5TH COURSE, NORTH 03°05'06" WEST, 150.0 FEET; 6TH COURSE, NORTH 63°05'06" WEST, 100.0 FEET; 7TH COURSE, NORTH 03°05'06" WEST, 200.0 FEET TO A POINT ON A CURVE; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE IN THE NORTH LINE OF LAST MENTIONED DEED, SAID CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 1,880.0 FEET, AN ARC DISTANCE OF 438.16 FEET TO THE NORTHEAST CORNER OF SAID DEED, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 80°14'19" EAST, 437.17 FEET; CONTINUE IN AN EASTERLY DIRECTION ALONG THE ARC OF LAST MENTIONED CURVE, (ALSO BEING THE NORTH LINE OF OFFICIAL RECORDS BOOK 1286, PAGE 691), AN ARC DISTANCE OF 493.74 FEET TO A POINT OF REVERSE CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 66°02'17" EAST, 492.32 FEET; RUN THENCE IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST, AND HAVING A RADIUS OF 50.0 FEET, AN ARC DISTANCE OF 85.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING

SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 72°44'25" EAST, 75.18 FEET; THENCE SOUTH 23°59'42" EAST, ALONG THE EAST LINE OF SAID OFFICIAL RECORDS BOOK 1286, PAGE 691, A DISTANCE OF 570.05 FEET TO A POINT OF CURVATURE; RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE IN LAST MENTIONED EAST DEED LINE, SAID CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 2,000.0 FEET, AN ARC DISTANCE OF 1,105.49 FEET TO THE SOUTHEAST CORNER OF LAST SAID DEED, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°09'36" EAST, 1,091.47 FEET; THENCE SOUTH 88°34'03" WEST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 1286, PAGE 691, A DISTANCE OF 977.56 FEET TO A POINT ON THE EAST LINE OF PREVIOUSLY MENTIONED OFFICIAL RECORDS BOOK 1285, PAGE 079; THENCE SOUTH 02°43'18" WEST, ALONG LAST SAID EAST DEED LINE, 503.58 FEET TO THE SOUTHEAST CORNER OF SAID DEED; THENCE SOUTH 88°34'03" WEST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 1285, PAGE 079, A DISTANCE OF 139.42 FEET; THENCE SOUTH 06°21'04" WEST, 3,365.62 FEET; THENCE SOUTH 00°31'34" EAST, 1,154.82 FEET; THENCE SOUTH 38°12'02" EAST, 775.11 FEET; THENCE SOUTH 0°00'14" WEST, 828.48 FEET; THENCE SOUTH 58°24'54" EAST, 1,127.18 FEET; THENCE DUE SOUTH 400.00 FEET; THENCE SOUTH 40°48'54" WEST, 893.07 FEET; THENCE SOUTH 0°07'41" EAST, 243.40 FEET; THENCE NORTH 3°50'56" EAST, 117.83 FEET; THENCE NORTH 43°58'16" EAST, 851.76 FEET; THENCE NORTH 85°07'48" EAST, 328.12 FEET; THENCE SOUTH 60°31'53" EAST, 523.89 FEET; THENCE SOUTH 21°54'37" WEST, 307.10 FEET; THENCE DUE SOUTH, 1,251.12 FEET; THENCE DUE WEST, 219.20 FEET; THENCE SOUTH 52°37'30" EAST, 3,778.12 FEET; THENCE NORTH 29°27'01" EAST, 392.64 FEET; THENCE NORTH 27°02'49" WEST, 937.20 FEET; THENCE NORTH 02°51'40" EAST, 414.11 FEET; THENCE NORTH 60°07'34" WEST, 489.56 FEET; THENCE NORTH 29°52'26" EAST, 522.13 FEET; THENCE SOUTH 60°07'34" EAST, 870.96 FEET; THENCE SOUTH 87°08'20" EAST, 200.00 FEET; THENCE NORTH 02°51'40" EAST, ALONG THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 STATE ROAD NO. 15 (A VARIABLE WIDTH RIGHT OF WAY), 651.23 FEET; THENCE NORTH 60°31'53" WEST, ALONG THE SOUTHWESTERLY LINE OF FLEMING ISLAND ESTATES AS RECORDED IN PLAT BOOK 4, PAGE 63 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 2,718.29 FEET; THENCE NORTH 46°57'35" EAST, ALONG THE NORTHWESTERLY LINE OF SAID FLEMING ISLAND ESTATES AND ITS NORTHEASTERLY PROLONGATION, THE SAME BEING THE NORTHWESTERLY LINE OF THE



AFOREMENTIONED GEORGE FLEMING GRANT, SECTION 38, A DISTANCE OF 2,191.22 FEET; THENCE SOUTH 89°10'36" WEST, ALONG THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN DEED BOOK "H", PAGE 242 AND DEED BOOK 38, PAGE 44, BOTH OF SAID PUBLIC RECORDS, A DISTANCE OF 701.41 FEET; THENCE NORTH 00°48'52" WEST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 795.34 FEET; THENCE NORTH 89°07'16" EAST, ALONG THE NORTHERLY LINE OF SAID LANDS AND ALONG THE NORTHERLY LINE OF DEED BOOK 99, PAGE 268 OF SAID PUBLIC RECORDS, A DISTANCE OF 1,579.58 FEET TO ITS INTERSECTION WITH SAID NORTHWESTERLY LINE OF THE GEORGE FLEMING GRANT, SECTION 8; THENCE NORTH 46°57'35" EAST, ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 115.13 FEET TO ITS INTERSECTION WITH THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 – STATE ROAD NO. 15; THENCE NORTH 02°51'23" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 8,066.26 FEET; THENCE SOUTH 89°33'25" WEST, ALONG THE SOUTHERLY LINE OF OFFICIAL RECORDS VOLUME 722, PAGE 625 OF SAID PUBLIC RECORDS, A DISTANCE OF 1,370.09 FEET; THENCE NORTH 0°51'23" EAST, PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 – STATE ROAD NO.15, A DISTANCE OF 780.29 FEET; THENCE SOUTH 89°33'25" WEST, A DISTANCE OF 201.60 FEET; THENCE NORTH 00°26'35" WEST, 300.00 FEET; THENCE NORTH 89°33'25" EAST, ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 122, PAGE 625 OF SAID PUBLIC RECORDS AND ITS WESTERLY PROLONGATION, A DISTANCE OF 1,588.98 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 17 – STATE ROAD NO. 15; THENCE NORTH 02°51'23" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 100.17 FEET; THENCE SOUTH 89°33'25" WEST, 2,147.52 FEET; THENCE SOUTH 89°28'17" WEST, 3,849.63 FEET; THENCE SOUTH 19°01'41" EAST, 1,153.59 FEET; THENCE SOUTH 89°02'15" WEST 69.42 FEET; RUN THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EAST, SOUTH AND WEST LINES OF OFFICIAL RECORDS BOOK 1482, PAGE 0012: 1ST COURSE, SOUTH 19°01'41" EAST, 425.0 FEET; 2ND COURSE, SOUTH 89°02'15" WEST, 350.0 FEET; 3RD COURSE, NORTH 19°01'41" WEST, 425.0 FEET; THENCE SOUTH 89°02'15" WEST, 1,535.63 FEET; THENCE SOUTH 04°09'45" WEST, ALONG THE LINE DIVIDING AFOREMENTIONED SECTION 5 FROM AFOREMENTIONED SECTION 6, A DISTANCE OF 990.44 FEET; THENCE SOUTH 89°17'23" WEST, ALONG THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED

IN OFFICIAL RECORDS VOLUME 585, PAGE 506 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 3,296.55 FEET; THENCE SOUTH 63°37'27" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, THE SAME BEING THE SOUTHEASTERLY LINE OF THE E. A., FERGUSON GRANT AND THE NORTHWESTERLY LINE OF AFOREMENTIONED SECTION 6, A DISTANCE OF 230.88 FEET; THENCE NORTH 89°17'23" EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS VOLUME 585, PAGE 506, A DISTANCE OF 3,496.12 FEET TO THE AFOREMENTIONED LINE DIVIDING SECTION 5 FROM SECTION 6; THENCE SOUTH 04°09'45" WEST, ALONG SAID DIVIDING LINE A DISTANCE OF 22.71 FEET TO THE POINT OF BEGINNING.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History--New

42BB-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: David Bishop, Doug Smith, Art Lancaster, Candice Paulsen, and Clint Smith.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History--New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE CHAPTER TITLE: Drug-Free Workplace Standards  
 RULE CHAPTER NO.: 59A-24  
 RULE TITLES: Collection Site and Specimen

Collection Procedures 59A-24.005  
 Drug Testing Laboratories 59A-24.006

PURPOSE AND EFFECT: Chapter 59A-24, Florida Administrative Code, is being amended to make the rule consistent with legislative changes made to section 112.0455, F.S. The initial screening and confirmation cut-off levels for opiates and alcohol are being changed to be consistent with the cut-off levels adopted by the Health and Human Services Guidelines for federal workplace drug testing programs and the U.S. Department of Transportation.

SUBJECT AREA TO BE ADDRESSED: Licensure for drug-free workplace toxicology laboratories.

SPECIFIC AUTHORITY: 112.0455 FS.

LAW IMPLEMENTED: 112.0455 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., December 6, 1999

PLACE: 2727 Mahan Drive, Fort Knox Building 3, Room C, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia L. James, Health Services and Facilities Consultant Supervisor, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)487-3109

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-24.005 Collection Site and Specimen Collection Procedures.

(1) through (3)(c)8.b. No change.

c. The appropriate quantity of hair shall be collected as described in section 112.0455(13) (b)3.f.(IV), F.S. ~~Scalp hair shall be the only acceptable specimen allowed for hair testing.~~

9. through 22. No change.

Specific Authority 112.0455(13)(a) FS. Law Implemented 112.0455 FS. History--New 3-15-90, Amended 6-28-91, Formerly 10E-18.005, Amended 5-1-96, 3-11-98.

59A-24.006 Drug Testing Laboratories.

Laboratories shall be licensed by the agency in accordance with this rule chapter in order to collect or analyze specimens for an employer's drug testing program and shall also comply with the provisions of Chapter 483, Part I, F.S.

(1) through (4)(d) No change.

(e) Initial test. The initial screen for all drugs shall be an immunoassay except the initial test for alcohol shall be an enzyme oxidation methodology.

1. Levels on initially screened urine specimens which are equal to or exceed the following shall be considered to be presumptively positive and submitted for confirmation testing:

Amphetamines	1,000 ng/mL
Cannabinoids (11-nor-Delta-9-tetrahydrocannabinol-9-carboxylic acid)	50 ng/mL
Cocaine (benzoylecgonine)	300 ng/mL
Phencyclidine	25 ng/mL
Methaqualone	300 ng/mL
Opiates <sup>1</sup>	<del>2,000</del> 300 ng/mL
Barbiturates	300 ng/mL
Benzodiazepines	300 ng/mL
Methadone	300 ng/mL
Propoxyphene	300 ng/mL

<sup>1</sup>~~25 ng/mL if immunoassay is specific for free morphine.~~

The only specimen for alcohol testing shall be blood and the initially screened specimen shall be considered presumptively positive and submitted for confirmation testing if the level is equal to or exceeds ~~0.02~~ 0.04g/dL.

2. through 3. No change.

(f) Confirmation Test. All specimens identified as presumptively positive on the initial test shall be confirmed using mass spectrometry/mass spectrometry (MS/MS) or gas

chromatography/mass spectrometry (GC/MS), except that alcohol will be confirmed using gas chromatography. All confirmations shall be done by quantitative analysis.

1. Levels on confirmation testing for urine specimens which are equal to or exceed the following shall be reported as positive:

Amphetamines (amphetamine, methamphetamine) <sup>1,2</sup>	500 ng/mL
Cannabinoids (11-nor-Delta-tetrahydrocannabinol-9-carboxylic acid)	15 ng/mL
Cocaine (benzoylecgonine)	150 ng/mL
Phencyclidine	25 ng/mL
Methaqualone	150 ng/mL
Opiates ( <del>codeine, morphine</del> )	<del>300</del> 300 ng/mL
Codeine	2000 ng/mL
Morphine	2000 ng/mL
6-Acetylmorphine <sup>2</sup>	10 ng/mL
Barbiturates	150 ng/mL
Benzodiazepines	150 ng/mL
Methadone	150 ng/mL
Propoxyphene	150 ng/mL

<sup>1,2</sup>A laboratory shall not report a specimen positive for methamphetamine only. The specimen must contain amphetamine at a concentration equal to or greater than 200 ng/mL, by the confirmation test. If this criterion is not met, the specimen shall be reported as negative for methamphetamine.

<sup>2</sup>Tests for 6-Acetylmorphine when the morphine concentration exceeds 2000 ng/mL.

The alcohol level on confirmation testing for blood which is equal to or exceeds ~~0.02~~ 0.04g/dL shall be reported as positive.

2. No change.

(g) through (i) No change.

(5) through (15) No change.

Specific Authority 112.0455(12)(c),(13)(a) FS. Law Implemented 112.0455 FS. History--New 3-15-90, Amended 6-28-91, Formerly 10E-18.006, Amended 5-1-96, 12-5-96, 3-11-98.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Creditable Service 60S-2

RULE TITLES: RULE NOS.:

Credit for Prior Service 60S-2.004

Credit for Leaves of Absence under the Florida Retirement System 60S-2.006

PURPOSE AND EFFECT: To implement the provision of Chapter 99-392, Laws of Florida., and 121.121, F.S.

SUBJECT AREA TO BE ADDRESSED: These amendments will change the period of time a member must be employed after returning to work from a leave-of-absence from "30 calendar days" to "one calendar month".

SPECIFIC AUTHORITY: 121.031 FS.  
 LAW IMPLEMENTED: 121.081(1), 121.121 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., November 15, 1999  
 PLACE: 2nd Floor Conference Room, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY RULE TEXT IS: Mary Beth Brewer, Senior Benefits Analyst, Division of Retirement, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida 32399-1560  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

RULE CHAPTER TITLE: Contributions  
 RULE CHAPTER NO.: 60S-3  
 RULE TITLE: Payment of Contributions  
 RULE NO.: 60S-3.011  
 PURPOSE AND EFFECT: To change the required receipt date of employer retirement contributions to accommodate the implementation of new technology.  
 SUBJECT AREA TO BE ADDRESSED: Effective January 1, 2000, retirement contributions will be required to be received at the Division on or before the due date instead of postmarked on or before the due date.  
 SPECIFIC AUTHORITY: 121.031 FS.  
 LAW IMPLEMENTED: 121.071(5) FS.  
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD ON THE TIME, DATE AND PLACE SHOWN BELOW:  
 TIME AND DATE: 10:00 a.m., November 15, 1999  
 PLACE: 2nd Floor Conference Room, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY RULE TEXT IS: Mary Beth Brewer, Senior Benefit Analyst, Division of Retirement, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida 32399-1560  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Notice of Non-compliance  
 RULE NO.: 61G1-12.007  
 PURPOSE AND EFFECT: The Board proposes to delete certain rule text because there is no statutory authority.  
 SUBJECT AREA TO BE ADDRESSED: Deletion of Subsection (1)(f).  
 SPECIFIC AUTHORITY: 120.695, 455.225(3), 481.2055 FS.  
 LAW IMPLEMENTED: 120.695, 455.225(3) 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: Dee O'Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61G1-12.007 Notice of Non-compliance.
- (1) In accordance with Section 455.225(3), Florida Statutes, when a complaint is received, the Department shall provide a licensee with a notice of non-compliance for an initial offense only of a minor violation. Failure of a licensee to take action in correcting the violation within 15 days after the notice shall result in the institution of regular disciplinary proceedings by the Department. "Minor violation" as used in Section 455.225(3), Florida Statutes, is defined as follows:
  - (a) through (e) No change.
  - ~~(f) practicing without a certificate of authorization in violation of §481.219, F.S.,~~
  - ~~(f)(g)~~ No change.
  - (2) No change.

Specific Authority 120.695, 455.225(3), ~~481.2055~~ ~~468.522~~ FS. Law Implemented 120.695, 455.225(3) FS. History—New 2-29-96, Amended 2-25-98, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: When Seal May Be Affixed  
 RULE NO.: 61G1-16.003  
 PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.  
 SUBJECT AREA TO BE ADDRESSED: When seals may be affixed.

SPECIFIC AUTHORITY: 481.2055, 481.221 FS.

LAW IMPLEMENTED: 481.221, 481.225(1)(e),(g),(j), 481.2251(1)(g),(h),(i) 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: Dee O'Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-16.003 When Seal May Be Affixed.

The personal seal, signature and date of the architect or interior designer shall appear on all architectural or interior design documents to be filed for public record and shall be construed to obligate his partners or his corporation. A corporate seal alone is insufficient. Documents shall be signed personally and sealed by the responsible architect or interior designer. Final official record documents (not tracings, etc.) shall be so signed. The signing and sealing of the specification index sheets sheet or sheets (if it identifies all parts) of drawings and specifications shall be considered adequate. Without such index all sheets and pages shall be so signed and sealed. All drawing sheets and pages shall be so signed and sealed. An architect or interior designer shall not affix, or permit to be affixed, his seal or name to any plan, specifications, drawings, or other related document which was not prepared by him or under his responsible supervising control as provided in Rule Chapter 61G1-23, F.A.C. An architect or interior designer shall not use his seal or do any other act as an architect or interior designer unless holding at the time a certificate of registration and all required renewals thereof.

Specific Authority 481.2055, 481.221 FS. Law Implemented 481.221, 481.225(1)(e),(g),(j), 481.2251(1)(g),(h),(i) FS. History—New 12-23-79, Formerly 21B-16.03, Amended 7-27-89, Formerly 21B-16.003, Amended 11-21-94, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Title Block  
RULE NO.: 61G1-16.004

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule entitled "Title Block" to clarify to the public the professional who is actually providing the professional services. In addition, since this new rule is being added to chapter 61G1-16, the Board has determined that the chapter

title should be amended to reflect the contents of the whole chapter; therefore, the chapter title will be amended to read "Seals and Plans".

SUBJECT AREA TO BE ADDRESSED: Seals and plans.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.203(6), 481.203(8), 481.2131(1), 481.219(3), 481.219(4), 481.219(5), 481.221, 481.225(1)(e), 481.225(1)(g), 481.2251(1)(h) 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: Dee O'Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-16.004 Title Block.

A title block must appear on all architectural or interior design drawings and specification identification sheets. The title block must, at a minimum, contain the following information:

- (1) firm name, address, and telephone number
- (2) firm license number
- (3) name or identification of project
- (4) date prepared
- (5) a space for the signature and dated seal
- (6) a space for the printed name of the person sealing the document

Specific Authority 481.2055 FS. Law Implemented 481.203(6), 481.203(8), 481.2131(1), 481.219(3), 481.219(4), 481.219(5), 481.221, 481.225(1)(e), 481.225(1)(g), 481.2251(1)(h) FS. History—New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Responsibility for Businesses  
RULE NO.: 61G1-23.070

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule entitled "Responsibility for Businesses."

SUBJECT AREA TO BE ADDRESSED: Responsibilities for businesses.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.219, 481.221(4),(5), 481.225(1)(e),(f),(g),(i),(j),(k), 481.2251(1)(f),(g),(h),(i),(j) 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: Dee O'Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-23.070 Responsibility for Businesses.

An architect or interior designer can only qualify one entity as defined by Section 481.219(2) or (3), Florida Statutes, unless multiple entities exist with the same officers or out of the same location. The qualifier must demonstrate responsible supervisory control on all projects in Florida.

Specific Authority 481.2055 FS. Law Implemented 481.219, 481.221(4),(5), 481.225(1)(e),(f),(g),(i),(j),(k), 481.2251(1)(f),(g),(h),(i),(j) FS. History—New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Electrical Contractors' Licensing Board**

RULE TITLES: RULE NOS.:

Required Records Maintained by Course Sponsors 61G6-9.009  
Audit of Certifications of Completion 61G6-9.011

PURPOSE AND EFFECT: The Board proposes to amend 61G6-9.009 by updating the rule text. In 61G6-9.011, the Board proposes to repeal this rule because it is no longer needed.

SUBJECT AREA TO BE ADDRESSED: Course Sponsors Maintaining Records; repeal of rule 61G6-9.011.

SPECIFIC AUTHORITY: 455.225, 455.227, 489.507(3), 489.517 FS.

LAW IMPLEMENTED: 489.507(3), 489.517, 489.531(1)(f), 489.533(1)(b),(e) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-9.009 Required Records Maintained by Course Sponsors.

(1) through (7) No change.

(8) The records must be maintained for at least four ~~three~~ years following the date the course is completed.

(9) Each course sponsor shall electronically provide the ~~board with copies of any of these required records, upon request by the board~~ department with such information no later than 5 business days after a licensee completes the course.

Specific Authority 489.507(3) FS. Law Implemented 489.517 FS. History—New 11-30-94, Amended 6-13-96, 12-25-96, 3-24-99, \_\_\_\_\_.

61G6-9.011 Audit of Certifications of Completion.

Specific Authority 455.225, 455.227, 489.507(3) FS. Law Implemented 489.517, 489.531(1)(f), 489.533(1)(b),(e),(f) FS. History—New 11-30-94, Amended 3-24-99, Repealed \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: RULE NO.:

Unexcused Absences 61G14-10.0015

PURPOSE AND EFFECT: The Board proposes to adopt this rule to define the terms and conditions of unexcused absences.

SUBJECT AREA TO BE ADDRESSED: Unexcused absences from Board Meetings.

SPECIFIC AUTHORITY: 310.185, 455.207(3) FS.

LAW IMPLEMENTED: 455.207(3) FS.

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

TIME AND DATE: 10:00 a.m., November 29, 1999

PLACE: The Department of Legal Affairs, The Collins Building, 107 West Gaines Street, Tallahassee, FL 32399-1050

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: E. Madeline Smith, Executive Director, Board of Pilot Commissioners, Northwood Centre, 2639 North Monroe Street, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-10.0015 Unexcused Absences.

(1) As used in this rule:

(a) "Immediate family" consists of a spouse, child, child-in-law, parent, parent-in-law, sibling, grandchild, or grandparent.

(b) "Family" consists of immediate family, nieces, nephews, cousins, and in-laws.

(2) As contemplated by section 455.207(3), Florida Statutes, an unexcused absence is any absence from a regularly scheduled Board meeting which absence does not result from a court order, subpoena, business with a court which has the sole prerogative of setting the date of such business, conflict with other scheduled business of the Board, conflicting business previously authorized by the Board or the Board Chair, death of a member of the member's family, illness of the Board member, hospitalization of a member of the member's immediate family, or absence due to unavoidable travel delays or cancellations.

(3) Three consecutive unexcused absences or absences from 50 percent or more of the Board's meetings within a twelve month period shall cause that member's position on the Board to become vacant. An otherwise excused absence shall be unexcused if the Board member fails to notify the Board office of the impending absence prior to the regularly scheduled Board meeting at which the absence will occur unless the failure to notify the Board office is the result of circumstances surrounding the reason for the absence.

Specific Authority 310.185, 455.207(3) FS. Law Implemented 455.207(3) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLES:	RULE NOS.:
Citations	61G15-19.005
Notice of Noncompliance	61G15-19.0051
Mediation	61G15-19.006
Notice of Noncompliance	61G19-19.007
Citations	61G19-19.0071

PURPOSE AND EFFECT: The Board proposes to repeal Rules 61G15-19.005 and 19.007 and replace them with new rules which Rule 61G15-19.007 will be renumbered 61G19-19.0051 and Rule 61G15-19.005 will be renumbered 61G15-19.0071. The Board proposes to amend Rule 61G15-19.006 to reflect the areas appropriate for mediation for a first time offense.

SUBJECT AREA TO BE ADDRESSED: Repeal of Rules 61G15-19.005 and 19.007, promulgation of Rules 61G15-19.0051 and 61G19-19.0071, and mediation.

SPECIFIC AUTHORITY: 455.224, 455.225, 455.2235 FS.

LAW IMPLEMENTED: 455.224, 455.2235, 471.023, 471.033 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: 8:30 a.m. or shortly thereafter, December 8, 1999

PLACE: The Radisson Hotel, 415 N. Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-19.005 Citations.

Specific Authority 455.224, 455.225 FS. Law Implemented 455.224 FS. History--New 2-2-92, Amended 8-31-92, Formerly 21H-19.005, Amended 10-19-97, Repealed \_\_\_\_\_.

61G15-19.0051 Notice of Noncompliance.

(1) As an alternative to investigation and prosecution, when a complaint is received, FEMC shall provide a licensee with a notice of noncompliance for an initial offense for the following violations:

(a) Failure to date documents when affixing signature and seal.

(b) Practice with an inactive or delinquent license less than one month.

(c) Firm practicing without a current certificate of authorization less than one month.

(2) A second offense shall result in issuance of a citation pursuant to Rule 61G15-19.0071.

Specific Authority 455.225 FS. Law Implemented 455.224 FS. History--New \_\_\_\_\_.

61G15-19.006 Mediation.

Pursuant to § 455.2235, the Board designates the following areas as appropriate for mediation for a first offense:

(1) Practice with an improper seal. (See Rule 61G15-23.001, F.A.C. or offer to practice engineering through a corporation, partnership, or fictitious name which has not been duly certified.

(2) No change.

(3) Practice with an inactive license less than six months.

Specific Authority 455.2235 FS. Law Implemented 455.2235 FS. History--New 2-20-95, Amended 10-20-96, \_\_\_\_\_.

61G15-19.007 Notice of Noncompliance.

Specific Authority 455.225 FS. Law Implemented 455.224 FS. History--New 2-5-96, Amended 10-20-96, Repealed \_\_\_\_\_.

61G15-19.0071 Citations.

(1) As used in this rule, "citation" means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a licensee or certificateholder for the purpose of assessing a penalty in an amount established by this rule.

(2) In lieu of the disciplinary procedures contained in Section 455.225, F.S., FEMC is hereby authorized to dispose of any violation designated herein by issuing a citation to the

subject within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) An engineer who has practiced or offered to practice engineering through a corporation, partnership, or fictitious name which has not been duly certified. The fine shall be \$100 for each month or fraction thereof of said activity, up to a maximum of \$1,000. (See Sections 455.227(1)(j), 471.023, and 471.033(1)(a), F.S.)

(b) Practice with an inactive or delinquent license more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be \$100 for each month or fraction thereof. (See Section 471.033(1)(i), F.S.)

(c) Firm practicing without a current certificate of authorization more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be \$100 for each month or fraction thereof. (See Section 471.023, F.S.)

(d) Failure to notify the Board of a change in the principal officer of the corporation or partner in a partnership who is the qualifying professional engineer for said corporation or partnership within one month of such change. The fine shall be \$500. (See Section 471.023(4), F.S.)

(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Professional Engineers. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. Failure to pay the fine and costs within the prescribed time period constitutes a violation of Section 471.033(1)(k), F.S., which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Engineers Management Corporation – Citation."

(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected.

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G15-19.004, F.A.C.

(7) Subsequent violation(s) of the same rule or statute shall require the procedure of Section 455.225, F.S., to be followed. In addition, should the offense for which a citation could be

issued occur in conjunction with violations not described herein, then the procedures of Section 455.255, F.S., shall apply.

Specific Authority 455.224, 455.225 FS. Law Implemented 455.224, 455.227, 471.023, 471.033 FS. History—New

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	61G15-32.002
Common Requirements to All Fire Protection Engineering Documents	61G15-32.003
Design of Water Based Fire Protection Systems	61G15-32.004
Design of Fire Water Spray (Mist) Fire Suppression and Control Systems	61G15-32.009

**PURPOSE AND EFFECT:** The Board proposes to amend Rule 61G15-32.002 to update the rule text to further clarify the definitions for Engineer of Record for the Fire Protection System(s), and for Fire Protection Engineering Documents. Rule 61G15-32.003 is being amended to expand the common requirements for certain fire protection engineering documents. The Board proposes to update the rule text to Rule 61G15-32.004 to further clarify the design of water based fire protection systems. Rule 61G15-32.009 is a new rule the Board proposes to promulgate, which will provide language for the design of fine water spray (mist) fire suppression and control systems.

**SUBJECT AREA TO BE ADDRESSED:** Definitions; Common Requirements to All Fire Protection Engineering Documents; Design of Water Based Fire Protection Systems; and Design of Fine Water Spray (Mist) Fire Suppression and Control Systems.

**SPECIFIC AUTHORITY:** 471.008, 471.033(2) FS.

**LAW IMPLEMENTED:** 471.033 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:** 8:30 a.m. or shortly thereafter, December 8, 1999

**PLACE:** The Radisson Hotel, 415 N. Monroe Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-32.002 Definitions.

(1) Engineer of Record for the Fire Protection System(s): The Florida Registered Professional Engineer who develops the Fire Protection System(s) design criteria; performs analysis as required; and is responsible for the preparation of the Fire Protection Engineering Construction Documents.

(2) through (4) No change.

(5) Fire Protection Engineering Documents: The fire protection engineering drawings, specifications, design calculations and other materials or representations that set forth the overall design requirements for the construction, alteration, demolition, renovation, repair, modification, permitting and such, for any public or private fire protection system(s), which are prepared, signed, dated and sealed by the Engineer of Record for the Fire Protection System(s).

(6) through (7) No change.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.002, Amended \_\_\_\_\_.

61G15-32.003 Common Requirements to All Fire Protection Engineering Documents.

(1) The Fire Protection Engineering Documents shall provide the construction requirements to indicate the nature and scope of the work, and to describe, detail, dimension, label and define as required to adequately communicate the design concept for the Fire Protection Components, System(s), materials, assemblies, equipment and its structural and utility support system(s), insofar as they involve the safeguarding of life, health or property.

(2) The Fire Protection Engineering Design Documents shall specify the applicable requirements for the acceptance testing of the fire protection system and components, which shall be based upon applicable codes and standards, where available.

(3) No change.

(4) The applicable code and standard used in the preparation of the Fire Protection shall be shown on the Fire Protection Engineering Design Documents. When applicable codes and standards are not available or applicable, and said documents are based on engineering judgment, which constitutes a deviation from applicable codes and standards, any reasons and assumptions made to develop the fire protection concept shall be identified on the documents.

(5) through (8) No change.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.003, Amended \_\_\_\_\_.

61G15-32.004 Design of Water Based Fire Protection Systems.

(1) Water Based Fire Protection Systems include, but are not limited to, automatic sprinkler systems of wet, dry, fine water spray (mist), manual, and deluge valve controlled types, pumping systems, standpipes, fire water mains and dedicated fire protection water sources.

(2) To ensure minimum design quality in Fire Protection Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) No change.

(b) The Point of Service for the fire protection water supply as defined by 633.021(17)(16), F.S.

(c) In storage occupancies the Engineer of Record shall determine the commodity classification as determined by applicable standards or on alternate sources as provided in the definition of codes and standards. The NFPA commodity classification shall be provided on the Fire Protection Engineering Documents for all storage occupancies. In cases where applicable hazard classification is not identified in NFPA codes or standards, or a higher hazard classification is required for insurance purposes, the engineer or record shall provide the basis for the design decisions.

(d) All required hydraulic calculations conducted for the system(s) shall be completed in accordance with the minimum standards for detail and information as required by NFPA 13. The source and location of water supply test results shall be indicated on the documents.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.004, Amended \_\_\_\_\_.

61G15-32.009 Design of Fine Water Spray (Mist) Fire Suppression and Control Systems.

(1) Fine water spray (mist) systems include water based fire suppression and control systems based on NFPA 750.

(2) The fire protection system(s) shall be based on applicable NFPA standards when available or on alternative engineering sources including full scale fire testing and good engineering practice when no applicable standard exists.

(3) Design of fine water spray systems requires specific knowledge of hazards, physical containment and fire dynamics. A “pre-engineered” listed system shall be installed only after the engineer or record has evaluated the project specific protected hazard.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New \_\_\_\_\_.



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLES:	RULE NOS.:
General Responsibility	61G15-35.001
Definitions	61G15-35.002
Common Requirements to all Engineers	
Providing Threshold Building	
Inspection Services	61G15-35.003

PURPOSE AND EFFECT: The Board proposes to create a new Chapter entitled "Responsibility Rule of Professional Engineers Providing Threshold Building Inspection", numbered 61G15-35. Within this chapter, three proposed rules will be created which will provide language for general responsibilities, definitions, and the common requirements for all engineers providing threshold building inspection services.

SUBJECT AREA TO BE ADDRESSED: General Responsibility; Definitions; Common Requirements to All Engineers Providing Threshold Building Inspection Services.

SPECIFIC AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033 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: 8:30 a.m. or shortly thereafter, December 8, 1999

PLACE: The Radisson Hotel, 415 N. Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-35.001 General Responsibility.

Professional Engineers offering Threshold Building Inspection services pursuant to Chapter 553.79(5)(a)-(d) shall provide inspections in accordance with the structural inspection plan provided by the engineer or architect of record to insure compliance with permitted documents. In addition to inspections in accordance with the structural inspection plan, the engineer will inspect the shoring and reshoring for conformance with shoring and reshoring plans submitted to the enforcing agency.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History-New

61G15-35.002 Definitions.

(1) Threshold Building Inspector: A registered professional engineer who meets the qualifications and standards set by the Florida Building Commission.

(2) Authorized Representative: A representative of the Threshold Building Inspector.

(3) Structural Inspection Plan: The plan submitted by the engineer or architect of record to provide specific inspection procedures and schedules.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History-New

61G15-35.003 Common Requirements to all Engineers Providing Threshold Building Inspection Services.

(1) Threshold Building Inspectors utilizing Authorized Representatives will insure the Authorized Representative is qualified to perform the duties assigned by the Threshold Building Inspector. Such qualifications may include but not be limited to: licensure as a professional engineer; licensure as an architect or graduation from an architectural education program; graduation from an engineering education program in civil or structural engineering; successful completion of the NCEES Fundamentals Examination; registration as building inspector or general contractor.

(2) Threshold Building Inspectors will insure adequate performance of the work of the Authorized Representative by providing supervision of the Authorized Representative through such means that includes but is not limited to reviewing reports and spot checks.

(3) Threshold Building Inspectors will institute quality assurance procedures to include but not be limited to such procedures requiring unscheduled visits, utilization or relevant check lists, use of a Daily Inspection Report and insuring that the Inspector or the Authorized Representative is at the project when key concrete pours are made.

Specific Authority 471.008, 471.033(2), 553.79(5)(a)-(d) FS. Law Implemented 471.033 FS. History-New

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES:	RULE NOS.:
Licensure by Examination	64B8-51.002
Rule Governing Licensure and Inspection of	
Electrology Facilities	64B8-51.006

PURPOSE AND EFFECT: The Board proposes that every applicant for licensure as an electrologist by examination may rely upon possession of a college, university or technical school diploma, provided that the institution required a high school or graduate equivalency diploma for admission. The purpose of rule 64B8-51.006 is to clarify the procedure for the renewal of a delinquent facility license.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Rule Governing Licensure and Inspection of Electrology Facilities.

SPECIFIC AUTHORITY: 478.43(1), 455.711, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 455.574, 478.45, 455.711, 478.49, 478.51 FS.

IF REQUESTED 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 IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, Southeast, BIN #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-51.002 Licensure by Examination.

(1) Every applicant for licensure as an electrologist by examination shall demonstrate to the Council that the applicant:

(a) through (b) No change.

(c) Possess a high school diploma, ~~or~~ a graduate equivalency diploma, or a college diploma, university diploma, or technical school diploma if such college, university, or technical school required a high school or graduate equivalency diploma for admission.

(d) through (g) No change.

(2) through (4) No change.

Specific Authority 478.43(1), (4) FS. Law Implemented 455.574, 478.45 FS. History—New 5-31-93, Formerly 21M-76.002, 61F6-76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97, \_\_\_\_\_.

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(1) through (5) No change.

(6) Renewal of Facility Licensure. Facility licensure shall be renewed at the end of each biennium prescribed by the Department. The licensee shall receive ninety (90) days notice of the need to renew the facility license. The notice shall be sent to the licensee at the last known address of the facility. Failure to receive the notice will not excuse the licensee from the requirement to renew the facility license, and failure to renew shall result in the ~~termination of the license becoming delinquent. If the delinquent licensee does not apply for renewal of the license within six months of the license becoming delinquent, the license shall become null and any subsequent licensure shall be as a result of applying and meeting all requirements for new licensure.~~ A facility may not operate without a license. To timely renew the facility license, including the six month "grace period" provided for, the licensee must pay the renewal fee of \$100 and the inspection fee of \$100. ~~If a facility license has been terminated for failure~~

~~to timely renew the license, the former licensee must file a new application for facility licensure if the former licensee wishes to obtain a facility license.~~

(7) No change.

Specific Authority 455.711, ~~455.712~~, 478.43(1),(4), 478.51(3) FS. Law Implemented 455.711, 478.49, ~~455.712(2),(3),(5)~~, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Procedure for Approval of Attendance at

RULE NO.:

Continuing Education Courses 64B8-52.003

PURPOSE AND EFFECT: The proposed change to the current Rule will specify that each biennium no more than two hours must be obtained by each licensee in approved offerings on blood-borne diseases, including one hour on HIV/AIDS education. Further, up to 2 hours may be obtained each biennium in risk management by attending a Board meeting or serving as a voluntary expert witness.

SUBJECT AREA TO BE ADDRESSED: Procedure for Approval of Attendance at Continuing Education Courses.

SPECIFIC AUTHORITY: 478.43(4), 478.50(2),(4)(a),(b) FS.

LAW IMPLEMENTED: 455.604, 478.50(2),(4)(a),(b) FS.

IF REQUESTED 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 IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, Southeast, BIN #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses.

(1) through (2) No change.

(3) Two hours each biennium must be obtained by each licensee in approved offerings on blood-borne diseases including 1 ~~2~~ hours on HIV/AIDS education. Approved offerings in HIV/AIDS are those that meet the requirements of Section 455.604(1), F.S. Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 455.604, F.S., are approved by this council.

(4) No change.

(5) Up to 2 hours each biennium may be obtained in the area of risk management by a licensee by attending a Board meeting in which another licensee is being disciplined, or by serving as volunteer expert witness in a disciplinary case.

Specific Authority 478.43(4), 478.50(2),(4)(a),(b) FS. Law Implemented 455.604, 478.50(2),(4)(a),(b), 455.564(6) FS. History--New 6-1-93, Formerly 21M-77.003, 61F6-77.003, Amended 5-11-95, Formerly 59R-52.003, Amended 2-9-98, 2-16-99,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Exemption of Spouse of Armed Forces Member from License Renewal Requirements  
RULE NO.: 64B8-54.0021

PURPOSE AND EFFECT: The Board proposes to exempt the spouses of Armed Forces members from license renewal requirements, provided that the licensee was in good standing and was absent from the State because of the spouse's military duties.

SUBJECT AREA TO BE ADDRESSED: Exemption of Spouse of Armed Forces Member from License Renewal Requirements.

SPECIFIC AUTHORITY: 455.507 FS.

LAW IMPLEMENTED: 455.507 FS.

IF REQUESTED 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 IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, Southeast, BIN #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.0021 Exemption of Spouse of Armed Forces Member from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces and, who at the time the absence became necessary, was in good standing with the Board and entitled to practice as an electrologist in Florida shall be exempt from all licensure renewal provisions during such absence. The licensee must document the absence and the spouse's military status to the Board.

Specific Authority 455.507 FS. Law Implemented 455.507 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Fees  
RULE NO.: 64B8-54.004

PURPOSE AND EFFECT: The Board proposes to amend this rule by setting a fee of \$25 for a wall certificate of licensure.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 478.43(1),(4), 478.50, 478.55 FS.

LAW IMPLEMENTED: 455.711, 478.50, 478.55 FS.

IF REQUESTED 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 IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, Southeast, BIN #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.004 Fees.

(1) through (7) No change.

(8) The fee for a wall certificate of licensure shall be \$25.

Specific Authority 455.564(2), 478.43(1), (4), 478.50, 478.55 FS. Law Implemented 455.587(2), 455.711, 478.50, 478.55 FS. History--New 9-29-93, Formerly 61F6-79.004, Amended 6-29-95, Formerly 59R-54.004, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Disciplinary Guidelines  
RULE NOS.: 64B8-55.001

Discipline of Electrolysis Facilities 64B8-55.0021

PURPOSE AND EFFECT: In rule 64B8-55.001, the Board proposes to update the definition of sexual misconduct in the delivery of electrolysis services and to clarify the penalties for certain offenses. Rule 64B8-55.0021, will set forth the requirements for discipline of electrolysis facilities.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.627, 478.52(4) FS.

LAW IMPLEMENTED: 455.627, 478.52(4) FS.

IF REQUESTED 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 IS: Kaye Howerton, Executive Director, Electrolysis Council, 2020 Capital Circle, Southeast, BIN #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-55.001 Disciplinary Guidelines.

(1) No change.

(2) Sexual misconduct in the delivery of electrolysis services is sexual behavior or involvement with a client, or an immediate family member of a client, including verbal or physical behavior, which may reasonably be interpreted as intended for the sexual arousal or gratification of the Electrologist, the client, an immediate family member of the client, or any third party.

(3) No change.

VIOLATION

RECOMMENDED RANGE OF PENALTY

(a) through (v) No change.  
(w) Sexual Misconduct

(w) Denial of licensure, or if licensed, six months suspension to revocation and an Administrative fine of \$500 to \$10,000.

(455.567, F.S.)

(x) through (ii) No change.

(jj) failure to report, within 30 days a conviction, finding of guilt, or plea fine of \$500 to of nolo contendere, regardless of adjudication, to a crime, to the Board. 455.624(w), F.S.

(jj) 3 months probation to 2 years suspension, and a \$5,000.

(kk) using information from accident reports, or from news sources that use such information for the solicitation of the people involved in such accidents. 455.624(x), F.S.

(kk) Up to six months probation and/or a fine of up to \$500.

(4) through (7) No change.

Specific Authority 455.624, 455.627, 478.52(4) FS. Law Implemented 455.624, 455.627, 478.52(4) FS. History—New 11-16-93, Formerly 61F6-80.001, Amended 1-2-95, Formerly 59R-55.001, Amended 2-9-98, 10-12-98, \_\_\_\_\_.

64B8-55.0021 Discipline of Electrolysis Facilities.

Any business establishment that provides electrolysis services must have an active status license in order to provide such services. Failure to obtain and maintain an active status license as a licensed electrolysis facility pursuant to Rule 64B8-51.006, F.A.C., shall be subject to discipline as follows:

(1) A business establishment offering electrolysis services without an active status license shall:

(a) cease and desist offering such services;

(b) make application for a current status license pursuant to Rule 64B8-51.006, F.A.C. if the business establishment wishes to offer electrolysis services;

(c) pay a fine equal to all licensure and renewal fees that would have been due for the time of operation without an active status license up to a maximum of \$5,000.

(2) Any electrolysis facility with an active status license that employs or permits an unlicensed person to deliver electrolysis services shall be subject to discipline as follows:

(a) cause the unlicensed person to cease and desist from the delivery of electrolysis services;

(b) the facility licensure shall be suspended for up to one year;

(c) the facility shall be subject to a fine of up to \$1,000.

Specific Authority 478.43(1), 455.712 FS. Law Implemented 478.712 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH  
Council of Licensed Midwifery**

RULE TITLE: Criteria for Continuing Education Programs

RULE NO.: 64B24-6.005

PURPOSE AND EFFECT: To allow the licensed midwives to obtain their continuing education through self-study programs and to give them credit for attending a Council meeting to meet the required continuing education credit for the law and rules.

SUBJECT AREA TO BE ADDRESSED: Continuing education for licensed midwives.

SPECIFIC AUTHORITY: 467.012(3), 467.005 FS.

LAW IMPLEMENTED: 467.012(3) FS.

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

TIME AND DATE: 8:30 a.m., November 30, 1999

PLACE: 1940 North Monroe Street, Suite 60, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: William H. Buckhalt, Executive Director, Department of Health, Council of Licensed Midwifery, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH  
Board of Pharmacy**

RULE TITLE: Practice of Pharmacy

RULE NO.: 64B16-27.400

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Meal break.

SPECIFIC AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003(12), 465.026 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., or shortly thereafter on December 7, 1999

PLACE: The Embassy Suites, 3974 N.W. South River Drive, Miami, Florida 33142

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John

Taylor, Executive Director, Board of Pharmacy/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-27.400 Practice of Pharmacy.

Those functions within the definition of the practice of the profession of pharmacy as defined by Section 465.003(12), F.S., are specifically reserved to a licensed pharmacist or a duly registered intern in this state acting under the direct and immediate personal supervision of a licensed pharmacist. The following subjects come solely within the purview of the licensed pharmacist.

(1) through (5) No change.

(6) A pharmacist may take a meal break, not to exceed thirty minutes in length, during which the pharmacy department of a permittee shall not be considered closed, under the following conditions:

(a) the pharmacist shall be considered present and on duty during any such meal break if a sign has been prominently posted in the pharmacy indicating the specific hours of the day during which meal breaks may be taken by the pharmacist and assuring patients that a pharmacist is available for emergency consultation during a meal break;

(b) the pharmacist shall be considered directly and immediately available to patients during such meal breaks if patients to whom medications are delivered during the meal break are verbally informed that they may request that a pharmacist contact them at the pharmacist's earliest convenience after the meal break, and if a pharmacist is available during the meal break for consultation regarding emergency matters;

(c) the activities of pharmacy technicians during such a meal break shall be considered to be under the direct and immediate personal supervision of a pharmacist if the pharmacist is available during the meal break to respond to questions by the technicians, and if at the end of the meal break the pharmacist certifies all prescriptions prepared by pharmacy technicians during the meal break.

Specific Authority 465.005 FS. Law Implemented 465.003(12), 465.026 FS. History--New 2-14-77, Formerly 21S-4.01, 21S-4.001, Amended 7-30-91, Formerly 21S-27.400, 61F10-27.400, Amended 1-30-96, 10-1-96, Formerly 59X-27.400, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE: Change in Ownership  
PURPOSE AND EFFECT: The Board proposes to promulgate a new rule which will provide language for the change of ownership.  
SUBJECT AREA TO BE ADDRESSED: Change in ownership.

RULE NO.: 64B16-28.1135

SPECIFIC AUTHORITY: 465.005, 465.022 FS.  
LAW IMPLEMENTED: 465.003(11)(a), 465.018, 465.019, 465.0193, 465.0196 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. or shortly thereafter, December 7, 1999

PLACE: The Embassy Suites, 3974 N.W. South River Drive, Miami, Florida 33142

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.1135 Change of Ownership.

A pharmacy permit is not transferable. Upon the sale of an existing pharmacy, a new application must be filed. In those cases where the permit is held by a corporation, the transfer of all the stock of said corporation to another person or entity does not constitute a change of ownership, provided that the corporation holding the permit continues to exist, and that a new Federal DEA number registration is not required.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.003(11)(a), 465.018, 465.019, 465.0193, 465.0196 FS. History--New \_\_\_\_\_.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE TITLE: Credit Underwriting Procedures  
RULE NO.: 67-21.014

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-21, Florida Administrative Code (FAC), is to establish the procedures by which the Florida Housing Finance Corporation shall administer the application process, determine loan amounts and issue multifamily mortgage revenue bonds for new construction or substantial rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond Program. The purpose of the proposed revision to the above listed rule is to provide consistency throughout the rule.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop (if requested) will be held to receive comments and suggestions from interested persons relative to the development of the above listed rule for the Multifamily Bond Program.

SPECIFIC AUTHORITY: 420.507(12), 420.508(3)(c) FS.

LAW IMPLEMENTED: 420.507, 420.508, 420.509 FS.

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

TIME AND DATE: 2:00 p.m., November 29, 1999  
 PLACE: Florida Housing Finance Corporation, Sixth Floor Seltzer Room, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joyce Martinez, Multifamily Bond Manager, or Don Stuart, Administrator, Multifamily Bond Program, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE CHAPTER TITLE:	RULE NO.:
Stone Crabs	68B-13
RULE TITLES:	RULE NOS.:
Definitions	68B-13.0015
Stone Crabs, Regulation	68B-13.002
Designation as Restricted Species, Season Licenses, Endorsements, Permits of Experimental Scientific and Exhibitional Purposes	68B-13.006
Restrictions on Size, and on Transport and Possession of Stone Crabs and Stone Crab Claws	68B-13.007
Gear, Trap Construction, Commercial Trap Marking	68B-13.008
Requirements, Trap-Working Regulations, Trap Transfer Recreational Stone Crab Harvest: Bag Limit, Trap Limit	68B-13.009
Trap Marking Requirements, Trap Pulling Stone Crab Trap Limitation Program	68B-13.010
Prohibitions	68B-13.011

PURPOSE AND EFFECT: Rapid growth of Florida's stone crab industry has created problems in the stone crab fishery, and associated problems in the state's marine resources. Continuously increasing trap numbers have reduced efficiency without producing additional yield. The excessive number of traps in the water also has increased conflicts between crabbers and shrimp trawlers, led to detrimental harvesting practices, and damaged live coral bottoms and grass beds. In addition, the large number of buoys and ropes associated with traps creates shoreline debris when lost, impedes navigation, and results in unnecessary entanglement and mortality of threatened and endangered sea turtles and manatees. In an attempt to create a more efficient fishery and minimize natural

resource damage, the Fish and Wildlife Conservation Commission is proposing to manage the effort associated with the stone crab fishery by implementing a passive reduction, trap limitation program. The program seeks to reduce the number of traps as participants leave the fishery. The effect will be to allow existing fishers to continue their present level of operation and maintain overall catch levels, while simultaneously reducing the number of traps in Florida's waters.

In addition, with the recent creation of the Fish and Wildlife Conservation Commission as the state agency vested with full constitutional rulemaking authority over marine life, this rulemaking proposes to incorporate substantive provisions presently existing in s. 370.13, F.S., into the commission's stone crab rule chapter. Accordingly, language is added to establish an open season for the harvest and sale of stone crab claws, designate stone crabs as a restricted species, extend the moratorium on endorsements until July 1, 2001, and provide prohibitions relating to traps and the trap limitation program. All of this is done against the backdrop of a reorganized rule chapter. As substantive provisions have been added over time, it was felt that, in particular, Rule 68B-13.002, F.A.C., grew too large in size, incorporating the regulation of too many diverse aspects of the fishery. Thus, the rule chapter has been made more readily understandable for the public through greater organization of the subject matter into more clearly delineated rules. The effect of these proposed amendments will be to provide greater protection for Florida's stone crab fishery while organizing all stone crab regulations into one comprehensive rule chapter.

SUBJECT AREA TO BE ADDRESSED: The harvest and possession of stone crabs in Florida state waters.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

**THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT RULE DEVELOPMENT WORKSHOPS AT THE TIMES, DATES AND PLACES SHOWN BELOW:**

DATES:	TIMES:	PLACES:
11/16/99	7:00 p.m. – 10:00 p.m.	Marathon Government Center, 2798 Overseas Highway, Marathon, Florida
11/17/99	6:30 p.m. – 8:30 p.m.	County Government Complex, 3301 Tamiami Trail, Naples, Florida
11/18/99	7:00 p.m. – 9:00 p.m.	Manatee County Department of Agriculture and Natural Resources, Kendrick Auditorium, 1303 17th Street West, Palmetto, Florida
11/29/99	7:00 p.m. – 10:00 p.m.	Crystal River City Hall, 123 N.W. Highway 19, Crystal River, Florida
11/30/99	7:00 p.m. – 10:00 p.m.	Steinhatchee Community Center, 1013 Riverside Drive S. E., Steinhatchee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop, is asked to advise the agency at

least 5 calendar days before the workshop by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

## Section II Proposed Rules

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Finance

**RULE TITLE:** Procedures for Filing Claim  
**RULE NO.:** 3D-20.0021  
**PURPOSE AND EFFECT:** The purpose of the proposed amendment is to adopt new claim forms that can be downloaded from the Department's website and used to submit claims for unclaimed property.

**SUMMARY:** Three new claim forms for unclaimed property are being adopted.

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

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

**SPECIFIC AUTHORITY:** 717.138 FS.

**LAW IMPLEMENTED:** 92.525, 717.1201, 717.124, 717.125, 717.126 FS.

**IF 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., November 29, 1999

**PLACE:** Room 330, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pete DeVries, Chief, Unclaimed Property Section, Room 326, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 (850)410-9544

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-20.0021 Procedures for Filing Claim.

(1) All claims for unclaimed property in the custody of the Department pursuant to Chapter 717, Florida Statutes, shall be submitted to the Department on the form(s) prescribed and supplied by the Department, together with documentation supporting the claim. The Department will only accept and review claims that are complete. A complete claim shall

include the appropriate claim form, manually signed by all claimants, and all supporting documentation as described and required by Sections 3D-20.0021(2)-(6), F.A.C., and Rule 3D-20.0022, F.A.C. Incomplete claims delivered to the Department will be returned to the claimant with a letter advising the reason the claim is being returned. All forms referenced in this rule are available from and shall be submitted to: The Department of Banking and Finance, Division of Finance, Abandoned Property Section, Suite 330, Fletcher Building, Tallahassee, Florida 32399-0350.

(1) through (7) renumbered (2) through (8) No change.

(9) The following forms, which are hereby incorporated by reference, can be downloaded from the Department's website at www.dbf.state.fl.us. and used to submit claims for unclaimed property:

(a) Form DBF-AP 106EZ (effective 6/99) to be used for claims filed by an apparent owner;

(b) Form DBF-AP 107EZ (effective 6/99) to be used for claims filed by other than an apparent owner; and

(c) Form DBF-AP 108EZ (effective 6/99) to be used for claims filed by a legal representative or private investigator.

Specific Authority 717.138 FS. Law Implemented 92.525, 717.1201, 717.124, 717.125, 717.126 FS. History--New 3-20-91, Amended 3-13-96, 3-18-96, 1-18-99.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Pete DeVries, Chief, Abandoned Property Section

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Bill Monroe, Deputy Comptroller

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 14, 1999

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

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Plant Industry

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Citrus Budwood Protection Procedure	
Manual, Citrus Budwood Testing Manual, and Graft-transmissible Diseases of Citrus: Handbook for detection and diagnosis	5B-60.004
Citrus Nursery Stock Propagation and Planting	5B-60.006
Parent Trees	5B-60.007
Scion Trees	5B-60.009
Increase Trees	5B-60.010
Validated Trees	5B-60.011
Source Tree Registration Certificate	5B-60.012
Procedure for Identifying and Recording Citrus Nursery Stock	5B-60.013
Stop-Sale Notice or Hold Order (DACS-08016)	5B-60.014
Fees	5B-60.015
Exemptions	5B-60.016

**PURPOSE AND EFFECT:** The purpose of this rule development is to amend Rule Chapter 5B-60 to stipulate that validated increase blocks that originate from registered increase trees must be tested between the 10th and 12th month to qualify for the full 24 month use, which will make this testing consistent with the other testing in the rule. This will reduce the likelihood of propagating disease; to specify that the Certificate of Source Tree Registration for increase blocks shall be valid for a period of 24 months. The effect will be to reduce grower registration costs and eliminate some office paperwork; and to change the fees to more fully reflect the cost of the service. Fees will increase the cost of primary source material but should encourage privatization of budwood sources and preserve department germplasm for use as source material. Overall effect on the cost of nursery tree production should be minor as nursery trees are increased from the initial primary source material and are not individually subject to the fee increase.

**SUMMARY:** Rule 5B-60.011 is amended to stipulate that validated increase blocks that originate from registered increase trees must be tested between the 10th and 12th month; Rule 5B-60.012 Source Tree Registration Certificate is amended to specify that the certificate shall be valid for a period of 24 months; Rule 5B-60.015 increases the fees; and the numbering of the forms throughout the Rule Chapter are changed to reflect the new forms numbering system.

**SPECIFIC AUTHORITY:** 570.07(23), 581.031(1),(3),(8) FS.

**LAW IMPLEMENTED:** 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) 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., December 1, 1999

**PLACE:** Division of Plant Industry, Shaw Building Auditorium, 3027 Lake Alfred Road, Winter Haven, FL 33881

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Constance C. Riherd, Assistant Director, Division of Plant Industry, Department of Agriculture and Consumer Services, Doyle Conner Building, 1911 S. W. 34th Street, Gainesville, Florida 32608, Phone (352)372-3505

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

5B-60.004 Citrus Budwood Protection Procedure Manual, Citrus Budwood Testing Manual, and Graft-transmissible Diseases of Citrus: Handbook for detection and diagnosis.

The regulations, definitions, and standards in Citrus Budwood Protection Procedure Manual, Revised 9/15/99, effective 9-30-96, Citrus Budwood Testing Manual, Revised September 16, 1999 3-4-98, and C. N. Rostacher, Graft-transmissible Diseases of Citrus: Handbook for detection and diagnosis. (Food and Agricultural Organization of the United Nations, Rome, 1991) are hereby adopted as regulations and rules under

the Division of Plant Industry, pursuant to Chapter 581, F.S. Copies may be obtained by contacting the Secretary of State's Office, Tallahassee, Florida. Copies are available for examination at the Florida Department of Agriculture and Consumer Services, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, Florida 33881-1438, and the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Plant Pathology Section, 1911 S. W. 34th Street, Gainesville, Florida 32608.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(23), 570.0705, 581.031(1),(14),(17),(23) FS. History--New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.006 Citrus Nursery Stock Propagation and Planting.

(1) No change.

(2) Prior to propagating all dooryard, own-use and commercial citrus nursery stock, unless exempted in 5B-60.016, nurserymen and growers shall make application to produce citrus nursery stock on Form DACS-08066 ~~PI-66~~, Form DACS-08066, Revised 6/99, ~~PI-66 is effective 9-30-96~~, and is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438. Applicants must agree to comply with all the conditions which apply to the Citrus Budwood Protection Program as specified in this rule chapter.

(3) Commercial citrus nursery stock shall be propagated according to the following provisions unless exempted in 5B-60.016.

(a) Propagative material including budwood, air-layers, and cuttings shall be from parent trees, foundation trees, scion trees, increase or validated trees for which a Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~) has been issued as specified in 5B-60.012. Form DACS-08072, Revised \_\_\_\_\_, ~~PI-72 is effective 9-30-96~~, and is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, Florida 33881.

(b) No change.

(c) All propagative material data shall be recorded on a registered budcutting report (DACS-08172) (~~PI-172~~) and submitted to the Bureau of Citrus Budwood Registration at the time of collection. Form DACS-08172, Revised \_\_\_\_\_, ~~PI-172 is effective 9-30-96~~, and is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, Florida 33881-1438.

(d) through (i) No change.



(4) Dooryard citrus nursery stock shall be propagated according to the following provisions unless exempted in 5B-60.016.

(a) Propagative material including budwood, air-layers, and cuttings shall be taken from a parent, scion, foundation, increase, validated tree, or from a dooryard source tree which meets the following conditions:

1. through 3. No change.

4. Registered on a Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~) as specified in 5B-60.012, effective January 1, 1998.

(b) Tests for severe strains of citrus tristeza virus as required in (a) 2. shall be performed by certified laboratories or the department. The testing costs shall be the responsibility of the owner. Test results shall be provided by the certified laboratories to the office of the Bureau of Citrus Budwood Registration, Winter Haven, FL within 30 days of determination and not later than the expiration date of the Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~).

(c) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.007 Parent Trees.

Parent trees are selected mature source trees belonging to a nurseryman or grower, or on property that the owner has given written permission to a nurseryman and the department for access for observation, testing, and budcutting.

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

(b) The parent tree has been tested negatively by certified laboratories or the department every six years for psorosis, citrus viroids, and effective January 1, 1998 for tatterleaf virus; and annually tested negatively for severe strains of citrus tristeza virus effective May 1, 1997. The testing costs shall be the responsibility of the owner. Test results shall be provided by the certified laboratories to the office of the Bureau of Citrus Budwood Registration, Winter Haven, FL, within 30 days of determination and not later than the expiration date of the Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~);

(c) through (d) No change.

(e) A Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~) has been issued.

(4) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031 (1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.009 Scion Trees.

Scion trees shall be propagated from selected parent or foundation trees, be registered on a Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~) as specified in 5B-60.012, and must meet the following requirements:

(1) through (2) No change.

(3) Budwood used to propagate scion trees shall be taken under the direct supervision of the department and shall be reported on Form DACS-08172 ~~PI-172~~, Source Tree Bud Cutting Report, Revised 12/97.

(4) No change.

(5) The nurseryman shall furnish the Bureau of Citrus Budwood Registration within 30 days following date of budding, a nursery plat on Form DACS-08073 ~~PI-73~~, revised \_\_\_\_\_ 4/95, which is adopted and incorporated herein by reference. The form may be obtained by writing or visiting the Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438. The nursery plat shall identify the location of each progeny tree, indicating the variety, rootstock, and the source tree registration number of the source;

(6) through (7) No change.

(8) The scion trees shall be tested negatively by certified laboratories at the owner's expense annually for severe strains of citrus tristeza virus effective May 1, 1997. Test results shall be provided by the certified laboratories to the office of the Bureau of Citrus Budwood Registration, Winter Haven, FL, within 30 days of determination and not later than the expiration date of the Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~);

(9) through (10) No change.

(11) Prospective scion trees may be propagated from prospective parent trees any time after the parent tree has passed the preliminary inspection and has been tested for citrus tristeza virus and indexing is in progress for psorosis, citrus viroids, and effective January 1, 1998 for tatterleaf virus. The prospective scion tree shall not be eligible for registration until the tree has been planted for at least two years, negatively tested for severe strains of citrus tristeza virus, has borne fruit, and the prospective parent tree has been registered. If the prospective parent tree is found to be infested with the above pathogens, the prospective scion trees will be destroyed by and at the expense of the owner within 30 days of the detection.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.010 Increase Trees.

Increase trees shall be registered on a Certificate of Source Tree Registration DACS-08072 (~~PI-72~~) as specified in 5B-60.012 provided they have been propagated as follows:

(1) through (6) No change.

(7) The nurseryman must furnish the Bureau of Citrus Budwood Registration within 30 days following the date of budding, a nursery plat DACS-08073 (~~PI-73~~), indicating the variety, rootstock, number of trees budded, registration number of source, location of block, and date of budding.

(8) Trees propagated as increase trees under this rule chapter must only serve as registered sources of budwood with no testing required for a period of up to 24 months from budding. Increase trees can be used for nine more months if tested negatively between the 22nd and 24th month for severe strains of citrus tristeza virus. Test samples must be as follows:

(a) through (c) No change.

(d) Tests must be performed by certified laboratories or the department. The testing costs shall be the responsibility of the owner. Test results must be provided by the certified laboratories to the office of the Bureau of Citrus Budwood Registration, Winter Haven, FL not later than the expiration date of the Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~.

(9) through (11) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.011 Validated Tree.

Validated source trees shall be validated on a Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~, and must meet the following requirements:

(1) Validated trees must be tested negatively by certified laboratories at the owner's expense annually for severe strains of citrus tristeza virus effective May 1, 1997. Test results must be provided by the certified laboratories to the office of the Bureau of Citrus Budwood Registration, Winter Haven, FL, within 30 days of determination and not later than the expiration date on the Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~.

(2) through (3) No change.

(4) Validated increase blocks that originate from registered increase trees must be tested between the 10th and 12th month to qualify for the full 24 month use.

~~(5)~~(4) Validated sources used for air-layering can be citrus tristeza virus tested by a 10 tree composite sample. If a composite sample is detected with a severe infection, then all individual trees in that sample must be individually tested prior to use.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-59.012 Source Tree Registration Certificate.

(1) Source tree registration certificate. The department shall keep a record of all plantings of source trees. This record shall indicate the variety, strain, and age of the source trees; the owner; location of planting, and location of individual trees in the property by grove, row, and tree number. This information shall be included in a Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~ to be issued by the department. Only those trees having a "Yes" "~~Y~~" ~~(Yes)~~ or "V" (Validated) in the Reg (Registered) column shall qualify as a source tree. This

certificate shall be sent to the owner or agent of the source trees, and copies shall be filed in the office of the Bureau of Citrus Budwood Registration at Winter Haven.

(2) Duration of registration certificate. The Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~ shall be valid for a period of 12 months unless revoked due to failure to meet the requirements herein or voluntary withdrawal by the participant. The Certificate of Source Tree Registration (DACS-08072) for increase blocks shall be valid for a period of 24 months.

(3) Renewal. Source tree registration may be renewed, subject to continued eligibility, at the end of each 12 months with the payment of a renewal fee as described in 5B-60.015.

(4) Cancellation. Source Tree Registration Certificates (DACS-08072) ~~(PI-72)~~ may be canceled or suspended upon:

(a) through (h) No change.

(5) Registration fees will not be refunded if the Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~ is canceled.

(6) Reinstatement. The Certificate of Source Tree Registration (DACS-08072) ~~(PI-72)~~ canceled or suspended as provided above may be reinstated when:

(a) through (d) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98,\_\_\_\_\_.

5B-60.013 Procedure for Identifying and Recording Citrus Nursery Stock.

(1) Identification and record of movement for commercial citrus nursery stock. For the benefit of the buyer, the nurseryman or grower shall identify registered nursery stock as being the progeny of registered source trees by completing the Citrus Nursery Stock Inspection Tag DACS-08038) ~~(PI-38)~~ at the time of delivery. If the nursery stock was propagated from a validated tree, the Citrus Nursery Stock Inspection Tag (DACS-08038) ~~(PI-38)~~ must contain this information and the statement that the validated tree was only tested for citrus tristeza virus. The nurseryman or grower shall keep a systematic record of the movement of citrus trees (DACS-08038) ~~(PI-38)~~ which shall be available for examination by the department. All movements of nursery stock shall comply with all department requirements pertaining to the inspection and certification as to freedom from plant pests, as well as the use and recording of citrus invoice certificates (tags) (DACS-08038) ~~(PI-38)~~. Form DACS-08038, Revised, \_\_\_\_\_ PI-38 is effective 9-30-96, and is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100.

(2) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended \_\_\_\_\_.

5B-60.014 Stop-Sale Notice or Hold Order (DACS-08016) (PI-16).

A Stop-Sale or Hold Order (DACS-08016) (PI-16) shall be issued for the following reasons:

- (1) through (4) No change.
- (5) Knowingly propagating ~~propagate~~ budwood not meeting the requirements of this rule.
- (6) Form DACS 08016, Revised 5/99, PI-16, Stop-Sale Notice or Hold Order is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended \_\_\_\_\_.

5B-60.015 Fees.

An annual source tree registration fee shall be paid as follows:

Parent tree	5.00 per tree per year
Scion tree	\$2.00 per tree per year
<del>Increase tree</del>	<del>\$2.00 per 100 trees per year</del>
Dooryard source tree	\$1.00 per tree per year
Validated source tree	\$1.00 per tree per year
Seed source tree	\$1.00 per tree per year
<u>Additional fee:</u>	
<u>Reinstate a tree</u>	<u>\$5.00 plus the back annual registration fees</u>
Miscellaneous fees for division services:	
Witnessing budwood cutting	Mileage <sup>1</sup> and \$5.00 per 1000 budeyes cut, \$10 minimum, \$25 maximum
Citrus viroid or psorosis testing	\$60 per test
Parent tree indexing	\$175 per tree
Shoot-tip grafting	\$300
Budwood	<u>25</u> <del>45</del> cents/eye, \$5.00 minimum
Cut from Citrus Budwood Foundation Grove, Screenhouse and/or Florida Citrus Arboretum	
Tip cuttings (6 inches)	<u>50</u> <del>30</del> cents each
Tip cuttings (6 inches) Out-of-State)	<u>\$1.50</u> <del>75 cents</del> each
New Division of Plant	\$1.00/eye (first <u>two</u> years)

Industry releases	
Budwood shipment	<del>75</del> <u>50</u> cents/eye, <u>\$50.00</u> <del>\$25.00</del> minimum
(Out-of-State/Foreign)	
Shipping and handling fee for budwood and seed in Florida.	\$3.00 per shipment, or actual cost for large orders.

<sup>1</sup> Mileage shall be based on the prevailing State mileage rate.

(1) Fees shall be paid prior to obtaining a Certificate of Source Tree Registration (DACS-08072) (~~PI-72~~) and annually thereafter on the anniversary date of the certificate.

(2) through (3) No change.

Specific Authority 570.07(23), 581.031 (1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98, \_\_\_\_\_.

5B-60.016 Exemptions.

(1) No change.

(2) Citrus trees produced for research purposes in field plantings shall not be exempt from the program requirements contained in this rule chapter. Research facilities shall sign a Citrus Budwood Protection Program Research Facility Compliance Agreement, DACS-08031, Revised 5/99, PI-276, effective 2/98, incorporated in this rule by reference. Form DACS-08031 PI-276 may be obtained from the Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438. Requests to plant pathogen infected material for research projects shall be made on an Application and Permit To Plant Citrus Pathogen Infected Stock, DACS-08274, Revised \_\_\_\_\_, PI-274, effective 1/98, and incorporated in this rule by reference. Form DACS-08274 PI-274 may be obtained from the Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438.

(3) through (4) No change.

Specific Authority 570.07(23), 581.031(1),(3),(8) FS. Law Implemented 570.07(2),(13), 570.0705, 581.031(1),(14),(17),(23) FS. History—New 9-30-96, Amended 11-4-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Kesinger, Chief, Bureau of Citrus Budwood Registration, Division of Plant Industry, 3027 Lake Alfred Road, Winter Haven, Florida 33881

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Constance C. Riherd, Assistant Director, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 1999

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Community Release Programs  
 RULE NO.: 33-601.602

PURPOSE AND EFFECT: The purpose of the proposed rule is to provide for electronic monitoring of work release inmates and to include monitoring costs as a subsistence deduction.

SUMMARY: The proposed rule provides for the electronic monitoring of work release inmates through use of the global positioning system, sets forth guidelines for the collection of monitoring costs, and incorporates standard forms to be used in conjunction with the rule.

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: 945.091, 946.002 FS.

LAW IMPLEMENTED: 945.091, 946.002 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., December 7, 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:

33-601.602 Community Release Programs.

(1) No change.

(2) Definitions.

(a) through (l) No change.

(m) Subsistence – monies paid by the inmate to offset the cost of room, board and other costs of sustaining the inmate while in paid employment status at a work release center.

(n) Global Positioning System (GPS) – a form of electronic monitoring utilized on inmates.

(3) through (6) No change.

(7) Requirements and General Considerations.

(a) through (d) No change.

(e) Inmates convicted of any of the offenses cited on the Primary Violent Personal Offenses List shall be required to sign and agree to abide by the terms of the GPS Monitoring Agreement, Form DC5-401. The Primary Violent Personal Offenses List and Form DC5-401 are hereby incorporated by reference. Copies of either of these documents are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida

32399-2500. Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of these documents is \_\_\_\_\_.

(8) Inmate Conduct While On Community Release.

(a) During the inmate orientation process, inmates will be instructed of the following conduct requirements:

1. through 10. No change.

11. Comply with the provisions of the GPS Monitoring Agreement, DC5-401, if applicable.

(b) through (d) No change.

(9) through (14) No change.

(15) Clothing and Equipment.

(a) through (b) No change.

(c) Inmates shall be responsible for department issued electronic monitoring equipment as described in Form DC5-401.

(16) No change.

(17) Disbursement of Earnings.

(a) No change.

(b) Once an inmate is approved for paid employment, facility personnel, in consultation with the inmate, will establish a plan for the disbursement of earnings, based upon the needs, responsibilities, and financial obligations of the inmate, including the cost of electronic monitoring. No change will be made in this plan of disbursement without the approval of the correctional officer major.

(c) No change.

(d) The inmate shall be required to disburse such funds to pay the facility for subsistence at the following rates:

1. Inmates assigned to contract facilities for paid employment shall be required to pay the amount provided by the current contract between the Department of Corrections and the contractor.

2. For inmates on electronic monitoring, the amount of subsistence to be paid will be computed by factoring .45 (45%) times the inmate's net earnings. The actual cost for electronic monitoring will be deducted from the subsistence amount.

~~3.~~ For all other inmates the amount of subsistence to be paid will be computed by factoring .45 (45%) times the inmate's net earnings.

(e) through (h) No change.

(i) The inmate shall be responsible while in paid employment for the following:

1. If transportation is provided by the department, the inmate shall be required to pay \$1.00 for every day one-way transportation is provided or \$2.00 for two-way transportation.

2. Health, comfort items, and incidental expenses.

3. Medical and dental expenses, unless waived by the regional health authority.

4. Tools, equipment, and clothing needed for employment.

5. Costs of electronic monitoring.

(j) through (k) No change.

(18) through (23) No change.

Specific Authority 945.091, 946.002 FS. Law Implemented 945.091, 946.002 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Nimer  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 5, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 17, 1999

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Control of Contraband  
RULE NO.: 33-602.203  
PURPOSE AND EFFECT: The proposed rule is needed in order to reflect position title changes, clarify provisions related to the definition of contraband and the handling of contraband items, and to provide for the use of a new form to be used when impounding inmate personal property.  
SUMMARY: The proposed rule corrects position titles, clarifies the definition of contraband and the handling of contraband items, and provides for the use of a new form to be used when impounding inmate personal property.  
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: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.47, 945.215 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., December 2, 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:

33-602.203 Control of Contraband.

(1) General Definition of Contraband.

(a) Contraband is any item or article inside an institution or facility, on the property of a facility or in the possession of an inmate that was neither:

- 1. Issued,

- 2. Approved for purchase at the commissary,
- 3. Purchased through an approved source with official approval,

- 4. Authorized and approved for delivery by mail, nor
- 5. Authorized to be brought into the institution or facility by an approved visitor.

(b) Any item or article not originally contraband shall be deemed contraband if it is passed from one inmate to another without authorization.

(c) Any item or article which is altered from its original design condition in such a way that it presents a threat to the security or order of the institution.

(2) No change.

(3) No person, whether he be an inmate or other person, unless authorized by the warden, assistant warden, chief of security or the shift supervisor ~~Officer in Charge, or his designated representative~~, shall introduce into or upon the grounds of an institution any of the following articles which are hereby declared to be contraband:

(a) through (f) No change.

(4) No person whether he be an inmate or other person, shall take any article whatsoever from the grounds of any institution without authorization from the warden, ~~assistant warden, chief of security Officer in Charge, or shift supervisor his designated representative~~.

(5)(a) No money shall be given directly to or received by an inmate assigned to a community correctional center unless authorized by the chief of security ~~correctional officer~~ or his designated representative. On a case by case basis, each chief of security ~~correctional officer~~ may authorize a draw of funds from the inmate's account that exceeds the approved amount authorized under ~~33-203.201~~(3) if a specific request is made and a review determines it is warranted. Any money found in the possession of an inmate in excess of \$50 in community correctional centers shall be considered contraband and shall be confiscated and deposited in the inmate welfare trust fund.

(b) No change.

(6) No change.

(7) Disposition of Contraband.

(a) Those contraband items retained for use in disciplinary hearings as evidence will be stored until such time as the warden or his designee approves of their being destroyed or disposed of. A secure area within the institution will be designated as the storage area for all contraband items. A Contraband Log, Form DC6-219, will be utilized to document the storage of contraband items. Form DC6-219 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_.

(b) ~~Contraband items to be used during outside court cases as evidence will be referred to the State Attorney's Office, if the State Attorney's Office so desires, otherwise they will be held as evidence by the institution inspector or senior inspector assigned to the criminal investigation as evidence.~~ In either case, the initial confiscating authority will establish the chain of evidence, and insure it is properly followed.

(c) through (d) No change.

(e) ~~If items of contraband are detected in the mail, that are not of any illegal nature, the institution finding the contraband will provide the sender and addressee a receipt for the property in accordance with department rules relating to mail procedures. The property shall be held by the institution for 30 days. It shall be the responsibility of the inmate to make arrangements to have the property picked up by an approved visitor or sent to a relative or friend, at no cost to the State in accordance with the provisions of Department rules relating to inmate property.~~

(8)(a) All cells, lockers, dormitories and other areas of an institution may be searched in a reasonable manner at any time. A copy of Form DC6-220, Inmate Impounded Personal Property List, receipt shall be given for any property taken in such a search if the inmate acknowledges possession or if the property was taken from an area occupied by the inmate or under his control. The inmate's acceptance of his copy of Form DC6-220 the receipt shall not constitute admission of possession of contraband. Form DC6-220 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_.

(b)1. The Regional Director may declare an emergency situation to exist if he finds, upon the advice and request of the warden, that an immediate mass shakedown is necessary to preserve the security and order of the institution and sufficient staff are not available to follow routine procedures of accounting and receipting for property. Within 72 hours after the declaration, the warden shall prepare a written statement setting forth the facts showing such emergency, which statement shall be forwarded to the Regional Director, who shall prepare a report to the Secretary justifying the declaration.

2. ~~Copies of Form DC6-220 Receipts do not have to be given immediately for property taken during such a mass shakedown. However, the property taken shall be kept and preserved, identified as to the area from which it was taken, and the inmate shall receive a copy of Form DC6-220 receipts shall be given as soon as practicable after the emergency has ceased. Property unclaimed after 30 days shall be disposed of as provided in subsection (7).~~

3. If items of inmate personal property are damaged or destroyed by Department staff during routine shakedowns, emergency shakedowns or while impounded, the warden or his designee shall cause an investigation to be made to determine.

- a. How the property became damaged or destroyed.
- b. Who is responsible for the damage or destruction.
- c. Whether there was any violation of Department policy or rules by staff.
- d. Whether appropriate staff need to be disciplined.
- e. Whether procedures need to be modified or established to prevent such loss of property from occurring in the future.

4. If an investigation determines that inmate personal property has been damaged or destroyed by Department staff, the procedure as outlined in 33-602.201(11) shall be followed in order to replace the property.

Specific Authority 944.09, 945.215 FS. Law Implemented 944.47, 945.215 FS. History—New 10-8-76, Amended 2-24-81, 4-18-82, 8-13-84, 2-13-85, 6-2-85, Formerly 33-3.06, Amended 2-9-87, 11-3-87, 8-14-90, 11-22-91, 1-06-94, 5-28-96, 10-26-97, Formerly 33-3.006, Amended \_\_\_\_\_.

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: October 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Use of Force  
RULE NO.: 33-602.210

PURPOSE AND EFFECT: The proposed rule is needed in order to provide guidelines for the videotaping of use of force incidents and the review and processing of these tapes, and to correct titles of positions and offices involved in the use of force review process.

SUMMARY: The proposed rule sets forth requirements for the videotaping of use of force incidents and the review and processing of these tapes, and provides correct titles of positions and offices involved in the use of force review process.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 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., December 1, 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:

33-602.210 Use of Force.

(1) No change.

(2) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. All authorized use of force incidents will be videotaped in their entirety. All spontaneous use of force incidents will be videotaped from the point the video camera operator arrives at the scene.

(3) through (4) No change.

(5) Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (1) shall prepare, date and sign the Authorization for Use of Force Report, Form DC6-232 ~~DC3-320~~. Form DC6-232 ~~DC3-320~~ is hereby incorporated by reference. Copies of this form may be obtained from any institution or from the Forms Control Administrator, Office of the General Counsel Operations, Department of Corrections, 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 26, 1986.

(6) Whenever force is used, a detailed written report of force used shall be prepared, dated and signed by the initial employee using force. Form DC6-230 ~~DC3-300~~, Report of Force Used, shall be used for this purpose. If more than one employee was involved in the initial use of force, the most senior employee shall complete the report. Each additional employee involved in the use of force who agrees with the facts and circumstances as reported on Form DC6-230 ~~DC3-300~~ part I shall prepare a staff supplement, Form DC6-231 ~~DC3-329~~. The report shall describe in detail the type and amount of force used by himself or herself. Each Employee shall individually write his or her own report, then submit the completed report to the clerical personnel designated by the warden to type all the reports onto one form to be signed by each employee. Any additional employee who does not agree with the facts and circumstances as reported in

Form DC6-230 ~~DC3-300~~ part I shall prepare a separate Form DC6-230 ~~DC3-300~~, Report of Force Used. Forms DC6-230 and DC6-231 are ~~DC3-300~~ is hereby incorporated by reference. Copies of these ~~this~~ forms may be obtained from ~~any institution or from~~ the Forms Control Administrator, Office of the General Counsel Operations, Department of Corrections, 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 these ~~this~~ forms is November 2, 1994. ~~DC3-329 is hereby incorporated by reference. Copies of this form may be obtained from any institution or from the Office of Operations, Department of Corrections, 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 November 2, 1994.~~

(7) The Authorization for Use of Force Report and the Report of Force Used shall be completed by those staff involved either during or immediately after the tour of duty when force was used, ~~but prior to the employee's normal days off, an official holiday or the taking of annual leave by the employee.~~ If an emergency arises, the warden may authorize the employee to complete the reports immediately upon his return on the next calendar day to his duty station. ~~Barring such an emergency, a~~ All reports must be typed and submitted to the warden or assistant warden within 1 5 working days (Monday through Friday) following ~~after~~ the incident.

(8) The warden or assistant warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation ~~cause an investigation to be done and shall, in writing, approve the use of force as being justified or disapprove it as being unjustified, stating the reasons for his approval or disapproval.~~ The warden shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information. This information will include statements from all involved staff, inmates and staff and inmate witnesses. This process will be completed within 5 working days (Monday through Friday). The warden shall forward the videotape(s) and associated reports on the use of force and the warden's summary to the institutional inspector. The institutional inspector will review the videotape(s) and associated documentation to ensure that all documentation is complete and will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The OIG, following its review, will either approve the use of force action or disapprove it and refer it for investigation. The employee's report and the warden's evaluation shall be forwarded within 5 working days of the date of the completion of the investigation to the regional director who shall, in writing, concur in the warden's evaluation or disapprove it. Copies of the employee's report, the warden's summary evaluation and the inspector general's

~~regional director's review and determination shall be kept in the inmate's file. A Use of Force Log, Form DC2-802, shall be placed in every employees personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The institutional inspector shall be responsible for submitting accurate information to the personnel office in order to maintain the DC2-802. Any use of force reports completed prior to April 15, 1998 shall also remain in the file. Form DC2-802, Use of Force Log, is hereby incorporated by reference. Copies of this form can be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_. A notation of each incident involving use of force and the outcome based on the warden's or regional director's evaluation and the regional administrator's review shall be kept in the employee's personnel file. Form DC2-696, Use of Force Log, shall be used for this purpose. Form DC2-696 is hereby incorporated by reference. Copies of this form may be obtained from any department personnel office or from the Bureau of Personnel, Department of Corrections, 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 November 8, 1998.~~

(9) ~~Any~~ Each employee who witnesses, or has reasonable cause to suspect, that an inmate has been unlawfully abused shall immediately prepare, date and sign an incident independent report, Form DC6-210, pursuant to Section 944.35 (5), Florida Statutes, specifically describing the nature of the force used, the location and time of the incident and the persons involved. The report shall be delivered to the inspector general of the department with a copy delivered to the warden of the institution. The inspector general shall conduct an appropriate investigation and, if probable cause exists that a crime has been committed, notify the state attorney in the circuit in which the institution is located. Form DC6-210, Incident Report, is hereby incorporated by reference. Copies of this form can be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_.

(10) Force or restraint may be used to administer medical treatment when ordered by at the request of a physician or his designee, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or his designee shall prepare a report documenting the reasons that force or restraint was authorized. Form DC6-232 DC3-320, Authorization For Use Of Force

Report, shall be used for this purpose. The physician's report shall be attached to the Report of Force Used. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. If an injury is claimed or found to exist, Form DC4-708, Diagram Diagnosis of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-701C and DC4-708 are incorporated by reference in (15) of this rule.

(11) The use of electronic restraining devices, batons, or chemical agents within institutions shall be authorized only by the warden, or duty warden his designee if the warden is not available. For purposes of this rule, the duty warden designee shall be of a rank of correctional officer colonel shift supervisor or higher. The correctional officer major at the main unit can serve as duty warden at those institutions that do not have a correctional officer colonel. Batons shall be used only by trained baton squad members to disarm an inmate or during situations in which the squad has been activated to quell a disturbance. The decision to use chemical agents or authorized electronic restraining devices shall be based on which level of force is most likely to resolve the situation with the least amount of injury to all parties involved. Hands-on physical force shall be avoided if injury is less likely to occur by using chemical agents or electronic restraining devices.

(12) Use of electronic restraining devices.

(a) through (e) No change.

(f) Electronic restraining devices shall be issued to officers on any inmate transport where firearms are issued, or on any outside hospital assignment where firearms are issued. ~~The correctional officer chief of security, or in his absence, the shift supervisor officer in charge,~~ shall determine the number of officers who will be issued firearms and electronic restraining devices during such trips.

(g) through (k) No change.

(13) Use of Chemical Agents.

(a) through (b) No change.

(c) In controlled situations when time constraints are not an issue, chemical agents can only shall be used if authorized by the warden or duty warden only by order of the warden or a high ranking employee specifically designated by the warden. For purposes of this paragraph, "high ranking" means ~~shift supervisor or higher.~~ Additionally, in accordance with (k) below, certified correctional staff will be designated by the warden to carry chemical agents and will be pre-authorized to



administer chemical agents in instances where chemical agents must be used for intervention in self defense, i.e., when the officer believes that he or she is in imminent threat of bodily harm or that the use of chemical agents will prevent injury to other staff, visitors, volunteers or inmates.

(d) Except in cases of emergency, as determined by the warden or duty warden officer in charge, chemical agents shall be employed only by persons trained in their use.

(e) through (f) No change.

(g) No inmate shall be handcuffed solely for the purpose of administering chemical agents. If chemical agents are administered to a handcuffed inmate, an explanation as to why the removal of the handcuffs was not feasible shall be included in Section I of the Report of Force Used, Form DC6-230 DC3-300.

(h) through (j) No change.

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

(l) In any case where chemical agents are used, an accurate record shall be maintained as to what type of agent was used, how much was used, method of administration, person authorized to draw chemical agent when issued from a secure location, person administering the chemical agent, location administered, and reason for use. This information shall be included in section I of the use of force report. Individual chemical agent dispensers carried by staff will be weighed by staff as designated by the warden at the beginning and end of each shift. These inspections will be documented on Form DC6-213 DC3-019, Individual Chemical Agent Dispenser Accountability Log, and any discrepancies shall be immediately reported. Form DC6-213 DC3-019 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel Security and Institutional Management, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_ ~~October 6, 1999~~.

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

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

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

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

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

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

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

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

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

(n) through (o) No change.

(14) Use of Firearms. In order for all concerned to be aware of their responsibilities, the statewide procedures set forth in this rule shall be included in the appropriate Department of Corrections institutional operating procedures, post orders and escape emergency plans at each institution.

(a) No change.

(b) Firearms or weapons shall be issued to an employee only upon instructions of the warden, assistant warden, chief of security or shift supervisor ~~correctional officer chief, or the officer in charge~~ by the arsenal officer or the officer designated to issue weapons. Employees shall not intentionally discharge a firearm at or in the direction of another person except under the following circumstances and after all reasonable non-lethal alternatives have been exhausted, and there is no danger to innocent bystanders:

1. In self-defense;
2. To prevent escape;
3. To prevent injury to a person; or
- 4 To quell a riot.

(c) through (j) No change.

(15) Medical Attention Following Use of Force. Appropriate medical treatment shall be provided immediately or, in the case of a riot or other man-made or natural disaster, as soon as possible, if an inmate or employee is injured. Any treatment or follow-up action shall be documented in section III of Form DC6-230 DC3-300, Report of Force Used. A qualified health care provider shall examine any person

physically involved in a use of force to determine the extent of injury, if any, and shall prepare a report which shall include, but not be limited to, a statement of whether further examination by a physician is necessary. Any noticeable physical injury shall be examined by a physician and the physician shall prepare a report documenting the extent of the injury and the treatment prescribed. Such report shall be completed within 1 5 days of the incident and shall be submitted to the warden for initial review appropriate investigation. The qualified health provider and physician shall use Form DC4-701C, Emergency Room Record, to document an examination following use of force. Form DC4-708, Diagram of Injury, shall be used along with Form DC4-701C to document obvious physical injuries. A copy of the report, along with the referenced forms, shall be attached to the Report of Forced Used. The original reports shall be filed in the medical record. Forms DC4-701C and Form DC4-708 are hereby incorporated by reference. Copies of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel ~~any institution or from the Bureau of Health Services~~, Department of Corrections, 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 these forms is September 28, 1985.

(16) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99.

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: October 18, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE TITLE: District Funds RULE NO.: 40C-1.004

PURPOSE AND EFFECT: Section 40C-1.004, FAC., is being amended to incorporate by reference St. Johns River Water Management District's policy number 99-02, which provides the procedures for the disbursement of District funds by means of wire or electronic transfers.

SUMMARY: The proposed amendments delete certain listed procedures for disbursing District funds by wire or electronic transfer and incorporate by reference more specific procedures for disbursement of District funds by wire or electronic transfer as set forth in Section II, of Policy 99-02, entitled "Investment

of Funds and Wire and Electron Transfer Procedures". Section II of the policy provides a specific procedure for (1) repetitive wire and electronic funds transfers equal to or less than \$10,000 and all non-repetitive wire and electronic funds transfers equal to or less than the insurance limit of liability; and (2) non-repetitive wire and electronic funds transfers over the insurance limit of liability. In addition, procedures for the wire transfer of funds by phone in certain instances is provided for. The policy retains the requirement for written instructions for transfers; however, the amendment provides for the delivery of said written instructions by way of U.S. mail, fax, hand delivery or electronic instructions.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.553 FS.

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

TIME AND DATE: Following the regularly scheduled Governing Board meeting which begins at 9:00 a.m., December 8, 1999

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4459

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-1.004 District Funds.

(1) No change.

(2) District funds may be disbursed, by wire or electronic transfer according to the procedure set forth in Section II, of Policy 99-02 entitled "Investment of Funds and Wire and Electronic Transfer Procedures," which is hereby incorporated by reference.

~~(2) District funds may be disbursed, with the Governing Board's approval, by wire or electronic transfer according to the following procedure:~~

~~(a) The Executive Director, or his designee, shall authorize and supervise all wire or electronic transfers of District funds, and shall report all wire or electronic transfer transactions to the Board at its next regular meeting following such transaction.~~

~~(b) The Executive Director shall provide written instructions to each financial entity that will be transferring District funds by wire or electronic transfer indicating which~~

District staff shall have the authority to request wire or electronic transfers of District funds, and stating that such financial entity may not wire or electronically transfer District funds without receiving prior written instructions for each transfer.

(e) The Executive Director, or any staff member authorized by the Executive Director to request wire or electronic transfer of District funds as provided in paragraph (b) above, shall provide written detailed instructions to the financial entity transferring the funds indicating the accounts from and to which District funds are to be transferred by telecopy transmission, hand delivery, or U.S. mail prior to each wire or electronic transfer of District funds.

(d) The District must receive documentation confirming the transfer of funds from the financial entity directed to transfer the funds.

Specific Authority ~~120.53, 373.044, 373.113~~ FS. Law Implemented ~~120.53, 373.553~~ FS. History--New 10-8-91, Amended 3-1-92, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael V. McKee, Director, Department of Administration, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (904)329-4117

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 1999

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

Anyone requiring special accommodation to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Linda Lorenzen, (904)329-4262 or (904)329-4450 (TDD).

**DEPARTMENT OF MANAGEMENT SERVICES**

**Career Service System**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Recruitment, and Selection	60K-3
RULE TITLES:	RULE NOS.:
Purpose	60K-3.004
Definitions	60K-3.005
Statements of Policy	60K-3.006
Recruitment. (Model Rule)	60K-3.007
Job Opportunity Announcements	60K-3.0071
Accepting Employment Applications	60K-3.0072
Selection Process. (Model Rule)	60K-3.009
Eligibility Determination	60K-3.0091
Documentation	60K-3.0092
Eligibility Verification	60K-3.0094
Technical Assistance; Post Audit	60K-3.011

PURPOSE AND EFFECT: The rule provisions identify current departmental and agency responsibilities in the area of recruitment and selection; identify situations for which announcing job vacancies is not necessary; shorten the time frame for re-announcing positions; identify information to be included in a job vacancy announcement; allow agencies to accept requests for reassignment and promotion from employees in the Career Service; require employing agencies to determine eligibility on all applicants at the beginning of the selection process; incorporate by reference the guidelines for determining eligibility; and identify acceptable selection techniques.

SUMMARY: The rules outline the policies and procedures for recruitment and selection activities by employing agencies when recruiting and filling positions in the Career Service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 110.201, 110.211(6), 110.213(4), 110.217(5) FS.

LAW IMPLEMENTED: 110.211, 110.213, 110.217 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., November 29, 1999

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Phil Spooner, Human Resource Consultant, Human Resource Management, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULES IS:

60K-3.004 Purpose.

This chapter sets forth the policies, documentation requirements and rules for eligibility determination and the model rules for conducting recruitment and selection activities in the Career Service.

Specific Authority 110.201, 110.211(6), 110.213(4)(6), 110.217(5)(7) FS. Law Implemented 110.211, 110.213, 110.217 FS. History--New 1-1-85, Formerly 22A-3.04, 22A-3.004, Amended 10-24-94, \_\_\_\_\_.

60K-3.005 Definitions.

For the purposes of this chapter, the following definitions shall apply:

(1) Affirmative Action Plan -- The written plan that contains an analysis of an agency's workforce and that, upon identification of underrepresentation of a protected group, sets forth the specific actions, goals and timetables the agency will use to eliminate the underrepresentation. The written plan by

which an agency conducts a reasonable self analysis and, if it concludes that action is appropriate, sets forth the specific actions, goals, and timetables by which the agency will overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity, as required by Section 110.112, Florida Statutes, and by federal regulations.

(2) Announced Position  $\hat{=}$  An authorized Career Service position for which an employing agency is recruiting after the exceptions listed in Subsections 60K-3.0071(1) and (2), F.A.C., have been considered, ~~following have been considered: demotions and reassignments directed by management, laid-off employees, requests for reassignment and promotion on file with the agency, and, at the option of the agency, applicants as described in 60K-3.0071(2) and (3).~~

(3) Department  $\hat{=}$  The Department of Management Services.

(4) Eligibility Determination  $\hat{=}$  The ~~final~~ process of ascertaining whether ~~an~~ the applicant ~~recommended~~ possesses the minimum qualifications for the class and any required entry-level knowledge, skills, and abilities and any certification and licensure required for the position.

(5) Employing Agency  $\hat{=}$  The agency in which a position to be filled is located.

(6) Employment Application  $\hat{=}$  A form developed by the ~~Department~~ on which applicants describe the type and duration of their training and experience, level of education; and ~~their~~ knowledge, skills; and abilities.

(7) Entry-level KSAs  $\hat{=}$  ~~Required Essential~~ knowledge, skills; and abilities an employee must bring to the position.

(8) Hard-to-Fill Position  $\hat{=}$  A position in a class for which the agency has documented recruitment difficulty or high turnover.

(9) Job Analysis  $\hat{=}$  A review of the job tasks assigned to a position to identify the ~~significant~~ knowledge, skills; and abilities required for successful performance of the job.

(10) Job Opportunity Announcement  $\hat{=}$  A document used by an employing agency to notify interested parties of employment opportunities in the Career Service.

(11) Knowledge, Skills, Abilities (KSAs):

(a) Knowledge  $\hat{=}$  The organized body of information, facts; or principles that an individual must possess for successful job performance.

(b) Skill  $\hat{=}$  Proficiency in the manual, verbal; or mental manipulation of data or things that an individual must possess for successful job performance.

(c) Ability  $\hat{=}$  The capacity to perform an observable behavior or produce a product.

(12) Minimum Qualifications (MQs): A specification of experience, training, education, test, ~~and/or~~ licensure or certification or a combination thereof, that provides appropriate job-related evidence that an applicant can perform the essential tasks or duties needed for entry to a job class.

(13) Project Independence Program Participant. A household head or a member of a household who is either:

(a) Applying for Aid to Families With Dependent Children (AFDC);

(b) Currently receiving AFDC; or

(c) Currently receiving Food Stamps.

(13)(14) Recruitment  $\hat{=}$  Activities undertaken to attract qualified applicants for positions according to agency needs.

(14)(15) Recruitment Source List  $\hat{=}$  A list maintained by the ~~Department~~ that contains names and addresses of organizations that serve as recruitment sources and who do not have access or readily available access to the Internet to receive job opportunity announcements from the statewide vacancy segment of the Department's designated human resource information management system. Cooperative Personnel Employment System (COPES) Statewide Vacancy Segment.

(16) Selection Procedure. ~~The process including established steps, forms, and/or selection techniques used by an employing agency to determine the applicant to be selected for a position.~~

(15)(17) Selection Technique  $\hat{=}$  A method used to assess the required essential knowledge, skills, abilities, minimum qualifications; and other job-related requirements possessed by an applicant.

(18) Supplemental Application. ~~A form completed by applicants on which they include educational, work, or life experiences related to the identified essential knowledge, skills, and abilities or tasks of the position.~~

(19) Turnover. ~~The ratio of the number of employees vacating positions in a class by separation to the number of positions in the class in an employing agency for a specified time period.~~

(16)(20) Veterans' Preference  $\hat{=}$  ~~The provision of~~ Preferential employment consideration provided to certain veterans and spouses of veterans as prescribed by Chapter 295, Florida Statutes, and Chapter 55A-7, F.A.C.

Specific Authority 110.112(2), 110.201(1), 110.211(6), 110.213(4), 110.217(1),(5)(7) FS. Law Implemented 110.112, 110.211, 110.213, 110.217, 409.029(4) FS. History—New 1-1-85, Amended 10-24-85, Formerly 22A-3.05, Amended 1-13-88, 11-9-88, Formerly 22A-3.005, Amended 10-24-94,

60K-3.006 Statements of Policy.

(1) No person shall be appointed to a position because of age, race, color, sex, religion, creed, national origin, disability or political affiliation except when such a requirement constitutes a bona fide occupational qualification necessary to perform the tasks associated with the position or the appointment is to fulfill a documented affirmative action goal or legal requirement.

(2) Applicants with qualifying disabilities, as defined by the Americans with Disabilities Act (ADA), shall not be denied employment solely because of the existence of a

qualifying disability, unless the disability is of the nature that prohibits the applicant from performing the essential functions of the position with reasonable accommodation.

(3) Veterans' preference shall be given to eligible veterans and spouses of veterans in accordance with Chapter 295, Florida Statutes, and Chapter 55A-7, F.A.C.

(4) Selection shall be made in accordance with applicable federal and state laws and regulations.

(5) The selection process shall be based on a job analysis of the position.

(6) Applicants selected for employment shall possess the minimum qualifications for the class and the required entry-level knowledge, skills and abilities necessary for the successful performance of the duties of the position.

(7) The Department shall be responsible for:

(a) Provide technical assistance to the employing agencies in carrying out the requirements of these rules.

(b) Assist agencies in recruiting efforts by:

(1) Providing training and technical assistance to the employing agencies in carrying out these rules;

1.(2) Informing the public of procedures pertaining to state employment and assisting applicants in locating announced positions;

2.(3) Developing Providing State of Florida Employment Applications;

3.(4) Coordinating with and assisting the Department of Labor and Employment Security, Bureau of Program Operations, in providing employment information and referring applicants to the employing agencies;

4.(5) Assisting, upon request, employing agencies in the recruitment of recruiting applicants for hard-to-fill positions and to meet in fulfilling affirmative action goals;

(6) Reviewing employing agencies' activities in carrying out these rules;

5.(7) Maintaining the statewide vacancy segment of the Department's designated human resource information management system COPES;

6.(8) Maintaining the Recruitment Source List; and

(9) Identifying the classes designated as entry-level for the purposes of Project Independence; and

7.(10) Developing and disseminating Publishing recruitment literature promoting the state as an employer.

(c) Review and respond to inquiries from applicants concerning actions by employing agencies in carrying out these rules.

(d) Review and audit the employing agencies' actions in carrying out the rules issued by the Department. Post-audit reports of the Department's review shall be in compliance with statute and designed to help agencies improve their operating procedures and comply with the requirements of this chapter.

Specific Authority 110.112(2), 110.201(1), 110.211(6), 110.213(4), 110.217(1),(5)(7) FS. Law Implemented 110.112, 110.211, 110.213, 110.217, 295.07, 295.09, 409.029(4) FS. History--New 1-1-85, Formerly 22A-3.06, Amended 1-13-88, 11-9-88, Formerly 22A-3.006, Amended 10-24-94, Subsections 7(a),(c) and (d) were formerly, in part, Subsections (1),(2) and (3) of Rule 60K-3.011, Amended \_\_\_\_\_.

60K-3.007 Recruitment. (Model Rule)

The employing agencies shall be responsible for:

(1) No change.

(2) Announcing agency positions in accordance with Section 60K-3.0071, F.A.C., informing applicants of the agency's employment process, distributing employment applications and other recruitment information, and accepting employment applications for the agency's positions in accordance with Section 60K-3.0072, F.A.C. applicable rules; and

(3) Responding to general employment inquiries. Establishing an annual goal for hiring Project Independence Program participants into a minimum of 10 percent of announced entry level positions;

(4) Selecting individuals for specific positions in accordance with applicable rules;

(5) Determining applicant eligibility in accordance with applicable rules;

(6) Documenting recruitment, eligibility determination, and selection activities in accordance with applicable rules;

(7) Giving preference in employment consideration to eligible veterans and spouses of veterans in accordance with Chapter 295, Florida Statutes, and Chapter 55A 7, F.A.C.;

(8) Informing applicants of the employment process and distributing employment applications and other recruitment information; and

(9) Responding to general applicant inquiries and referring applicants to appropriate agencies and resources.

Specific Authority 110.201(1), 110.211(6) FS. Law Implemented 110.211 FS. History--New 1-1-85, Formerly 22A-3.07, Amended 1-13-88, 11-9-88, Formerly 22A-3.007, Amended 10-24-94, \_\_\_\_\_.

60K-3.0071 Job Opportunity Announcements.

(1) All positions which an agency intends to fill shall be announced except those filled by the following, for which announcement is optional:

(a) Reclassifications or adds/deletes of positions with qualified incumbents; Demotions or reassignments directed by management;

(b) Appointments with temporary status; Laid-off employees;

(c) Appointments with overlap status, at the discretion of the agency head or designee in accordance with Chapter 60K-4, F.A.C.; Requests on file from employees for Reassignment or Promotion;

~~(d) Appointments with trainee status in cooperative education, vocational rehabilitation, blind services or return to work programs; Reclassifications, class title changes, or add/deletes with a qualified incumbent;~~

~~(e) Appointments of employees from the Selected Exempt Service or Senior Management Service into a Career Service position within the agency; Appointments with substitute status, at the discretion of the agency head or designee;~~

~~(f) Appointments as defined in Chapter 60K-4, F.A.C. within and between agencies that are demotions, reassignments or promotions of employees with request on file; with emergency status; or~~

~~(g) Appointments under the Veterans' Reemployment Rights law; or-~~

~~(h) Appointments within and between agencies of laid-off employees or those employees who have been given written notification of their impending layoff in accordance with Section 60K-17.004, F.A.C.~~

~~(2) If the agency head approves, an agency may also when approved by the agency head, the agency may consider applicants from a previous job announcement without advertising if:~~

~~(a) The applications are reviewed and considered within six months of the closing date of a previous job announcement;~~

~~(b) The position being filled is the same position as previously advertised or is a different position in the same class in the same geographical work area; and~~

~~(c) The position requires the same minimum qualifications and any required entry-level knowledge, skills and abilities as the previously advertised position.~~

~~The selection must, however, be made within six months of the closing date of the previous job announcement; and the position being filled must be the same position as previously advertised, or be a different position in the same class in the same geographical work area and requiring the same minimum qualifications and any required entry level knowledge, skills, and abilities as the previously advertised position.~~

~~(3) At the discretion of the agency head, a position with an incumbent may be moved from the Selected Exempt Service into the Career Service without advertising.~~

~~(3)(4) Job opportunities shall be entered on the Department's designated human resource information system. Job opportunity announcements shall be defined and issued as:~~

~~(a) An Internal Agency Opportunity; wWhen the employing agency chooses to accept applications from only those Career Service employees currently employed in the agency; and those who have requests on file for promotion in accordance with a collective bargaining agreement. The position shall be announced for a minimum of 7 calendar days; or~~

~~(b) A Career Service Opportunity; wWhen the employing agency chooses to accept applications from only those persons currently employed in the Career Service; or~~

~~(c) An Open Competitive Opportunity; wWhen the employing agency chooses to accept applications from all applicants.~~

~~(4)(5) Announcements for a Career Service Opportunity A job opportunity announcement for a Career Service opportunity and for an Open Competitive Opportunity shall be issued for a minimum of 14 calendar days. If the agency determines there is an insufficient number of applicants, applicant pool, a position may be re-announced for a minimum of 7 +0 calendar days.~~

~~(5)(6) All job opportunity announcements shall include the following:~~

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

~~(g) Minimum qualifications for the class, if any, and any required entry-level knowledge, skills; and abilities for the position provided they are documented on the position description;~~

~~(h) through (l) No change.~~

~~(m) A statement, on Internal Agency Opportunity announcements, that an agency shall consider only current agency Career Service employees and other non-agency employees covered under a collective bargaining agreement that have a request for promotion on file in accordance with that agreement;~~

~~(n) A statement that the agency shall will consider only current Career Service employees when a position is announced as a Career Service Opportunity;~~

~~(o) The statement, "If you need an accommodation because of a disability in order to participate in the application/selection process, please notify the hiring authority in advance"; and~~

~~(p) Other information deemed pertinent by the agency to assist applicants in determining whether they should apply for the position; and~~

~~(q) A statement, if equivalencies are to be considered, that education and experience equivalent to that required in the minimum qualifications may be considered by the employing agency.~~

~~(7) Job opportunity announcements shall be distributed to:~~

~~(a) The Bureau of Employment Programs and Training in the department;~~

~~(b) The Bureau of Program Operations, Department of Labor and Employment Security for Open Competitive and Career Service Opportunity announcements;~~

~~(c) The Project Independence Coordinator in the area in which a position in a designated entry-level Project Independence class is located; and~~

~~(d) Other recruitment sources as determined by the agency.~~

~~(8) The department shall coordinate with the Department of Labor and Employment Security and the employing agencies to ensure that job opportunity announcements are distributed to the Job Service of Florida offices and to the recruitment sources on the Recruitment Source List.~~

~~(9) The department may issue job opportunity announcements on behalf of employing agencies.~~

~~(6)(10) Each employing agency shall be responsible for ensuring that all job opportunity announcements are reasonably accessible.~~

Specific Authority 110.201(1), 110.211(6) FS. Law Implemented 110.211, 110.105(2), 110.112(5), 295.15; ~~409.029(4)~~ FS. History--New 11-9-88, Section 22A-3.0071 was, in part, formerly Subsections (6),(7),(8),(9),(10) of Section 22A-3.007, Formerly 22A-3.0071, Amended 10-24-94, \_\_\_\_\_.

60K-3.0072 Accepting Employment Applications.

(1) Application for employment in the Career Service shall be made on the current State of Florida Employment Application; Form No. DP-E-16, Revised December 1998, May, 1993, which is hereby incorporated adopted by reference. Agencies may accept applications which have been submitted electronically via the Internet from the Department's official web site.

~~(2) Agencies may~~ The employing agency shall accept employment applications for announced positions only. They may, however, accept employment applications continuously to -except:

~~(a) The employing agency may accept employment applications continuously for hard-to-fill classes as designated by the agency;~~

~~(b) The employing agency may accept employment applications continuously for the purpose of fulfilling the agency's affirmative action goals; and~~

~~(c) The employing agency may accept employment applications to meet agency needs.~~

(3) Employment applications received for announced positions after the close of business on the announced deadline shall not be included for employment consideration for that position, ~~-except that~~

~~(4) An applicant who expresses interest in an announced position in writing by written letter or resume before the close of business on the announced deadline date, and who submits a current State of Florida Employment Application prior to the employing agency comparing the applications to the minimum qualifications and the entry-level knowledge, skills and abilities for the position as required by Section 60K-3.009(1)(a), F.A.C., shall be considered in the employing agency's selection procedures, if the applicant submits a State of Florida Employment Application prior to the employing agency's comparing the applications to the minimum qualifications and the entry-level knowledge, skills and abilities for the position as required by Section 60K 3.009(2), F.A.C.~~

(5) An employee who submits a request for promotion or reassignment form provided by the agency shall also submit a current and updated State of Florida employment application. Requests shall indicate the classes and the counties to which the employee would like to be promoted or reassigned.

(6) Agencies shall accept requests for promotion and reassignment from employees unless an agency policy states that all vacancies will be advertised.

(7) Agencies may set submission and purge dates for request for promotion and reassignment by employees provided that such dates conform to applicable collective bargaining agreements.

Specific Authority 110.201(1), 110.213(4) FS. Law Implemented 110.213, 110.211(1) FS. History--New 11-9-88, Formerly 22A-3.0072, Amended 10-24-94, \_\_\_\_\_.

60K-3.009 Selection Process. (Model Rule)

In determining which applicant is to be selected for a position, regardless of whether or not a position is advertised, each agency shall:

(1) Determine the applicant's eligibility for the position. Selection of applicants for employment shall be based on a job analysis of the position being filled that identifies the specific knowledge, skills, and abilities necessary for the successful performance of the duties of the position.

~~(a)(2) The agency shall evaluate an applicant's knowledge, skills and abilities by reviewing the employment application and comparing them to the required minimum qualifications, licensure or certification and any required entry-level knowledge, skills and abilities of the position. For any announced position, there shall be an evaluation of the applicant's knowledge, skills, and abilities as reflected in education, experience, licensure or certification as outlined on the employment application as compared to the required minimum qualifications and any required entry-level knowledge, skills, and abilities of the position.~~

~~(b) The agency may use a combination of the employment application form and a supplemental application may be used for the initial eligibility determination, screen provided that all applicants are given the opportunity to complete the supplemental application prior to the eligibility determination initial screening.~~

~~(c) Only applicants who appear to possess the required minimum qualifications and any required entry-level knowledge, skills, and abilities shall be given further consideration.~~

~~(d) Eligibility determination of each applicant shall be in accordance with the Eligibility Determination Manual issued in 1999, by the Department, which are hereby incorporated by reference.~~

~~(e) The agency may approve an applicant's education and experience as equivalent to the education and experience required in the minimum qualifications if the equivalency is documented and justified based on the following:~~

1. The total quantity of the applicant's training and experience equals or exceeds the total quantity of training and experience established for the class;

2. The quality and type of the applicant's training and experience is equivalent to the quality and type of training and experience established for the class; and

3. The applicant's training and experience are directly related to the knowledge, skills and abilities necessary for the successful performance of the duties of the position.

~~(2)(3) Use at least one job-related selection technique to further assess whether or not the AH applicants who appear, after the initial screening, to possess the required minimum qualifications and any required entry-level KSAs necessary to perform the duties and responsibilities of the position, shall be evaluated according to uniform and consistently applied selection techniques established by the employing agency.~~

(a) Selection techniques shall be designed to provide maximum validity, reliability, and objectivity and result in selection from among the applicants who are most qualified for the position.

(b) Examples of acceptable selection techniques include:

1. Application Analysis: A comparison of the applicants' qualifications, as reflected on the application, to the essential required knowledge, skills and abilities of the position. Application analysis is an aid in ranking applicants and helps in determining which applicants shall be interviewed or otherwise further assessed in the selection process.

2. Oral Interview: A series of job-related questions that are consistently asked of all applicants chosen to be interviewed for a particular position, with responses being noted and evaluated, in order to identify applicants' relative qualifications for the position.

3. Supplemental Application: A written document, used in addition to the state employment application, requiring applicants to provide specific structured responses reflecting their qualifications, KSAs or both as required for the position.

4. Willingness Questionnaire: A survey containing questions which address the applicants' willingness to perform certain aspects of a position.

5. Work Sample: A task, representative of work actually done on the job, that is assigned to applicants to identify those who already possess the ability to perform that task.

6. Test: A written or proficiency assessment, or both, of an applicant's knowledge, skills and abilities.

7. Assessment Center: A selection technique using several assessment methods (e.g., role playing, in-basket exercises and other situational exercises), several trained raters and measuring as many knowledge, skills and abilities as possible. The final results are based on pooling the information obtained from all these assessment methods and raters.

~~(4) An employing agency shall ensure that its selection practices meet federal and state laws and regulations.~~

~~(5) Selection shall be made in accordance with applicable rules.~~

~~(3)(6) Conduct An eligibility determination as defined in Section 60K 3.0091, F.A.C., and a reference check(s) on the top applicant(s) are required and must be conducted prior to the filling of any position. In cases where reference checks are unattainable, documentation of unsuccessful reference check attempts is required. An oral interview or another acceptable selection technique is also required. Additional selection techniques may be used as appropriate.~~

(4) Confirm that the selected applicant met the MQs and required KSAs at the time the application was signed by verifying the education, experience, certification, licensure and any other requirements necessary to meet the minimum qualifications and any required entry-level KSAs not confirmed during the selection process. Verification should be conducted at the time of eligibility determination or at the time of the reference check but no later than 120 days following the employment date of the applicant.

~~(7) Examples of acceptable selection techniques include:~~

~~(a) Application Analysis: A comparison of the applicants' qualifications as reflected on the application to the essential knowledge, skills, and abilities of the position. Application Analysis is an aid in ranking applicants and helps in determining which applicants shall be interviewed or otherwise further assessed in the selection process.~~

~~(b) Reference Check: The gathering and use, at one or more stages of the selection process, of job related information about applicants from people who have knowledge of their work experience or educational background.~~

~~(c) Oral Interview: A series of job related questions that are consistently asked of all applicants chosen to be interviewed for a particular position with responses being noted and evaluated in order to identify applicants' relative qualifications for the position.~~

~~(d) Supplemental Application: A form completed by applicants on which they include educational, work, or life experiences related to the identified essential knowledge, skills, and abilities or tasks of the position.~~

~~(e) Willingness Questionnaire: A survey form containing questions which address the applicants' willingness to perform certain aspects of a position.~~

~~(f) Work Sample: A task that is representative of work actually done on the job, assigned to applicants to identify those who already possess the ability to perform that task.~~

~~(g) Test: A written and/or proficiency assessment of an applicant's knowledge, skills, and abilities.~~

~~(h) Assessment Center: A selection technique using several assessment methods, (e.g., role playing, in basket exercises, and other situational exercises), several trained raters, and measuring as many knowledge, skills, and abilities~~



as possible. The final results are based on pooling the information obtained from all these assessment methods and raters.

~~(5)(8)~~ The employing agency shall ~~n~~Notify each applicants of the selection decisions concerning the applicant. Such notification shall be completed within 45 calendar days of the successful applicant's effective date of employment decision to select the successful applicant.

Specific Authority 110.201(1), 110.213(4), 110.217(1),(5)(7) FS. Law Implemented 110.213, 110.217(1),(3),(4) FS. History-New 1-1-85, Formerly 22A-3.09, Amended 1-13-88, 11-9-88, Formerly 22A-3.009, Amended 10-24-94, Repealed.

60K-3.0091 Eligibility Determination.

Specific Authority 110.201(1), 110.213(4), 110.217(5)(7) FS. Law Implemented 110.213(1), 110.217(1),(2) FS. History-New 11-9-88, Subsection (6) of Section 22A-3.0091 was, in part, formerly subsections (1) and (3) of Section 22A-7.0031, Amended 5-30-89, Formerly 22A-3.0091, Amended 10-24-94, Repealed.

60K-3.0092 Documentation.

(1) Each employing agency shall ensure that records are maintained which document the selection process and justify the selection decision.

(2) For each appointment made, a record shall be kept that includes: Records shall consist of the following documents for each appointment made:

- (a) Details of the job analysis and identification of the knowledge, skills, and abilities necessary to perform the job;
- (b) Demographic data of applicants including but not limited to race, sex, age, and veteran status;
- (c) and (d) No change.
- (e) Copies of sSelection techniques used, including eligibility determination and other documentation such as interview responses, completed work samples, supplemental applications, etc.;
- (f) through (g) No change.
- (h) The job opportunity announcement and any other recruitment efforts; and
- (i) Other information related to the preceding paragraphs that affects (a) through (h) which affected the selection decisions.

~~(3)~~ Each employing agency shall ensure that records are maintained which document the number of Project Independence Program Participants hired each year in the Career Service.

~~(3)(4)~~ Each agency shall retain records for a minimum of two years from the creation date of the record or personnel action, whichever is latest. Pending litigation or unresolved personnel issues may require longer retention. Documentation records shall be retained for two years from the date of the making of the record or personnel action, whichever occurs later.

Specific Authority 110.201(1) FS. Law Implemented 110.201(1), ~~409.029(4)~~ FS. History-New 11-9-88, Section 22A-3.0092 was, in part, formerly Subsection (3) of Section 22A-3.009, Formerly 22A-3.0092, Amended 10-24-94, Repealed.

60K-3.0094 Eligibility Verification.

Specific Authority 110.201(1), 110.213(4), 110.217(5)(6) FS. Law Implemented 110.213(4), 110.217(2),(3) FS. History-New 10-24-94, Repealed.

60K-3.011 Technical Assistance; Post Audit.

Specific Authority 110.201(1) FS. Law Implemented 110.109(2), 110.109(3), 110.217(4), 110.217(5) FS. History-New 11-9-88, Formerly 22A-3.011, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Sharon D. Larson, Director, Human Resource Management,  
 Department of Management Services  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Michael Cochran, Deputy Secretary,  
 Department of Management Services  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 26, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: April 9, 1999

DEPARTMENT OF MANAGEMENT SERVICES

Career Service System

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Appointments, Status, Transfers and Separations	60K-4
RULE TITLES:	RULE NOS.:
Scope and Purpose	60K-4.001
Statements of Policy	60K-4.002
Definitions	60K-4.0021
Original Appointments	60K-4.003
Appointment of Disabled Veterans	60K-4.00311
Procedures for Approval of Appointments with Trainee Status in a Recruitment Trainee Program	60K-4.0032
Procedures for Approval of Appointments with Trainee Status in the Cooperative Education, Vocational Rehabilitation, Blind Services, Return-to-Work and Agency Trainee Programs	60K-4.00321
Shared Employment	60K-4.0034
Permanent Status	60K-4.004
Promotion Appointments	60K-4.006
Demotion Appointments	60K-4.007
Reassignment Appointments	60K-4.008
Reinstatement Appointment	60K-4.0081
Transfers	60K-4.009
Separations	60K-4.010

PURPOSE AND EFFECT: The rule amendments change the provisions for original and promotional appointment from model rules to uniform rules; streamline the types of status that

are awarded to employees upon appointment by renaming substitute status to overlap status incorporating provisions of 60L-7, F.A.C., merging the provisions of emergency and temporary status into one; create the provisions for reinstatement appointments; allow employees in Return to Work Programs to be appointed with trainee status; define separations from Career Service and reference the Drug-Free Workplace Act rather than the 1973 Department of Administration memorandum for handling dismissals for drug and alcohol abuse. The rule amendments repeal language regarding separations due to unauthorized holding or seeking of public office which is covered in 60K-13, F.A.C.

SUMMARY: The rule amendments outline the provisions dealing with the types of appointments into the Career Service; the types of status provided the Career Service employee and define the types of separations from Career Service.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 110.217(5), 110.201(1) FS.

LAW IMPLEMENTED: 110.213, 110.217, 295.08, 295.085 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., November 30, 1999

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Phil Spooner, Human Resource Consultant, Human Resource Management, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULES IS:

60K-4.001 Scope and Purpose.

This chapter establishes uniform policies and sets forth the rules for appointments, status separations and transfers within from positions in the Career Service and separations from the model rule for appointments in the Career Service.

Specific Authority ~~110.213(6)~~; 110.217(5)(7), 110.201(1) FS. Law Implemented ~~110.213, 110.217, 110.201, 295.08, 295.085 FS.~~ History—New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, Formerly 22A-7.01, 22A-7.001, Amended 10-24-94, \_\_\_\_\_.

60K-4.002 Statements of Policy.

(1) Appointments shall be made only to positions that have been established in accordance with the provisions of Chapter 60K-1, F.A.C. ~~An agency shall first consider any~~

~~Career Service employee who has been laid off pursuant to Rule 60K-17.004, F.A.C., before an original appointment can be made to that class.~~

(2) An agency shall first consider any Career Service employee who has been laid off pursuant to Rule 60K-17.004, F.A.C., before an original appointment can be made to that class. ~~Appointments shall be made only to positions that have been established in accordance with the provisions of Chapter 60K-1 of these rules.~~

(3) An established position shall be filled with one of the following types of appointments and the employee paid in accordance with the provisions of Chapter 60K-2, F.A.C. ~~of these rules:~~

(a) through (d) No change.

(e) Reinstatement

(4) Upon appointment to an established position, an employee shall be given one of the following types of status:

(b) Overlap Substitute

(c) No change.

~~(d) Emergency~~

~~(d)(e) Trainee~~

~~(e)(f) Permanent~~

(5) through (6) No change.

~~(7) Applicants with qualifying disabilities as defined by the Americans with Disabilities Act (ADA) shall not be denied employment solely because of the existence of a qualifying disability, unless the disability is of the nature that would prohibit the applicant from performing the essential functions of the position with reasonable accommodation.~~

~~(7)(8) No person shall be appointed to, or separated from, a position because of age, race, color, sex, religion, creed, national origin, disability or political affiliation except when such a requirement constitutes a bona fide occupational qualification necessary to perform the tasks associated with the position.~~

~~(8)(9) Any person appointed to a position in the Career Service must meet the minimum qualifications established for the class and any required entry-level knowledge, skills; and abilities for the position to which appointed, unless:~~

(a) The employee is given an appointment with trainee or temporary emergency status in accordance with Rule 60K-4.003(2)(3)(c)(d), F.A.C.; or

(b) The applicant's qualifications are determined to be equivalent to the required minimum qualifications. Such determination shall be in accordance with Rule 60K-3.009(1)(9)(e), F.A.C.

(9) Employees given reinstatement appointments are treated, for the purposes of status, pay and benefits, as if they have been continuously employed.

(10) Employees on military leave are considered to be on an authorized leave of absence and are treated for purposes of seniority, status, pay, and other benefits as if they had been continuously employed.

(11) No change.

(12) For the purpose of this chapter, promotion, demotion and reassignment appointments to a Career Service position shall include any action within and between agencies that occurs without a break-in-service.

(13) Resignation from one agency to accept a position with another agency shall not constitute a separation from the Career Service, provided there is no break in service of more than 31 calendar days between the last day on the payroll of the separating agency and the first day on the payroll of the receiving agency as prescribed in Section 60K-5.022(1), F.A.C.

(14) Intra-agency and inter-agency time limited rotation of employees may be utilized to encourage economical and effective utilization of public employees in the interchange of personnel agreements pursuant to Section 112.24, Florida Statutes.

Specific Authority 110.213(4), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.2135, 110.213, 110.217, 110.201 FS. History--New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, 1-1-86, Formerly 22A-7.02, Amended 3-30-88, 11-9-88, Formerly 22A-7.002, Amended 10-24-94,\_\_\_\_\_.

60K-4.0021 Definitions.

These definitions are defined only for the purpose of this chapter. For the purpose of administering these rules, the following definitions shall apply:

(2) Break-in-Service – An employee shall be considered to have a break-in-service when the employee separates, and is not on any state payroll for at least 31 calendar days following the separation.

(3)(2) Career Service Status – Successful completion of the required probationary period and attainment of permanent status in any class.

(4) Class series – A group of classes which are sufficiently similar in kind of work performed to warrant similar titles but sufficiently different in level of responsibility to warrant different levels of pay.

(5) Department – The Department of Management Services.

(3) Higher Class – A class having a greater degree of responsibility than the class in which the employee is serving. For purposes of this rule, higher class shall also be determined by pay range assignment and/or the essential functions of the positions.

(4) Lower Class – A class having a lesser degree of responsibility than the class in which the employee is serving. For purposes of this rule, lower class shall also be determined by pay range assignment and/or the essential functions of the position.

~~(5) Permanent Status – The status attained by an employee upon successful completion of the probationary period designated for the class.~~

~~(6) Promotion – The changing of the classification of an employee to a class having a higher maximum salary; or the changing of the classification of an employee to a class having the same or lower maximum salary but a higher level of responsibility as determined by the Department of Management Services.~~

~~(7) Demotion – The changing of the classification of an employee to a class having a lower maximum salary; or the changing of the classification of an employee to a class having the same or a higher maximum salary but a lower level of responsibility as determined by the Department of Management Services.~~

~~(8) Reassignment – Moving an employee from a position in one class to a different position in the same class or a different class having the same degree of responsibility. For purposes of this rule, the same degree of responsibility shall be determined by pay range assignment and/or the essential functions of the position.~~

~~(9) Dismissal – Disciplinary action taken by an agency against an employee resulting in termination of employment for a violation of agency standards or for cause pursuant to Section 110.227, F.S.~~

~~(10) Separation – The act of removing an employee from the Career Service.~~

~~(11) Shared employment – Part time career employment whereby the duties and responsibilities of a full time position in the career service are divided among part time employees who are eligible for the position and who receive career service benefits and wages pro rata. In no case shall “shared employment” include the employment of persons paid from other personal services funds.~~

Specific Authority 110.201(1) FS. Law Implemented 110.201 FS. History--New 1-1-86, Formerly 22A-7.0021, Amended 10-24-94,\_\_\_\_\_.

60K-4.003 Original Appointments. (Model Rule)

~~(1) No original appointment shall be made by any agency to a class until all Career Service employees who have been laid off pursuant to Rule 60K 17, F.A.C., have been considered for reemployment.~~

~~(1)(2) Except for a promotion, demotion, reinstatement or reassignment appointment made in accordance with the provisions of this chapter, all appointments to established positions shall be considered original appointments.~~

~~(2)(3) Upon original appointment to a class, an employee shall be given status in that class in accordance with the following:~~

~~(a) Probationary Status – An employee appointed to fill an established position shall be given probationary status for a period designated for the class, provided the employee has been determined eligible for the class, except for an employee~~

appointed in accordance with Rule 60K-4.00311, F.A.C., ~~who serves a probationary period of one year regardless of the period designated for the class.~~ To be given probationary status, an employee must meet the minimum qualifications for the class and must possess any required entry-level knowledge, skills, and abilities established for the position.

(b) ~~Overlap Substitute~~ Status – An employee ~~is~~ may be given overlap substitute status in accordance with the following:

1. When appointed employed to perform the duties of an employee in a filled, an established position for the purpose of: of an employee who has been granted a leave of absence with or without pay.

a. training one employee to take over the duties of another employee. The overlap period will be for a reasonable amount of time to accomplish the required training, but no longer than 60 calendar days; or

b. performing the duties of an employee who has been placed on educational leave with pay in conformance with an educational leave program adopted by the agency and approved by the Secretary of Management Services pursuant to Chapter 60K-7, F.A.C. The overlap period will not be longer than a 12-month period; or

c. performing the duties of an employee who has been placed on a leave of absence with or without pay for a period of up to one year; or

d. performing the duties of an employee for reasons not stated in Section 60K-4.003(2)(b)1.a., b. or c., F.A.C., and which can be justified as in the best interest of the state. A request shall be submitted by the agency with supporting documentation to the Department in advance of the overlap appointment. Supporting documentation shall include the identity of the overlapped employee, the salary of the overlapped employee, the name of the incumbent, the period of the overlap and justification for such action.

2. The employee must possess the minimum qualifications and the required entry-level knowledge, skills and abilities established for the position and may be appointed in substitute status for up to one year.

3. Extensions of overlap may be granted with Department approval except for employees on military or disability leave and or workers' compensation, where Department approval is not required.

4. The requirements of Rule 60K-3.0071, F.A.C., regarding announcing positions are is optional when filling a position with overlap substitute status. However, eEmployees appointed with overlap substitute status shall not thereafter be appointed with probationary status without competing for the position in accordance with the requirements of Rule 60K-3.009, F.A.C. At the time employees are appointed with probationary status in the same position, the agency head or

designee shall determine whether the time spent in overlap a substitute status will counts towards completiong of the their probationary period.

(c) Temporary Status – An employee is given temporary status in accordance with the following:

1. When appointed to fill an vacant established position on a full-time or part-time basis for the purpose of: shall be given temporary status

a. performing seasonal or intermittent work;

b. filling a position immediately to prevent an undue hardship on an agency which will hinder the normal operations of the agency;

c. performing services when the agency head determines there is danger or potential danger to life, physical or mental health or well-being of employees, the public, clients or other recipients of services required to be provided by the agency; or

d. filling positions which are limited to a definite period of time.

2. Wwhen the appointment is to a position requiring seasonal or intermittent work for no more than 1040 hours during any 12-month period. Extension of a temporary appointment may be granted by the Department upon receipt of justification by the employing agency.

3. The employee is not required to possess the minimum qualifications for the class.

4. Appointments with temporary status may be made without regard to the requirements of Rule 60K-3.0071, F.A.C., regarding announcing positions and shall be justified in writing and approved by the agency head or designee. Employees appointed with temporary status shall not be appointed thereafter with probationary status without competing for the position in accordance with the requirements of Rules 60K-3.0071 and 60K-3.009, F.A.C.

(d) Emergency Status – An employee may be appointed in emergency status to fill an established position when an emergency exists and a position must be filled immediately. ~~Emergency appointments may be full-time or part-time and shall not exceed 12 calendar weeks during any 12 month period. Emergency status should be used only in situations where positions which, if not filled immediately, will result in an undue hardship which will hinder the normal operations of the agency as determined by the agency head or when the agency head determines there is danger or potential danger to life, physical or mental health or well-being of employees, the public, clients, or other recipients of services required to be provided by the agency. Appointments with emergency status may be made without regard to the requirements of Rule 60K 3.0071, F.A.C., regarding announcing positions and shall be justified in writing and approved by the agency head. Employees appointed with emergency status shall not be appointed with probationary status without competing for the position in accordance with the requirements of Rule 60K 3.009, F.A.C.~~

(d)(e) Trainee Status –

1. An employee appointed to fill an established position with trainee status may be placed into one of four training programs: recruitment trainee; cooperative education; vocational rehabilitation; return-to-work program; blind services or an agency trainee program. Entry into any of these programs shall be in accordance with an established training schedule approved pursuant to Rules 60K-4.0032 or 60K-4.00321, F.A.C.

2. No change.

3. Upon successful completion of the training program, the employee may be appointed to a position in the same class requiring the same entry-level knowledge, skills and abilities (KSAs) without further competition. The appointment shall be with probationary status.

(3)(4) An employee appointed under Sections 60K-4.003(2)(3)(a), (b), (c), or (d), or (e), F.A.C., does not have Career Service status and may be terminated at any time in accordance with Chapter 60K-9, F.A.C., without the right to appeal such action to the Public Employees Relations Commission.

Specific Authority ~~110.213(4)~~, 110.217(5)(7), 110.201(1) FS. Law Implemented 110.2135, ~~110.213~~, 110.217, 110.227, 110.201 FS History–New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, 1-9-83, 6-25-84, 1-1-86, Formerly 22A-7.03, Amended 4-30-86, 10-12-86, 3-30-88, 11-9-88, Formerly 22A-7.003, Amended 10-24-94, \_\_\_\_\_.

60K-4.00311 Appointment of Disabled Veterans.

An honorably discharged veteran with a service-connected disability rating of 30 percent or more may be appointed to a position in accordance with Sections 295.08 and 295.085, Florida Statutes. Appointment shall be for a probationary period of one year, regardless of the probationary period designated for the class. At the time of application, the disabled veteran must furnish a State of Florida Employment Application and the following documentation:

- (1) A document from the Department of Defense, commonly known as Form DD-214 or military discharge papers, or equivalent certification from the U. S. Department of Veterans' Affairs Administration, listing military status, dates of service and discharge type;
- (2) Certification from the U. S. Department of Veterans' Affairs Administration or Armed Services that the applicant has a service-connected disability of 30 percent or more;
- (3) Proof of residence in this state; and
- (4) Possession of the minimum qualifications and any required entry-level knowledge, skills and abilities established for the position as indicated on the position description.

Specific Authority 110.213(6), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.2135 FS. History–New 3-30-88, Formerly 22A-7.00311, Amended 10-24-94, \_\_\_\_\_.

60K-4.0032 Procedures for Approval of Appointments with Trainee Status in a Recruitment Trainee Program.

Appointments with trainee status in a recruitment trainee program may be approved by the agency provided:

(1) The appointee has some of the education and experience required but does not possess all the required entry-level knowledge, skills, and abilities established for the position.

(2) There are fewer than three available applicants who meet the minimum qualifications of the class and possess the required entry-level knowledge, skills, and abilities established for the position, or the candidate pool does not enable the agency to fulfill its affirmative action plan.

(3) through (5) No change.

Specific Authority 110.213(4), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.201 FS. History–New 7-1-80, Revised 1-9-83, 6-25-84, 1-1-86, Formerly 22A-7.032, Amended 11-9-88, Formerly 22A-7.0032, Amended 10-24-94, \_\_\_\_\_.

60K-4.00321 Procedures for Approval of Appointments with Trainee Status in the Cooperative Education, Vocational Rehabilitation, Blind Services, Return-to-Work and Agency Trainee Programs.

(1) Cooperative Education Program. Appointments with trainee status in a cooperative education program may be approved by the agency provided:

(a) No change.

(b) That the student is enrolled in the cooperative education program of an eligible post-secondary educational institution, as listed in the Accredited Institutions of Post-Secondary Education publication;

(c) No change.

(d) An outline of the proposed pay schedule for the training period, including justification for the proposed schedule, is maintained by the agency.

(2) Vocational Rehabilitation or Blind Services Program. Appointments with trainee status in a vocational rehabilitation or blind services program may be approved by the agency provided:

(a) The employee has been referred to the employing agency by ~~either the department and division responsible for vocational rehabilitation or the blind services program~~ Division of Vocational Rehabilitation, Department of Labor and Employment Security, or the Division of Blind Services, Department of Education; and

(b) There is on file with the employing agency, an agreement between the agency and either the department and division responsible for vocational rehabilitation or the blind services program ~~Division of Vocational Rehabilitation, Department of Labor and Employment Security, or the Division of Blind Services, Department of Education;~~ and

(c) No change.

(3) Agency Trainee Program. Appointments with trainee status in an agency trainee program may be approved by the agency provided:

(a) The appointee meets some, but not all, of the minimum qualifications and required entry-level knowledge, skills, and abilities, ~~but does not possess all the entry level knowledge, skills, and abilities established for the position.~~

(b) No change.

(4) Return-to-Work Program. Appointments with trainee status in a return to work program may be approved by the agency provided:

(a) The employee is participating in the return-to-work program based on his or her inability to perform the current or previous state position based on an injury covered by workers' compensation;

(b) The employee has been referred by the department and division responsible for the return-to-work program;

(c) There is on file with the employing agency, an agreement between the agency and the department and division responsible for the return-to-work program; and

(d) An outline of the proposed pay schedule for the training period including justification for the proposed schedule is maintained by the agency.

~~(4) Intra-agency and inter-agency time limited rotation of employees may be utilized to encourage economical and effective utilization of public employees in the interchange of personnel agreements pursuant to Section 112.24, Florida Statutes.~~

~~(5) Project Independence. Appointment with trainee status in an agency trainee program may be approved by the agency provided the appointee comes from a list of Project Independence clients.~~

Specific Authority 110.213(6), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.201 FS. History--New (Subsections (1) and (2) were formerly subsections (2) and (3) of Section 22A-7.032.) 1-1-86, Amended 10-12-86, Formerly 22A-7.00321, Amended 10-24-94.

60K-4.0034 Shared Employment ~~Appointments~~.

(1) Shared employment is defined as part-time Career Service employment whereby the duties and responsibilities of an established full-time position are divided among part-time employees who are eligible for the position and who receive prorated Career Service benefits and wages.

~~(2)(1)~~ An agency may designate up to 10 percent of its full-time Career Service positions as shared employment positions.

~~(3)(a)~~ A shared employment position shall be identified as a single position and will retain its unity for purposes of classification, assignment to a pay grade, and other personnel transactions that apply to the position.

(4) An agency may designate a position for shared employment:

~~(a)(b)~~ When a new position is established or an existing position becomes vacant, ~~the~~ position shall be reviewed to determine whether the duties and responsibilities of the position may be performed by two or more employees as adequately or more adequately than by a single employee. ~~Upon a finding that the best interests of the state would be served, and that less than 10 percent of its Career Service positions are designated as shared employment, the position should be designated for shared employment appointments.~~

~~(b)(e)~~ No agency shall abolish or convert a position occupied by an employee to a shared employment position unless such action is agreed to by the employee. However, ~~upon the written~~ request or consent of an incumbent, ~~the~~ agency may evaluate the incumbent's position for suitability for shared employment in the same manner as for a vacant position and, upon a favorable evaluation ~~and with the incumbent's written consent~~, the agency may appoint the incumbent to the shared employment position with the same status as was held in the full-time position. Recruitment and recruit for appointment of the additional employee(s) in the position will be handled in accordance with Rule 60K-3.0071, F.A.C. the same manner as for a vacant position.

~~(5)(d)~~ Once a position is designated as a shared position, the position cannot be designated as full-time unless it becomes vacant, the incumbent(s) is given a minimum of 90 calendar days six months notice, or the incumbent(s) agrees to the action in writing.

~~(6)(2)~~ Employees filling shared employment positions are ~~part-time employees and will be~~ subject to the provisions of the personnel rules governing part-time employees.

~~(7)(3)~~ Shared employment positions shall be identified as such according to Rule 60K-1.002(6), F.A.C., and shall be reviewed by the ~~D~~department in a post audit capacity.

Specific Authority 110.201(1), 110.201 FS. Law Implemented 110.201, 110.203(26), 110.21 FS. History--New 6-29-82, Amended 1-1-86, Formerly 22A-7.034, 22A-7.0034, Amended 10-24-94.

60K-4.004 Permanent Status.

(3) An employee shall not attain permanent status in a class while serving with overlap substitute, temporary emergency, or trainee status.

(4) When an employee who has not attained permanent status in the class is granted a leave of absence with or without pay in excess of five consecutive workdays ~~during any month~~, the time spent on such leave shall not count toward completion of the employee's probationary period for that class. The time spent on military leave, however, shall count toward completion of the employee's probationary period.

(5) All successful performance in a the next higher-level class in the same class series shall be counted toward the completion of the probationary period for a lower class in the same series, the class from which the employee was promoted. In order to use any time toward completion of the probationary

period for the lower class, the employee's satisfactory performance in the higher class must be documented in writing.

(6) No change.

~~(7) A disabled veteran applicant appointed pursuant to Rule 60K 4.00311, F.A.C., shall be appointed for a probationary period of one year, notwithstanding the probationary period designated for the class.~~

Specific Authority 110.213(4), 110.217(5)(7), 110.201(1) FS. Law Implemented ~~110.2135~~, 110.213, 110.217, 110.201 FS. History--New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, Formerly 22A-7.04, Amended 1-1-86, 10-12-86, 3-30-88, 11-9-88, Formerly 22A-7.004, Amended 10-24-94,\_\_\_\_\_.

60K-4.006 Promotion Appointments. ~~(Model Rule)~~

(1) An employee shall be given a promotion appointment when:

(a) the employee is moved from one class to another class having a higher maximum salary; or

(b) the employee is moved from one class to another class having the same or lower maximum salary but a higher level of responsibility as determined by the Department of Management Services. Under such circumstances, the agency must request that the Department review the duties and responsibilities of the position to determine if they are at a higher level.

(2) Upon promotion, an employee shall be given probationary status, unless:

(a) the appointment is with overlap substitute, temporary, emergency, or trainee status; or

(b) the employee previously held permanent status in the class and the employee has not had a subsequent break-in-service, then the promotion will be with permanent status.

~~(3) An employee shall not attain permanent status in a class while serving with substitute, temporary, emergency, or trainee status.~~

~~(4) An employee who is promoted shall be required to serve the probationary period designated for the class.~~

~~(a) The probationary period may be extended for up to a total of 60 calendar days by the agency head provided there is written justification from the supervisor. Military leave shall not be used as justification for extending a probationary period.~~

~~(b) The probationary period shall also be extended if the employee has been granted a leave of absence in accordance with Rule 60K 4.004(4) of this chapter.~~

Specific Authority 110.213(4), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.227, 110.201 FS. History--New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, Formerly 22A-7.06, Amended 1-1-86, 10-12-86, 11-9-88, Formerly 22A-7.006, Amended 10-24-94,\_\_\_\_\_.

60K-4.007 Demotion Appointments.

(1) An employee shall be given a demotion appointment when:

(a) the employee is moved from one class to another class having a lower maximum salary; or

(b) the employee moves from one class to another class having the same or higher maximum salary but a lower level of responsibility, as determined by the Department of Management Services. Under such circumstances, the agency must request that the Department review the duties and responsibilities of the position to determine if they are at a lower level.

(2) Upon demotion, an employee shall be given probationary status, unless:

~~(a) the appointment is with overlap, substitute, temporary emergency, or trainee status;~~

(b) However, if the employee previously held permanent status in the class to which demoted and has not had a subsequent break-in-service or has completed the probationary period for the lower class in accordance with Rule 60K 4.004(5), F.A.C., in which case, the demotion shall be with permanent status;

(c) the employee previously held permanent status in a higher-level class in the same class series without a break-in-service, the employee shall be given permanent status in the lower class in the same series;

~~(d)(3) the demotion is a result of workforce reduction. An employee with permanent status in the class who is demoted as a result of a workforce reduction to a lower class in the same series and who has not previously attained permanent status in the lower class shall be given permanent status in the lower class. required to serve the probationary period designated for the class.~~

Specific Authority 110.213(4), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.227, 110.201 FS. History--New 7-1-68, Revised 6-10-70, 7-1-73, Amended 4-30-79, 7-1-80, Formerly 22A-7.07, Amended 1-1-86, 10-12-86, 11-9-88, Formerly 22A-7.007, Amended 10-24-94,\_\_\_\_\_.

60K-4.008 Reassignment Appointments.

(1) An employee shall be given a reassignment appointment when:

(a) the employee is moved from a position in one class to another class having the same maximum salary or a different position in the same class; or

(b) the employee is moved from one class to another class having a higher or lower maximum salary but a different class having the same degree of responsibility. Under such circumstances, the agency must request that the Department review the duties and responsibilities of the position to determine if they have the same degree of responsibility. For the purpose of this rule, the same degree of responsibility shall be determined by pay range assignment and/or the essential functions of the position.

(2) through (3) No change.

~~(4) An employee with Career Service status who is given a reassignment appointment to a different position in a different class shall be given probationary status and be required to serve the probationary period designated for the class, provided the employee meets the minimum qualifications for the class and possesses the entry-level knowledge, skills, and abilities established for the position. The probationary period may be extended for up to a total of 60 calendar days by the agency head provided there is written justification from the supervisor. The probationary period may be extended for a longer period of time if the employee has been granted a leave of absence in accordance with Rule 60K-4.004(4) of this chapter which resulted in an extension of the probationary period. If, however, the employee previously held permanent status in the class to which reassigned and has not had a subsequent break-in-service, the reassignment shall be with permanent status. If, and if an employee is on military leave such time shall be counted towards attaining he can attain permanent status while on such leave.~~

Specific Authority 110.213(6), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.227, 110.201 FS. History—New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, Formerly 22A-7.08, Amended 1-1-86, 10-12-86, Formerly 22A-7.008, Amended 10-24-94,\_\_\_\_\_.

60K-4.0081 Reinstatement Appointment.

(1) An employee may be given a reinstatement appointment when the employee returns to the same position and class within the same agency within 31 calendar days from the effective date of the resignation from employment in a career service position.

(2) Upon reinstatement, an employee will be appointed with the same status, pay and benefits of the employee's career service position held at the time of resignation from the agency.

Specific Authority 110.213(6), 110.217(5), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.227, 110.201 FS. History—New \_\_\_\_\_.

60K-4.009 Transfers.

~~(+) A transfer is defined as moving an employee from one geographic location of the state to a different geographic location in excess of 50 miles from the employee's current work location. In determining whether or not the move is in excess of 50 miles, the distance of the move shall be the shortest route by a state secondary highway or better.~~

~~(2) Transfers shall be made in conjunction with one of the types of appointments prescribed in this chapter.~~

Specific Authority 110.213(6), 110.217(5)(7), 110.201(1) FS. Law Implemented 110.213, 110.217, 110.201, 110.227 FS. History—New 7-1-68, Revised 6-10-70, 7-1-73, Amended 7-1-80, Formerly 22A-7.09, Amended 1-1-86, 10-12-86, Formerly 22A-7.009, Amended 10-24-94,\_\_\_\_\_.

60K-4.010 Separations.

(1) A separation from Career Service is defined as one of the following: Resignations

(a) When aAn employee resigns from a Career Service position and is not employed in any Career Service position for at least 31 calendar days. An employee shall not be separated

from state government on the day a holiday is observed unless the employer requires the employee to work on the holiday. In such circumstances, the employee will be compensated for the holiday in accordance with Chapter 60K-5, F.A.C. who resigns should present the reasons therefore in writing to the agency. A Verbal or written resignations from an employee shall be accepted in writing, by the employee's immediate supervisor or higher level employee as designated by the agency. Resignation from one agency to accept a position with another agency shall not constitute a separation from the Career Service, provided there is no break in service of more than 31 calendar days between the last day on the payroll of the separating agency and the first day on the payroll of the receiving agency as prescribed in Section 60K-5.022(1).

(2) Abandonment of Position.

(b)(a) "Abandonment of position" is defined as When an employee's voluntary absence from the job is without approved leave and the employee's conduct implies with no intention not to return. This It is deemed to be an "abandonment of position" and an unwritten resignation.

~~(b) When an employee's conduct implies the employee has abandoned the position, the agency shall initiate a predetermination proceeding pursuant to Rules 60K-9.0041 through 60K-9.0046. The employee shall have all of the rights prescribed by those rules.~~

(3) Unauthorized Seeking or Holding of Public and Local Public Office.

~~(a) An employee who seeks or holds office contrary to or without complying with the provisions of Section 110.233(4), Florida Statutes, shall be presumed to have become ineligible for continuation of employment and shall be deemed to have resigned from the Career Service.~~

~~(b) An employee who becomes ineligible for continued employment pursuant to Section 110.233(4), Florida Statutes, shall be entitled to review in accordance with Section 120.57, Florida Statutes, or Section 60K-13.032, F.A.C. If the office is a local public office, the employee shall be notified in writing by certified mail, return receipt requested, and such notification shall include a statement as to the employee's right to review under Chapter 60K-13, F.A.C.~~

(4) Dismissals.

(c)(a) A dismissal is defined When ans agency the takes action taken by an agency to dismiss against an employee for: to separate the employee from the Career Service.

1.(b) An agency head may dismiss any employee for just cause: which Just cause shall include, but not be limited to, negligence, inefficiency, or inability to perform assigned duties; repeated and/or gross substandard performance of assigned duties or both; insubordination; willful violation of the provisions of law or agency rules; conduct unbecoming a public employee; misconduct; habitual drug abuse or conviction of a crime involving moral turpitude; or.



~~2.(e) A dismissal action taken against an employee for job-related drug or alcohol abuse shall be in accordance with the Section 112.0455, Florida Statutes, Drug Free Workplace Act; or State Policy on Alcoholism as adopted by the Administration Commission and the guidelines issued by the Secretary of Management Services as Personnel Policy and Procedure Memorandum 73-20, dated September 1, 1973, which is hereby incorporated by reference.~~

~~3.(d) Termination during probationary period — an employee, without Career Service status, may be terminated at any time failure to successfully complete during the probationary period in accordance with Rule 60K-4.003(4), F.A.C.~~

~~(2) An employee who has Career Service status have the right to appeal a dismissal in accordance with Rule 60K-9.005, F.A.C. Prior to dismissing or processing an “abandonment of position” for any employee who has attained permanent Career Service employee status, the employing agency shall comply with the predetermination procedures in accordance with Rules 60K-9.0041 through 60K-9.0046, F.A.C.~~

Specific Authority 110.217(5)(7), 110.227(2), 110.201(1) FS. Law Implemented 110.217, 110.201, 110.227, 110.124, 112.0455 FS. History—New 7-1-68, Revised 6-10-70, 7-1-73, Amended 9-27-76, 4-30-79, 7-1-80, 1-9-83, Formerly 22A-7.10, Amended 1-1-86, 10-12-86, Formerly 22A-7.010, Amended 10-24-94, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon D. Larson, Director, Human Resource Management, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael Cochran, Deputy Secretary, Department of Management Services

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors’ Licensing Board**

RULE TITLE: Certification of Registered Contractors

RULE NO.: 61G6-5.0035

PURPOSE AND EFFECT: The Board determined that it is necessary to implement a new rule which will provide language for registered contractors to become certified and certain qualifications which contractors should meet.

SUMMARY: Certification of Registered Contractors.

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: 489.507, 489.514 FS.

LAW IMPLEMENTED: 489.514 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Ayrish, Executive Director, Electrical Contractors’ Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.0035 Certification of Registered Contractors.

(1) Any registered contractor, building code administrator, or inspector licensed in the residential and commercial electrical inspector categories who wish to become a certified registered contractor in the appropriate category pursuant to the “grandfathering” provisions of Section 489.514, F.S., shall meet the following requirements:

(a) Submit a completed “Application for Certification of a Registered License” on Form BPR/ECLB-REG.TO.CERT.9/99, which is hereby incorporated by reference, effective \_\_\_\_\_, copy of which may be obtained from the Board office.

(b) Submit proof of continuing education pursuant to Rule 61G6-9.001, F.A.C. for the latest renewal cycle prior to application.

(c) A registered contractor who was not required to pass a written, proctored examination to receive the registered license, may be considered for certification under this rule if he or she passes an examination that is substantially similar to the examination produced by the National Assessment Institute, Block and Associates or NAI/Block prior to application.

(d) For purposes of implementing s. 489.514, F.S., the registered contractor must show at least 5 years experience obtained after the issuance of the registered license in the category sought. The registered contractor must have held an active license in the category sought for a period of at least 5 years, but the 5 year period is not required to be consecutive. Any time periods when the license was placed on inactive or probation status shall not count toward the 5 years’ required experience; or

(e) For purposes of implementing s. 489.514, a building code administrator who is licensed pursuant to Chapter 468, Part XII, F.S., for at least five years, and has oversight responsibility in permitting inspection, and enforcement of electrical and alarm codes, or a combination of 5 years as an active registered electrical, specialty electrical, or alarm contractor or licensed as a building code administrator pursuant to Chapter 468, Part XII, F.S., with oversight responsibility in permitting, inspection, and enforcement of electrical and alarm codes, and holds a valid registered local

license in a category of electrical or alarm system contracting, and who has passed the examination required in Section 489.514(2), F.S. meets the experience requirements for a certified registered license in the appropriate category.

(f) For purposes of implementing s. 489.514, F.S., an inspector who is licensed in both residential electrical and commercial electrical inspector categories pursuant to Chapter 468, Part XII, F.S., for at least 5 years, with oversight responsibility over the licensing categories, or a combination of at least 5 years as an active registered electrical and/or alarm contractor or inspector who is licensed in the residential electrical and commercial electrical inspector categories pursuant to Chapter 468, Part XII, F.S., with oversight responsibility over the licensing categories, and holds a valid registered local license in a category of electrical or alarm system contracting, and who has passed the examination required in Section 489.514(2), F.S. meets the experience requirements for a certified registered license in the appropriate category. A residential electrical inspector license is required for the certified registered residential electrical specialty license.

(g) A registered contractor who becomes a certified registered contractor under s. 489.514, F.S., does not qualify for certification by endorsement in the states who have entered into endorsement agreements with the Florida Electrical Contractors' Licensing Board based upon substantially equivalent examinations.

(2) Specialty Electrical Categories – Registered to Certified.

(a) Certified Registered Electrical Contractor permits a contractor with a registered electrical and registered alarm system contractor I license who has met the requirements outlined in Section 489.514, F.S., and 61G6-5.0035, F.A.C., to contract throughout the state for any electrical system, including any alarm system and all specialty categories.

(b) Limited Certified Registered Electrical Contractor permits a registered contractor who has met the requirements outlined in Section 489.514, F.S., and 61G6-5.0035, F.A.C., to contract throughout the state for any electrical system, including all specialties. A limited certified electrical contractor may bid on electrical contracts which include alarm systems contracting as part of the contract, but all portions of the alarm systems, except raceway systems, must be subcontracted to a certified or registered alarm system contractor.

(c) Limited Certified Registered Electrical/Burglar Alarm System Contractor permits a contractor with a registered electrical and registered burglar alarm license who has met the requirements outlined in Section 489.514, F.S., and 61G6-5.0035, F.A.C., to contract throughout the state for any burglar alarm system and/or electrical system, including all specialties. A limited certified electrical/burglar alarm contractor may bid on all electrical and burglar alarm contracts, but all portions of a fire alarm systems, except raceway systems, must be subcontracted to a certified or registered Alarm Systems Contractor I.

(d) Certified Registered Alarm System Contractor I permits a contractor with a registered alarm system contractor I license who has met the requirements outlined in Section 489.514, F.S., and 61G6-5.0035, F.A.C. to contract throughout the state for any alarm or limited energy system.

(e) Certified Registered Alarm System contractor II permits a contractor with a registered alarm system contractor II license who has met the requirements outlined in Section 489.514, F.S., and 61G6-5.0035, F.A.C., to contract throughout the state for any alarm system or limited energy system, excluding fire alarm systems.

(f) All Specialty Electrical contractors set out in Rule 61G6-7.001(1),(2),(3),(4),(5), F.A.C. who hold a valid local registered license in one of these categories and who comply with subparagraphs (a) through (d) of this rule is eligible to apply to become a certified registered contractor in that category.

Specific Authority 489.507, 489.514 FS. Law Implemented 489.514 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of State Lands**

DOCKET NO: 99-40R

RULE CHAPTER TITLE: Adoption of Rules of the Green Swamp Land Authority

RULE CHAPTER NO.: 62Q-16

Swamp Land Authority

62Q-16

**RULE TITLES:**  
**PART I: Organization, Practice and Procedure**  
 Purpose  
 Definitions  
 Officers and Employees  
 Meetings, Quorum and Voting of the Authority  
 Notice of Meeting  
 Communications Media Technology  
 Records; Public Information  
 Business Address and Hours  
**PART IV: Acquisitions of Land Protection**

**RULE NOS.:**  
 62Q-16.001  
 62Q-16.002  
 62Q-16.004  
 62Q-16.005  
 62Q-16.006  
 62Q-16.007  
 62Q-16.009  
 62Q-16.010

Agreements  
 Acquisitions of Land Protection Agreements  
**PURPOSE, EFFECT AND SUMMARY:** The duties of the Green Swamp Land Authority were transferred to the Department of Environmental Protection by Section 51, 99-247, Laws of Florida (1999), and the Department requested transfer of the rules to Chapter 62, F.A.C., on October 6, 1999. The Department has determined that Part I has been superseded by the Uniform Rules or is obsolete and Part IV is obsolete. Therefore, all rules formerly used by the Green Swamp Land Authority will be repealed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 380.0677 FS.  
**LAW IMPLEMENTED:** 120.53(1), 380.0677 FS., s. 51, 99-247, Laws of Florida.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Suzanne B. Brantley, Senior Assistant General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000

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

62Q-16.001 Purpose.

Specific Authority 380.0677 FS. Law Implemented 120.53(1), 380.0677 FS. History–New 3-8-95, Formerly 9J-41.001, Repealed.

62Q-16.002 Definitions.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.002, Repealed.

62Q-16.004 Officers and Employees.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.004, Repealed.

62Q-16.005 Meetings, Quorum and Voting of the Authority.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.005, Repealed.

62Q-16.006 Notice of Meeting.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.006, Repealed.

62Q-16.007 Communications Media Technology.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.007, Repealed.

62Q-16.009 Records; Public Information.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.009, Repealed.

62Q-16.010 Business Address and Hours.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.010, Repealed.

62Q-16.301 Acquisitions of Land Protection Agreements.

Specific Authority 380.0677 FS. Law Implemented 380.0677 FS. History–New 3-8-95, Formerly 9J-41.301, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Eva Armstrong, Director, Division of State Lands, 3900 Commonwealth Blvd., MS 100, Tallahassee, FL 32399-3000  
**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Eva Armstrong, Director, Division of State Lands  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** August 31, 1999

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

**RULE TITLES:**  
 Definitions  
 Advanced Life Support Service License – Ground  
 Medical Direction  
 Records and Reports  
 Prehospital Requirements for Trauma Care  
 Adult Trauma Scorecard Methodology  
 Pediatric Trauma Scorecard Methodology  
 SATC and SAPTRC Requirements  
 Process for the Approval of SATCs and SAPTRCs  
 Extension of Application Period  
 Certificate of State – Approval  
 Process for Renewal of SATCs and SAPTRCs  
 Site Visits and Approval  
 Application of Hospital Denied Approval  
 Do Not Resuscitate Order (DNRO) Form and Patient Identification Device  
 Inspections

**RULE NOS.:**  
 64E-2.001  
 64E-2.003  
 64E-2.004  
 64E-2.013  
 64E-2.015  
 64E-2.017  
 64E-2.0175  
 64E-2.023  
 64E-2.024  
 64E-2.025  
 64E-2.026  
 64E-2.027  
 64E-2.028  
 64E-2.029  
 64E-2.031  
 64E-2.034

**PURPOSE AND EFFECT:** Trauma Standards – To revise and improve the State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center approval standards to reflect national standards and improve the site survey process.

**Inspections** – To establish rules for the periodic and random inspection of emergency medical service providers. This rule will satisfy the requirement of section 401.31(4), Florida Statutes.

**Run Report – To:** 1) strike the term “run report” and all related references through out 64E-2 and replace with the term “patient care record” where appropriate; 2) create a definition for a patient care record; 3) establish which providers must maintain patient care records and what information these records must contain; 4) establish what patient information must be left at the emergency department by the EMS provider; 5) change the requirement for submission of records to the Department to quarterly aggregate profile information.

**Do Not Resuscitate Orders** – To revise the rules and related forms to grant immunity from civil liability and criminal prosecution to certain health care facilities and personnel for withdrawing or withholding cardiopulmonary resuscitation if presented with an order or device not to resuscitate (the Do Not Resuscitate Order Form and Devices shall be developed by the Department). These health care facilities and personnel include: hospital emergency departments, nursing homes, assisted living facilities, hospices, home health agencies and adult family care homes. Note: this immunity already exists for emergency medical service systems and personnel.

**SUMMARY:** Trauma Standards – This rule outlines the requirements to qualify as a Level I or Level II State-Approved Trauma Center or a State-Approved Pediatric Trauma Referral Center and updates the application for each.

**Inspections** – This rule will identify the categories of violations, type of violation in each category, and time frame for responding to corrective action statements.

**Run Report** – The proposed rule amendment would enable ambulance services to design a run report to meet local needs, reduce workload related to completing the current form, and allow purchase of less expensive forms while providing the Bureau of EMS with information relative to EMS in Florida.

**Do Not Resuscitate Orders** – See Purpose and Effect.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** 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.

(a) Up to 248 EMS providers may incur the cost of training and providing staff to collect, compile and aggregate information as described in DHP 150-445 on a quarterly basis. Providers with automated data systems may incur costs for altering existing software. This proposed rule change should result in

substantial savings for providers using paper forms since the Department will no longer require providers to provide information on a scan ready form for every single EMS response monthly.

(b) The Department will substantially reduce costs related to pre-hospital data collection. The workload will be reduced from processing approximately 1.5 million two-sided forms with up to 64 data elements per form to quarterly processing 248 one-page forms with 10 data elements. The savings should off set any cost associated with the project.

(c) No new regulatory fees will be imposed on individuals or local governments other than EMS providers. If a county supports a centralized data collection system, the local government may incur additional system alteration costs.

(d) Small businesses may be indirectly impacted through required alterations to existing software or paper forms to accommodate the rule requirements.

**SPECIFIC AUTHORITY:** 381.0011, 395.401(3), 395.4025, 395.405, 401.121, 401.272, 401.30, 401.31, 401.35, 401.45, 499.05 FS.

**LAW IMPLEMENTED:** 381.0011, 381.0205, 395.401(3), 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421, 401.435, 401.45, 499.005, 765 FS.

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

**TIME AND DATE:** 10:00 a.m., November 29, 1999

**PLACE:** Bureau of Emergency Medical Services, 4025 Esplanade Way, Building 3916, Room 301 A & B, Tallahassee, Florida 32301-4881

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301. Effective November 9, the mailing address is 2020 Capital Circle, S. E., Bin #C18, Tallahassee, Florida 32399-1738, (850)487-1911, or FAX (850)487-2911

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

64E-2.001 Definitions.

(9) ICD-9-CM – means the “International Classification of Disease, 9th Revision, Clinical Modification”, March, 1989, U.S. Department of Health and Human Services Publication No. (PHS) 89-1260; an internationally applied method by which diseases or groups of medical conditions or injuries are coded for the purpose of statistical analyses. This book is incorporated by reference and available for purchase from the American Hospital Association, Central Office on ICD-9-DM, 1-800-242-2626, AHA, Post Office Box 92683, Chicago, IL 60675-2683.

(15) Patient Care Record – means the record used by each EMS provider to document patient care, treatment and transport activities that at a minimum includes the information required under sections 64E-2.003(8)(a)(b), 64E-2.004(4)(c), 64E-2.013, 64E-2.015(5), 64E-2.015(7)(b)3, 64E-2.017(5),(6),(7); 64E-2.0175(4), 64E-2.018, F.A.C.

~~(16)(15)~~ Pediatric Trauma Patient – means a trauma patient with anatomical and physical characteristics of a person 15 years of age or younger.

~~(17)(16)~~ Provisional State-Approved Pediatric Trauma Referral Center (SAPTRC) – means a hospital licensed under chapter 395, FS., which submits an application indicating that the hospital meets the requirements provided in DHP 150-9 and is approved by the department to provide pediatric trauma care services until approval or denial as a SAPTRC.

~~(18)(17)~~ Provisional State-Approved Trauma Center (SATC) – means a hospital licensed under chapter 395, F.S., which submits an application indicating that the hospital meets the requirements provided in DHP 150-9 and is approved by the department to provide trauma care services until approval or denial as a SATC.

~~(18) Run Report~~ means the written record described in section 64E-2.013, F.A.C.

Specific Authority 381.0011(13), 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History–New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99,\_\_\_\_\_.

64E-2.003 Advanced Life Support Service License – Ground.

(8)(a) The medical director determines what type of BLS patient may be attended by an EMT and develops standing orders for use by the EMT when attending the type of BLS patients identified. The onscene paramedic shall conduct the primary patient assessment to determine if the patient’s condition meets the criteria in the standing orders for BLS care. This survey shall be documented on the patient care record ~~run report~~ and shall identify the paramedic who conducted the survey.

(b) The patient care record ~~run report~~ for any patient care or transport shall clearly state whenever an EMT attends the patient.

Specific Authority 381.0011, 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History–New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.50, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-20-93, 1-26-97. Formerly 10D-66.050, Amended 8-4-98, 1-3-99, 7-14-99,\_\_\_\_\_.

64E-2.004 Medical Direction.

(4)(c) Develop and maintain a patient care quality assurance system to assess the medical performance of paramedics and EMTs. The medical director shall audit the

performance of system personnel by use of a quality assurance program to include but not limited to a prompt review of patient care records, ~~run reports~~, direct observation, and comparison of performance standards for drugs, equipment, system protocols and procedures. The medical director shall be responsible for participating in quality assurance programs developed by the department.

Specific Authority 381.0011, 395.405, 401.272, 401.35, 499.05 FS. Law Implemented 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.41, 401.411, 499.005 FS. History–New 8-7-89, Amended 6-6-90, 12-10-92, 3-19-95, 1-26-97, Formerly 10D-66.0505, Amended 8-4-98, 1-3-99,\_\_\_\_\_.

64E-2.013 Records and Reports.

(2) Each EMS provider shall ensure that an accurate and complete patient care record ~~run report~~ was prepared for each instance in which a patient was transported to a hospital. The transporting EMS provider shall have the complete and accurate patient care record as defined in section 64E-2.001(15), F.A.C., and required in section 64E-2.013, F.A.C., available upon request within 24 hours of the time the vehicle was originally dispatched in response to the request for emergency medical assistance. ~~assessed, medical care was rendered, a patient was transported, patient was pronounced dead at the scene, patient was transferred to another licensed service, patient was transferred from one medical facility to another and for instances when the person or persons for whom EMS was dispatched refused treatment, transport or both.~~

(3) The accurate and complete patient care record shall include all known information listed below and the known information defined under section 64E-2.001(15), F.A.C.:

- (a) Date of call;
- (b) Time of call;
- (c) The service name;
- (d) Incident ID number;
- (e) Lead crew signature;
- (f) Service name for any other licensed service providing care;
- (g) Name for first responder agency;
- (h) The patient’s full name or unique identification number if the name is unknown;
- (i) The patient’s age;
- (j) Patient assessment information (e.g., airway, breathing, circulation, pupils, skin and vitals) taken on scene and en route with times taken for vitals;
- (k) The initial vitals taken by a non-transport service before the arrival of the transport unit;
- (l) The patient’s medical history, current medications, allergies, and chief complaint;
- (m) Interventions attempted (e.g., airway, breathing, circulation, and secondary interventions) and
- (n) Medication(s) administered including the time, medication, dose and route.

~~(3) Each provider shall document on DOH Form 1894 or 1895, October 93, Florida EMS Report each instance as described in section 64E-2.013(2), F.A.C.~~

~~(4) Non-transporting vehicle personnel shall provide information pertinent to the patient's identification, patient assessment and care provided to the patient to the transporting vehicle personnel at the time the responsibility of the patient is transferred to the transporting service. The non-transporting EMS provide shall have the complete and accurate run report, as required in sections 64E-2.013(2) and (3), F.A.C., within 24 hours of the time the vehicle was originally dispatched in response to the request for emergency medical assistance.~~

~~(5) Transporting vehicle personnel shall provide information pertinent to the patient's identification, patient assessment and care provided to the receiving hospital personnel at the time the responsibility of the patient is transferred to the receiving hospital.~~

~~(6)(5) Each provider shall maintain a the second copy of the patient care record as defined in section 64E-2.001(15), F.A.C., DOH Form 1894 or 1895, October 93, Florida EMS Report for a period of at least 5 years. This copy is considered to be the copy of record, shall contain an original signature by the lead crew member and is certifiable as a true copy.~~

~~(7)(6) Each licensed EMS provider is responsible for quality review for completeness and accuracy of their own patient care records, run reports. Each quarter, the Office of EMS will notify licensed providers by exception reports of incompleteness or inaccuracy of submitted run reports. It is the provider's responsibility to prospectively correct procedure and performance so that the types of errors identified in the department's exception report do not reoccur. The exception reports will be reviewed by the Office of EMS staff in conjunction with routine inspections and serve as the basis for a determination of reporting deficiencies which will require corrective action.~~

~~(7) Any EMS provider who desires to provide run report data in a manner other than prescribed in this section shall submit a variance to collect and provide the data by an alternative method to the Office of EMS. Any variance request shall be in accordance with the intent of this section.~~

~~(13) A fixed wing air ambulance provider shall have an air medical crew member document the cabin altitude hourly. The cabin pressure shall be documented on the patient care record, patient record.~~

~~(14) Each provider shall document and submit to the department, the information contained on DH Form 1304, September 99, "EMS Aggregate Prehospital Report and Provider Profile Information Form", which is incorporated by reference and available from the department as defined and required in DHP 150-445, September 99, "Department of Health, Bureau of Emergency Medical Services (EMS)~~

Instruction Manual for the: EMS Aggregate Pre-hospital and Provider Profile Information Form (DH 1304)", which is incorporated by reference and available from the department.

(a) Reports shall be submitted in accordance with the format and time frame specified in DHP 150-445. Reports received after the due date(s) specified in DHP 150-445 or not in the format specified in DHP 150-445, may not be included in reports published by the department.

(b) The non-transporting unit is responsible for providing critical treatment and intervention information as defined in DHP 150-445 to the transporting unit at the time that the responsibility for the patient's care is transferred to the transporting unit. The transporting unit is required to include counts of all known critical treatments and interventions that were administered or attempted to be administered to the patient prior to their arrival as defined and required in DHP 150-445 as part of their required quarterly submission of DH Form 1304 to the department.

(c) Section 64E-2.103(14)(a) through (c), F.A.C., shall become effective 24 months from the effective date of this rule.

Specific Authority 381.0011, 395.405, 401.30, 401.35 FS. Law Implemented 381.001, 381.0205, 395.401-395.405, 401.23, 401.25, 401.27, 401.30, 401.35, 401.411 FS. History--New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.60, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.060, Amended 7-14-99.

64E-2.015 Prehospital Requirements for Trauma Care.

(5) The EMS provider responsible for the patient shall ensure that a prehospital trauma alert is issued upon determining that a trauma patient meets the requirements of sections 64E-2.017, and 64E-2.0175, F.A.C. The words "trauma alert" shall be used when notifying the SATC, or SAPTRC, or hospital that EMS is en route with a trauma alert patient. The EMS provider issuing the trauma alert shall also provide the SATC, or SAPTRC, or hospital with the information required under section 64E-2.013(5), F.A.C., and the information listed below at the time the patient is transferred to the personnel of the receiving SATC, SAPTRC or hospital: from the patient assessment and trauma information sections of the run report.

(a) Time of injury if different from the time of the call;

(b) Date of injury if different from day of call;

(c) County of injury;

(d) County of residence of patient;

(e) Cause of injury;

(f) Injury site/type;

(g) Trauma alert criteria if met as defined in section 64E-2.017 or 64E-2.0175, F.A.C., and

(h) Protective devices if motor vehicle crash, bicycle or marine crash.

The information listed above shall be documented on the patient care record of the transporting unit that delivered the patient in accordance with the requirements of section 64E-2.013, F.A.C.

(7)(b)3. Procedure to be followed by EMTs and paramedics for completion of the patient care record as defined under section 64E-2.001(15), F.A.C., and required under section 64E-2.013, F.A.C., and the ~~run report with~~ trauma information as required under section 64E-2.015(5), F.A.C., and the delivery of such information ~~the form~~ with the trauma patient to a SATC, SAPTRC, or hospital;

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401-395.403, 395.404-395.405, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.100, Amended 8-4-98, 7-14-99, \_\_\_\_\_.

64E-2.017 Adult Trauma Scorecard Methodology.

(5) Where additional local trauma alert criteria has been approved by the medical director of the EMS service and presented as part of the state TTP approval process, the use of local trauma alert criteria as the basis for calling a trauma alert shall be documented in the patient care record in accordance with the requirements of as required in section 64E-2.013, F.A.C. Local trauma assessment criteria can only be applied after the patient has been assessed as provided in (2)(3), and (4) of this section.

(6) In the event that none of the conditions are identified using the criteria in (2),(3),(4), or (5) of this section in the assessment of the adult trauma patient, the EMT or paramedic can call a trauma alert if, in his or her judgment, the patient’s condition warrants such action. Where EMT or paramedic judgment is used as the basis for calling a trauma alert, it shall be documented in the patient care record in accordance with the requirements of section 64E-2.013, F.A.C. as required in section 64E-2.013, F.A.C.

(7) The results of the patient assessment shall be recorded and reported in the patient care record in accordance with the requirements of section 64E-2.013, F.A.C.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.102, Amended 8-4-98, \_\_\_\_\_.

64E-2.0175 Pediatric Trauma Scorecard Methodology.

(4) In the event that none of the criteria in (2) or (3) of this section are identified in the assessment of the pediatric patient, the EMT or paramedic can call a “Trauma Alert” if, in his or her judgment, the trauma patient’s condition warrants such action. Where EMT or paramedic judgment is used as the basis for calling a trauma alert, it shall be documented in the patient care record in accordance with as required in section 64E-2.013, F.A.C.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-4-98, Amended \_\_\_\_\_.

64E-2.023 SATC and SAPTRC Requirements.

(1) The standards for Level I and Level II SATCs, and SAPTRCs, are published in DH Pamphlet (DHP) 150-9, January 2000, ~~March 98,~~ State-Approved Trauma Center and

State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference and available from the department. Trauma Centers must be in full compliance with these standards by July 1, 2000.

(2)(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a Level I SATC and the standards for a SAPTRC as provided in DHP 150-9, January 2000;

(3)(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a Level II SATC as provided in DHP 150-9, January 2000; ~~March 98;~~

(4)(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a SAPTRC as provided in DHP 150-9, January 2000; ~~March 98;~~

(5) The standards published in DHP 150-9, January 2000, March 98, are subject to revision at any time through rule promulgation. Any hospital that has been granted Provisional SATC or Provisional SAPTRC status or has been granted a 7 year Certificate of State Approval as a SATC or SAPTRC shall comply with all revisions to the standards published in DHP 150-9, beginning on the date the amended rule becomes effective.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, \_\_\_\_\_.

64E-2.024 Process for the Approval of SATCs and SAPTRCs.

(1)(a) The department shall accept a letter of intent, DH ~~DOH~~ Form 1840, January 2000, ~~July 95,~~ “State-Approved Trauma Center Letter of Intent”, which is incorporated by reference and available from the department, postmarked no earlier than September 1 and no later than midnight, October 1, from any acute care general or pediatric hospital. The letter of intent is non-binding, but preserves the hospital’s right to submit an application by the required due date if an available position, as provided in section 64E-2.022, F.A.C., exists in the hospital’s TSA. If the hospital does not submit an application by April 1 of the following year, the hospital’s letter of intent is void;

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a SATC or SAPTRC, DHP 150-9, January 2000, ~~March 98,~~ State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference in section 64E-2.023, F.A.C., and the requested application(s);

(c) No later than April 1 of the calendar year following the submission of a letter of intent, a hospital seeking approval as a SATC or SAPTRC shall submit to the department an original

and 3 copies of the respective application as indicated below. DOH H Form 2032, July 95, Application for Level I State-Approved Trauma Center, or DOH H Form 2043, July 95, Application for Level II State-Approved Trauma Center, or DOH Form 1721, July 95, Application for State-Approved Pediatric Trauma Referral Center, which are incorporated by reference and available from the department. Each hospital in a TSA with a department-approved local or regional trauma agency shall, at the time a SATC or SAPTRC application is submitted to the department, submit a duplicate of the application to the trauma agency for review. Recommendations from the trauma agency shall be submitted to the department no later than April 7, as provided in section 64E-2.021, F.A.C.

1. To apply for approval as a Level I State-Approved Trauma Center, applicants must submit all forms contained in the Level I State-Approved Trauma Center Application Manual, January 2000. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 2032, January 2000, General Information for Level I State-Approved Trauma Center Application; DH Form 2032-A, January 2000, Level I Trauma Center Approval Standards Summary Chart; DH Form 2032-B, January 2000, Application for Level I State-Approved Trauma Center Approval Letter of Certification; DH Form 2032-C, January 2000, Level I State-Approved Trauma Center Surgical Specialties Certifications; DH Form 2032-D, January 2000, Level I State-Approved Trauma Center Non-Surgical Specialties Certifications; DH Form 2032-E, January 2000, Level I State-Approved Trauma Center General Surgeons Commitment Statement; DH Form 2032-F, January 2000, Level I State-Approved Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2032-G, January 2000, Level I State-Approved Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2032-H, January 2000, Level I State-Approved Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2032-I, January 2000, Level I State-Approved Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2032-J, January 2000, Level I State-Approved Trauma Center Emergency Department Physicians; DH Form 2032-K, January 2000, Level I State-Approved Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2032-L, January 2000, Level I State-Approved Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2032-M, January 2000, Level I State-Approved Trauma Center Non-Surgical Specialists On Call and Promptly Available.

(2) To apply for approval as a Level II State-Approved Trauma Center, applicants must submit all forms contained in the Level II State-Approved Trauma Center Application Manual, January 2000. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH

Form 2043, January 2000, General Information for Level II State-Approved Trauma Center Application; DH Form 2043-A, January 2000, Level II Trauma Center Approval Standards Summary Chart; DH Form 2043-B, January 2000, Application for Level II State-Approved Trauma Center Approval Letter of Certification; DH Form 2043-C, January 2000, Level II State-Approved Trauma Center Surgical Specialties Certifications; DH Form 2043-D, January 2000, Level II State-Approved Trauma Center Non-Surgical Specialties Certifications; DH Form 2043-E, January 2000, Level II State-Approved Trauma Center General Surgeons Commitment Statement; DH Form 2043-F, January 2000, Level II State-Approved Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2043-G, January 2000, Level II State-Approved Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2043-H, January 2000, Level II State-Approved Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2043-I, January 2000, Level II State-Approved Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2043-J, January 2000, Level II State-Approved Trauma Center Emergency Department Physicians; DH Form 2043-K, January 2000, Level II State-Approved Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2043-L, January 2000, Level II State-Approved Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2043-M, January 2000, Level II State-Approved Trauma Center Non-Surgical Specialists On Call and Promptly Available.

(3) To apply for approval as a State-Approved Pediatric Trauma Referral Center, applicants must submit all forms contained in the State-Approved Pediatric Trauma Referral Center Application Manual, January 2000. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 1721, January 2000, General Information for State-Approved Pediatric Trauma Referral Center Application; DH Form 1721-A, January 2000, Pediatric Trauma Referral Center Approval Standards Summary Chart; DH Form 1721-B, January 2000, Application for State-Approved Pediatric Trauma Referral Center Letter of Certification; DH Form 1721-C, January 2000, State-Approved Pediatric Trauma Referral Center Surgical Specialties Certifications; DH Form 1721-D, January 2000, State-Approved Pediatric Trauma Referral Center Non-Surgical Specialties Certifications; DH Form 1721-E, January 2000, State-Approved Pediatric Trauma Referral Center General Surgeons Commitment Statement; DH Form 1721-F, January 2000, State-Approved Pediatric Trauma Referral Center General Surgeons Available for Trauma Surgical Call; DH Form 1721-G, January 2000, State-Approved Pediatric Trauma Referral Center Neurosurgeons Available for Trauma Surgical Call; DH Form 1721-H, January 2000, State-Approved Pediatric Trauma



Referral Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 1721-I, January 2000, State-Approved Pediatric Trauma Referral Center Surgical Specialists On Call and Promptly Available; DH Form 1721-J, January 2000, State-Approved Pediatric Trauma Referral Center Emergency Department Physicians; DH Form 1721-K, January 2000, State-Approved Pediatric Trauma Referral Center Anesthesiologists Available for Trauma Call; DH Form 1721-L, January 2000, State-Approved Pediatric Trauma Referral Center C.R.N.A.s Available for Trauma Call; and DH Form 1721-M, January 2000, State-Approved Pediatric Trauma Referral Center Non-Surgical Specialists On Call and Promptly Available.

(d)1. The critical standards for provisional review for Level I and Level II SATC applications are specified in DHP 150-9, January 2000, ~~March 98~~, as follows:

Level I

STANDARD

- I. Administrative: A, E, and F; Commitment: A, B & C 1, 3 & 4;
- II. Trauma Service: A, B.1, 5, 6, and 9, C, and D;
- III. Surgical Services: A, B, C, and D;
- IV. Non-Surgical Services: A, B, and C; Surgical Specialties Availabilities: A(1) a & b,(2)a, b, B(7);
- V. Emergency Department: A, B, C.1, D, and E.4, Non-Surgical Specialties Availabilities: A;
- VI. Operating Room and Post-Anesthesia Recovery Area: A.1, 2, and 3 and B.1 and 2; Emergency Department; Division; Service; Section: A, B(1)f, (2)f, (3)a, b, c, & f, C 5, 6 & 7;
- VII. Intensive Care Unit and Pediatric Intensive Care Unit: B, C, D, and E; Operating Suite Special Requirement: A 1 & 3;
- VIII. Training and Continuing Education Programs: A, B, and C;
- IX. Equipment: A, B, C, D, and E; Intensive Care Unit: A(1)a, b, & e;
- X. Laboratory Services: A and B;
- XII. Radiological Services: A, B, and C;
- XIII. Organized Burn Care: A;
- XIII. Radiological Capabilities: C; and
- XIV. Acute Spinal Cord and Brain Injury Management Capability: A;
- XV. Acute Rehabilitative Services: B;
- XVI. Psychosocial Support Services: A; Quality Management: A, B, C, D & E;
- XVII. Outreach Programs: B, C, and E;
- XVIII. Quality Management: A through H;
- XIX. Trauma Research: B.;

Level II

STANDARD

- I. Administrative: A, E, and F;
- II. Trauma Service: A, B.1, 5, and 6, C, and D;
- III. Surgical Services: A, B, C, and D;
- IV. Non-Surgical Services: A, B, and C;
- V. Emergency Department: A, B, C.1, D, and E.4;
- VI. Operating Room and Post-Anesthesia Recovery Area: A.1, 2, and 3 and B.1 and 2;
- VII. Intensive Care Unit: A, B, C, and D;
- VIII. Training and Continuing Education Programs: A, B, and C;
- IX. Equipment: A, B, C, D, and E;
- X. Laboratory Services: A and B;
- XII. Radiological Services: A, B, and C;
- XIII. Organized Burn Care: A;
- XIV. Acute Spinal Cord and Brain Injury Management Capability: A;
- XV. Acute Rehabilitative Services: B;
- XVI. Psychosocial Support Services: A;
- XVII. Outreach Programs: B, C, and E;
- XVIII. Quality Management: A through H;
- SAPTRC
- STANDARD
- I. Administrative: A, E, and F;
- II. Trauma Service: A, B.1, 5, 6, and 9, C, and D;
- III. Surgical Services: A, B, C, and D;
- IV. Non-Surgical Services: A, B, and C;
- V. Emergency Department: A, B, C.1, D, and E.4;
- VI. Operating Room and Post-Anesthesia Recovery Area: A.1, 2, and 3 and B.1 and 2;
- VII. Pediatric Intensive Care Unit: A, B, C, and D;
- VIII. Training and Continuing Education Programs: A, B, and C;
- IX. Equipment: A, B, C, D, and E;
- X. Laboratory Services: A and B;
- XII. Radiological Services: A, B, and C;
- XIII. Organized Burn Care: A;
- XIV. Acute Spinal Cord and Brain Injury Management Capability: A;
- XV. Acute Rehabilitative Services: B;
- XVI. Psychosocial Support Services: A;
- XVII. Outreach Programs: B, C, and E;
- XVIII. Quality Management: A through H;
- 2. The minimum standards for review for Provisional SAPTRCs are the following portions of DHP 150-9, March 98;

**STANDARD**

- I. Type of Hospital;
- II. Surgery Department; Division; Services; Sections: A;
- III. Surgical Specialties Availabilities: A 1, 2, 3 & 4;
- V. Non-Surgical Specialties Availabilities: 1, 8, & 13;
- VI. Emergency Department (ED): A, B, D, & H;
- VII. Operating Suite Special Requirements: A;
- IX. Pediatric Intensive Care (P-ICU): A, C, I;
- XVI. Quality Management: A, B, C, D, & E;

Specific Authority 395.405 FS. Law Implemented 395.031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98,\_\_\_\_\_.

**64E-2.025 Extension of Application Period.**

(2)(b) a reference to each standard, or specific part of a standard, in DHP 150-9, January 2000, ~~March 98~~, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards which is incorporated by reference in section 64E-2.023, F.A.C., that the hospital is unable to meet;

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 12-10-92, 12-10-95, Formerly 10D-66.1095, Amended 8-4-98,\_\_\_\_\_.

**64E-2.026 Certificate of State-Approval.**

(1) Each hospital approved as a SATC or SAPTRC shall be issued a ~~DH DOH H~~ Form 2032-Z, 2032A, January 2000, ~~October 91, State-Approved Level I Trauma Center Certificate of Approval, DH DOH H Form 2043-Z, 2043A, January 2000, October 91, State-Approved Level II Trauma Center Certificate of Approval, or DH DOH Form 1721-Z, 1721A, January 2000, October 91, State-Approved Pediatric Trauma Referral Center Certificate of Approval~~, which are incorporated by reference and available from the department. The certificates shall include:

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, Formerly 10D-66.110, Amended \_\_\_\_\_.

**64E-2.027 Process for Renewal of SATCs and SAPTRCs.**

(1) At least 14 months prior to the expiration of the SATC or SAPTRC certification, the department shall send, to each SATC or SAPTRC that is eligible to renew, a blank DH Form 2032R, January 2000, ~~Dec. 97~~, State-Approved Trauma Center Application to Renew, which is incorporated by reference and available from the department, in accordance with the provisions of this section. Within 15 calendar days after receipt, the SATC or SAPTRC choosing to renew its certification shall submit to the department the completed DH Form 2032R, January 2000, ~~Dec. 97~~.

(2) All renewing SATCs or SAPTRCs shall receive an on-site survey after the department’s receipt of the completed DH Form 2032R, January 2000, ~~Dec. 97~~. The department shall notify each SATC or SAPTRC of the results of the site survey

within 15 working days from completion of the site survey. If the SATC or SAPTRC desires to provide additional information regarding the results of the site survey to the department to be considered, the information must be provided in writing and be received by the department within 30 calendar days of the hospital’s receipt of the department’s notice. If the SATC or SAPTRC elects not to respond to the department’s notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant’s site survey.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, 1-23-96, Formerly 10D-66.111, Amended 3-15-98, \_\_\_\_\_.

**64E-2.028 Site Visits and Approval.**

(1) Each Provisional SATC and Provisional SAPTRC shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, January 2000, ~~March 98~~, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference in section 64E-2.023, F.A.C., and to determine the quality of trauma care provided by the hospital.

(4) The reviewers shall assess each applicant hospital’s compliance with the standards published in DHP 150-9, January 2000, ~~March 98~~, by means of direct observation, review of call schedules, and review of patient charts. Reviewers also shall assess the quality of trauma patient care and trauma patient management by reviewing facility trauma mortality data, by reviewing patient charts and by reviewing trauma case summaries and minutes of trauma quality management committee meetings pursuant to Standard ~~XVIII XVI~~ of DHP 150-9, January 2000, ~~March 98~~.

(5)(c) Patient charts to be reviewed shall be selected by the department from cases meeting the criteria listed in Standard ~~XVIII B.2, XVI C.2.a-e~~, published in DHP 150-9, January 2000, ~~March 98~~. A minimum of 75 cases shall be selected for review in each facility. If the cases total less than 75, then all cases are subject to review.

(6) The reviewers shall rate a Provisional SATC and Provisional SAPTRC which they have reviewed as either acceptable, acceptable with corrections, or unacceptable. The rating shall be based on each facility’s substantial compliance with the standards published in DHP 150-9, January 2000, ~~March 98~~, and upon the performance of each Provisional SATC or Provisional SAPTRC in providing acceptable trauma patient care and trauma patient management which resulted in acceptable patient outcomes.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98,\_\_\_\_\_.

64E-2.029 Application by Hospital Denied Approval.

Any hospital that was not approved as a SATC or SAPTRC based on the application of criteria in section 64E-2.028, F.A.C., may submit a completed Letter of Intent ~~DH DOH~~ Form 1840, January 2000, July 95, postmarked no earlier than September 1 and no later than midnight October 1 of the following year.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.113, Amended \_\_\_\_\_.

(Substantial rewording of Rule 64E-2.031 follows. See Florida Administrative Code for present text.)

64E-2.031 Do Not Resuscitate Order (DNRO) Form and Patient Identification Device. ~~Prehospital Do Not Resuscitate Order (DNRO).~~

(1) An emergency medical technician or paramedic shall withhold or withdraw cardiopulmonary resuscitation:

(a) upon the presentation of an original or a completed copy of DH Form 1896, Florida Do Not Resuscitate Order Form, October 1999, which is incorporated by reference and available from the department at no cost, or, any previous edition of DH Form 1896; or

(b) upon the presentation or observation, on the patient, of a Do Not Resuscitate Order patient identification device.

(2) The Do Not Resuscitate Order:

(a) form shall be printed on yellow paper and have the words "DO NOT RESUSCITATE ORDER" printed in black and displayed across the top of the form. DH Form 1896 may be duplicated, provided that the content of the form is unaltered, the reproduction is of good quality, and it is duplicated on yellow paper. The shade of yellow does not have to be an exact duplicate;

(b) patient identification device is a miniature version of DH Form 1896 and is incorporated by reference as part of the DNRO form. Use of the patient identification device is voluntary and is intended to provide a convenient and portable DNRO which travels with the patient. The device is perforated so that it can be separated from the DNRO form. It can also be hole-punched, attached to a chain in some fashion and visibly displayed on the patient. In order to protect this device from hazardous conditions, it shall be laminated after completing it. Failure to laminate the device shall not be grounds for not honoring a patient's DNRO order, if the device is otherwise properly completed.

(3) The DNRO form and patient identification device must be signed by the patient's physician. In addition, the patient, or, if the patient is incapable of providing informed consent, the patient's health care surrogate or proxy or court appointed guardian must sign the form and the patient identification device in order for them to be valid.

(4) An emergency medical technician or paramedic shall verify the identity of the patient who is the subject of the DNRO form or patient identification device. Verification shall be obtained from the patient's driver license, other photo identification, or from a witness in the presence of the patient.

(5) During each transport, the EMS provider shall ensure that a copy of the DNRO form or the patient identification device accompanies the live patient. The EMS provider shall provide comforting, pain-relieving and any other medically indicated care, short of respiratory or cardiac resuscitation.

(6) A DNRO may be revoked at any time by the patient, if signed by the patient, or the patient's health care surrogate, or proxy or court appointed guardian. The revocation may be in writing, by physical destruction, by failure to present it, or by orally expressing a contrary intent.

Specific Authority 381.0011, 401.45(3) FS. Law Implemented 381.0205, 401.45 FS. History—New 11-30-93, Amended 3-19-95, 1-26-97, Formerly 10D-66.325, Amended \_\_\_\_\_.

64E-2.034 Inspections.

(1) Inspections of Emergency Services Providers shall be documented on DH Form 1579, June 99, Service Records and Facilities Inspection Form; DH Form 627, June 99, Basic Life Support Vehicle Inspection Form; DH Form 1039, June 99, Advanced Life Support Vehicle Inspection Form; DH Form 629, June 99, Air Ambulance Inspection Form; DH Form 1831, June 99, Inspection Corrective Action Statement; DH Form 1264, September 99, Personnel Records Inspection Form; DH Form 1265, June 99, Supplemental Inspection Form and DH Form 1266, June 99, Equipment Test Results Inspection Form. These forms are incorporated by reference and available from the department.

(2) Completion of Inspection Forms:

(a) Inspection Codes – Inspection Forms DH Form 1579, June 99; DH Form 627, June 99; DH Form 1039, June 99; and DH Form 629, June 99, shall be completed by the department with the following codes:

1 – Item meets inspection criteria.

1A – Item corrected during inspection to meet inspection criteria. This indicates that equipment or supplies were not present or not working properly or proper documentation of records or procedures were not available when initially inspected but prior to the completion of the inspection, the item out of compliance was corrected.

2 – Item not in compliance with inspection criteria. A code "2" represents a deficiency that is not in compliance with statute or rule and was not corrected during the inspection.

(b) Violation categories – All equipment, medical supplies, records and procedures required by Florida Statutes and rules are placed in one of three violation categories:

Category 1 – life-saving equipment, medical supplies, drugs, records, or procedures;

Category 2 – intermediate support equipment, medical supplies, drugs, records or procedures;

Category 3 – minimal support equipment, medical supplies records or procedures.

These categories shall be used to determine corrective action time frames for deficiencies noted during inspections. The violation categories for each required item are noted on the inspection forms.

(3) Corrective Action:

(a) Corrective Action Time Frames – Based on the violation category definitions listed above, the following corrective action time frames and administrative action guidelines shall apply:

Category 1 – any item in this category found deficient shall require action by the service provider within 24 hours of the inspection to replace or correct the deficiency noted to avoid administrative action by the department;

Category 2 – any item in this category found deficient shall require action by the service provider within 5 working days (Monday – Friday) of the inspection to replace or correct the deficiency noted to avoid administrative action by the department;

Category 3 – any item in this category found deficient shall require action by the service provider within 10 working days (Monday – Friday) of the inspection to avoid administrative action by the department.

(b) Inspection Corrective Action statement – Upon completion of an inspection in which deficiencies were noted, the EMS provider shall be given DH Form 1831, June 99 Inspection Corrective Action Statement, which is incorporated by reference and available from the department. This form documents the corrective action that must be taken by the EMS provider to correct the inspection deficiencies and the time frames within which the corrective action must be taken. The completed DH form 1831, June 99, and documentation of the corrective action taken, must be received by the department within 14 working days (Monday – Friday) of the inspection. Failure of the EMS provider to submit the corrective action statement or correct identified deficiencies within the required time frames is grounds for disciplinary action under chapter 401, F.S.

(4) A copy of the inspection forms and Inspection Corrective Action Statement shall be maintained by the provider for a period of 3 years.

Specific Authority 401.31, 401.35 FS. Law Implemented 401.31 FS. History– New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pam Lesley, Senior Management Analyst  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dino J. Villani, Chief  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 1998, December 24, 1998, June 4, 1999, July 2, 1999

P. O. X00699

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Divivison of Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

RULE TITLE:

RULE NO.:

Recreational Red Snapper Season Closure 68B-14.0038

PURPOSE AND EFFECT: In 1996, when the U.S. Congress reauthorized the Magnuson-Stevenson Act, a new provision was added requiring the closure of the red snapper recreational fishery in the Gulf of Mexico once the recreational quota was reached. In the past, the National Marine Fisheries Service (NMFS) has asked Florida to comply with the quota to help achieve the goal of rebuilding the severely overfished red snapper stocks. The State of Florida has long disagreed with the NMFS, believing that quotas are not an appropriate method for managing a recreational fishery. Since the 1996 change in the law, the federal recreational red snapper fishery has closed each year on consecutively earlier dates (November 27, 1997; September 30, 1998; and August 29, 1999), creating significant unpredictability for recreational fishers and support industry. With the closure date for the recreational fishery being at best approximated, future fishing trips become impossible to plan causing a severe economic impact on the for-hire industry, and extreme inconvenience for recreational harvesters.

Seeking to aid in the recovery of the red snapper fishery while simultaneously providing a predictable fishing season for the recreational sector, the Fish and Wildlife Conservation Commission is proposing to establish a predetermined open season for the recreational harvest of red snapper. The best available science suggests that a fixed open season coupled with already existing bag limits and size limits should result in a red snapper recreational catch that sufficiently approximates the quota.

Accordingly, the purpose of this rulemaking is to establish an open season for the recreational red snapper fishery in state waters of the Gulf of Mexico. The effect will be to create stability for the recreational sector and associated industry while aiding in the rebuilding of the red snapper stocks, thus promoting the health and abundance of this fishery.

SUMMARY: Rule 68B-14.0038, F.A.C., is substantially revised to establish a fixed open season for the recreational harvest and possession of red snapper in state waters of the Gulf of Mexico.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES AT THE TIME, DATE, AND PLACE TO BE LATER ANNOUNCED IN THIS PUBLICATION.

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 5 calendar days before the meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542. All written material received by the Commission within 21 days of the date of publication of this notice shall be made a part of the official record.

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS HEARING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, 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 BASED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0038 Recreational Red Snapper Season ~~Closure~~. In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from April 15 through October 31, each year. Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from November 1 through April 14, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper. Beginning November 1, 1998, if at any time adjacent federal Exclusive Economic Zone (EEZ) waters are closed to the recreational harvest of red snapper, corresponding state waters shall also be closed from the date federal waters are closed until federal waters are reopened to the recreational harvest of red snapper. Notice of the closure for state waters shall be given by the

~~Executive Director of the Fish and Wildlife Conservation Commission in the manner provided in s. 120.81(5), Florida Statutes.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History-New 10-20-98, Formerly 46-14.0038, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Russell Nelson, Division Director, Division of Marine Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 29, 1999

Section III  
Notices of Changes, Corrections and  
Withdrawals

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Finance**

RULE NO.: 3D-20.0021  
RULE TITLE: Procedures for Filing Claim  
NOTICE OF WITHDRAWAL

Notice is hereby given that the Department is withdrawing the proposed amendments to the above referenced rule, which was published in the Vol. 25, No. 39, October 1, 1999, issue of the Florida Administrative Weekly.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-10.024  
RULE TITLE: Articulation Between Universities, Community Colleges, and School Districts  
NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 38, September 24, 1999, Florida Administrative Weekly has been continued from October 26, 1999, to November 9, 1999.

**DEPARTMENT OF REVENUE**

NOTICE OF CABINET AGENDA  
ON NOVEMBER 23, 1999

The Governor and Cabinet, on November 23, 1999, sitting as head of the Department of Revenue will consider approving the proposed amendments to Rule 12B-12.0031 (Imposition of Tax), FAC. These proposed amendments eliminate a provision

which imposes sales and use tax on the total price for which a person other than a retail dealer sells perchloroethylene (“perc”). This total price includes the \$5 per gallon tax imposed on perc. These proposed amendments to Rule 12B-12.0031, FAC., were originally noticed in the Florida Administrative Weekly of September 24, 1999, Vol, 25, No. 38, p. 4397. A public hearing on these proposed amendments was held on October 18, 1999. No one appeared at the hearing to testify, and no one submitted written comments.

**ADMINISTRATION COMMISSION**

**RULE NOS.:**

**RULE TITLES:**

- 28-22.101 First Revision to Zoning Code
- 28-22.102 Second Revision to Zoning Code
- 28-22.103 Third Revision to Zoning Code
- 28-22.104 Revision to Comprehensive Plan
- 28-22.105 Revision to Zoning Code
- 28-22.106 Revision to Comprehensive Plan
- 28-22.107 Revision to Comprehensive Plan
- 28-22.108 Revision to Zoning Code
- 28-22.109 Revision to Zoning Code
- 28-22.110 Revision to Zoning Code
- 28-22.111 Amendment to Comprehensive Plan
- 22-28.112 Amendment to Comprehensive Plan
- 28-22.113 Subdivision Regulations Ordinance; Adoption of Franklin County Ordinance No. 89-7
- 28-22.114 Critical Shoreline District Regulation Ordinance. Franklin County Ordinance No. 89-8
- 28-22.115 Amendment to Comprehensive Plan
- 28-22.116 Amendment to Comprehensive Plan
- 28-22.117 Amendment to the Franklin County Zoning Code
- 28-22.121 Amendment to the Franklin County Zoning Code
- 28-22.122 Amendment to the Franklin County Zoning Code
- 28-22.123 Amendment to the Franklin County Zoning Code
- 28-22.124 Amendment to the Franklin County Zoning Code
- 28-22.125 Adoption of the Franklin County Local Comprehensive Plan
- 28-22.126 Amendment to the Franklin County Land Development Regulations
- 28-22.127 Amendment to the Franklin County Land Development Regulations

- 28-22.128
- 28-22.129
- 28-22.130
- 28-22.131
- 28-22.132
- 28-22.301
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- 28-22.303
- 28-22.304
- 28-22.305
- 28-22.307
- 28-22.308
- 28-22.309
- 28-22.310

- Amendment to the Franklin County Land Development Regulations
- Amendment to the Franklin County Land Development Regulations
- Amendment to the Franklin County Land Development Regulations
- Amendment to the Franklin County Land Development Regulations
- Amendment to the Franklin County Land Development Regulations
- Adoption of City of Carrabelle Ordinance No. 203
- To Adopt City of Carrabelle Resolution 2-88 and Ordinances 207, 208
- Subdivision Regulations Ordinance: Adoption of the City of Carrabelle’s Ordinance No. 211
- Adoption of City of Carrabelle’s Zoning Ordinance
- Adoption of City of Carrabelle Septic Tank Ordinance
- Adoption of the 1988 State Minimum Building Code with 1989 and 1990 Amendments as the City of Carrabelle Building Code
- Amendment to the City of Carrabelle Zoning Code
- City of Carrabelle Comprehensive Plan
- Amendments to the City of Carrabelle Land Development Regulations

**NOTICE OF CHANGE OF HEARING**

The Administration Commission announces the rescheduling of a hearing regarding the Notice of Proposed Rule Repeal of the following portions of Rule Chapter 28-22, Land Planning Regulations for the Apalachicola Bay Area of Critical State Concern – Franklin County:

The hearing was originally scheduled for November 3, 1999, but has been rescheduled for the time, date and location shown below:

**TIME AND DATE:** 10:00 a.m. – 12:00 Noon, Tuesday, December 7, 1999

**PLACE:** Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)488-7793, at least 5 business days in advance to make appropriate arrangements.

**COMMISSION ON ETHICS**

RULE NO.: 34-7.010  
RULE TITLE: List of Forms and Instructions  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the forms adopted by reference in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 38, September 24, 1999 issue of the Florida Administrative Weekly:

Form 1 – Statement of Financial Interests: Page 3, Filing Instructions, Address of Reporting Individuals: Reference to the Department of Health and Rehabilitative Services is deleted and correct language from Section 119.07(3)(i), F.S., is substituted.

Form 2 – Quarterly Client Disclosure: The language in the “Note” is amended to make it consistent with Section 112.3145(4), F.S.

Form 6 – Full and Public Disclosure of Financial Interests: Page 3, Instructions for Completing Form 6, Mailing Address: Reference to the Department of Health and Rehabilitative Services is deleted and correct language from Section 119.07(3)(i), F.S., is substituted.

Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees: Page 21, Donor’s Quarterly Gift Disclosure – Reference to the Joint Legislative Management Committee is deleted.

**LAND AND WATER ADJUDICATORY COMMISSION**

**Cypress Grove Community Development District**

RULE NO.: 42O-1.001  
RULE TITLE: Creation of the Cypress Grove Community Development District

**NOTICE OF CHANGE OF HEARING**

The Florida Land and Water Adjudicatory Commission announces the rescheduling of a hearing regarding the Notice of Proposed Rule Amendment Development for Rule 42O-1.001, F.A.C., Creation of the Cypress Grove Community Development District.

The hearing was originally scheduled for November 2, 1999, but has been rescheduled for the time, date and location shown below:

TIME AND DATE: 10:00 a.m. – Noon, Monday, December 6, 1999

PLACE: Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty at (850)488-7793 at least 5 business days in advance to make appropriate arrangements.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-16.002  
RULE TITLE: Requirements to Set Examination date

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 1, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-31.004  
RULE TITLE: Hair Braiding, Hair Wrapping and Body Wrapping Course Requirements

**NOTICE OF PUBLIC HEARING**

The Board of Cosmetology hereby gives notice of a public hearing on the above-referenced rule to be held on November 14, 1999 at the Jacksonville Marriott, 4670 Salisbury Road, Jacksonville, Florida, at 11:00 a.m. The rule was originally published in Vol. 25, No. 40, of the October 8, 1999, Florida Administrative Weekly.

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

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 BUSINESS AND PROFESSIONAL REGULATION**

**Board of Electrical Contractors’ Licensing Board**

RULE NO.: 61G6-6.006  
RULE TITLE: Certification Examination Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 24, on June 18, 1999, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE NO.: 61G14-11.001  
RULE TITLE: Determination of Openings for Deputy Pilots

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following change has been made to the proposed rule as published in Vol. 25, No. 31, August 16, 1999, issue of the Florida Administrative Weekly. The Board, at its October 22, 1999 meeting in Cape Canaveral, Florida, voted to change the rule in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsections (1) shall now read as follows:

(1) The Board shall exercise its continuing duty to determine if there is a need for one or more new deputy pilots in any of the several ports of the state. The Board shall make such determination based upon request(s) received from licensed state pilots at the port involved, or it may make such determination from information otherwise available to it. Licensed state pilots, at a port, who perceive a need for one or more new deputy pilots at that port, shall submit a written request that the Board declare, and publish notice of, one or more openings for deputy pilots to serve that port. Such request shall be acted upon by the Board at a regular or special meeting. Such request must contain facts which demonstrate to the Board that the creation of such opening(s) is necessary in order to insure that the supply of pilots at that port will be sufficient to meet the port's demand for piloting services which is anticipated to exist at the time the requested new deputy pilot(s) become(s) (a) licensed pilot(s). In all cases the Board shall make its determinations based on the supply and demand for piloting services and the public's interest in maintaining efficient and safe piloting services.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: E. Madeline Smith, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0773

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE NO.: 61G14-20.001  
 RULE TITLE: Deputy Pilots' and State Pilots' Physical and Mental Capabilities

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule as published in Vol. 25, No. 31, August 6, 1999 issue of the Florida Administrative Weekly. The Board, at its October 22, 1999 meeting in Cape Canaveral, Florida, voted to change the rule in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsections (2)(c)2., (3)(c), and (4) shall now read as follows:

(2)(c)2. An original or true copy of form Dept. of Trans., USCG, CG-719K (Rev. 3-95) entitled "Merchant Marine Personnel Physical Examination Report," which form is incorporated herein by reference and can be obtained by

contacting the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0773. The form shall bear a date no later than thirteen months after the date appearing on the copy of such form most recently submitted, and;

(3)(c) Failure to comply with this rule shall result in discipline pursuant to section 310.101, Florida Statutes and rule chapter 61G14-17, F.A.C.

(4) Any evidence from a physical examination which indicates that the subject has a clinical dependence upon alcohol use or uses any controlled substance (with zero tolerance) unless the subject is under the care of a physician and the controlled substance was prescribed by that physician shall subject the applicant or pilot to the provisions of Section 310.101, Florida Statutes. Proceedings thereunder shall be in accordance with the requirements of Section 120.569 and 120.57, Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: E. Madeline Smith, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0773.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-18.011  
 RULE TITLE: Definitions

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 25, No. 37, September 27, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsection (5) shall now read as follows:

(5) A "registered engineer whose principal practice is civil or structural engineering," as used in ss. 471.003(3) and 481.229(4), F.S., shall mean an engineer licensed in Florida whose principal practice is civil or structural engineering and who either has a degree in civil or structural engineering, or has successfully completed the principles and practice examination in either discipline.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1206 Hays Street, Tallahassee, Florida 32301

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-9.013  
 RULE TITLE: Standards for the Use of Controlled Substances for Treatment of Pain



NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 34, of the August 27, 1999, issue of the Florida Administrative Weekly. The changes are in response to written comments received on the rule. The changes are as follows:

1. The second sentence of subsection (1)(c) shall be changed to read, "Physicians are referred to the U.S. Agency for Health Care Policy and Research Clinical Practical Guidelines for a sound approach to the management of acute and cancer-related pain."

2. Subsection (2)(d) shall be changed to read, "Chronic Pain. For the purpose of this rule, "chronic pain" is defined as a pain state which is persistent."

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE NO.: 65A-1.900 RULE TITLE: Overpayment and Benefit Recovery

NOTICE OF CHANGE

Notice is hereby given that changes are being made to the rule identified above and the full text as published by notice of change in Vol. 25, No. 37, Florida Administrative Weekly, on September 17, 1999. These changes are the result of potential objections raised by the Joint Administrative Procedures Committee in a letter dated September 22, 1999.

1. Sub-paragraph (3)(a)1. is amended as follows:

(3) Monthly Repayment Amounts.

(a) Monthly repayment amounts of all AFDC and temporary cash assistance overpayments shall include the be as followings provisions:

1. ~~The department shall recoup overpayments from the grants of current cash assistance recipients in accordance with federal rules and regulations applicable to the food stamp program.~~

Sub-paragraphs 2. and 3. are renumbered 1. and 2. respectively with no other changes.

2. Sub-paragraph (3)(b) is amended as follows:

(b) Monthly repayment amounts of all food stamp overpayments shall be determined in accordance with 7 CFR 273.18, ~~as amended~~, except for agency error repayments. Agency error repayments will be required in accordance with section 844, Public Law 104-193.

3. Sub-paragraph (7)(a) is amended as follows:

(7)(a) The individual has a right to an administrative hearing in accordance with the department's hearings procedures in Ch. 65-2, Part VI, Hearings, F.A.C 65 2.042, F.A.C., et seq., as amended.

4. Sub-paragraph (7)(d) is amended as follows:

(7)(d) The assistance group or persons that receive such notification will have 30 calendar days, ~~or for food stamp recipients as specified in 7CFR 373.18(d)~~ in which to contact the department before being considered to have refused to repay, ~~except for food stamp recipients the period to contact the department shall be as specified in 7CFR 373.18(d).~~

5. Paragraph (10) is amended as follows:

(10) The following notices, hereby incorporated by reference, can be used by the department in the process of establishing and recovering overpayment: CF-ES Form 3400, Aug. 83, Request for Additional Information; CF-ES Form 3402, Oct 98, Overpayment, Overissuance, Fraud and Recoupment AFDC Repayment Agreement; CF-ES Form 3410, Mar 98, Waiver of Administrative Disqualification Hearing; CF-ES Form 3410A, Mar 98, Waiver of Administrative Disqualification Hearing; and CF-ES Form 3414, Aug. 98, Disqualification Consent Agreement. Each of these forms listed as is incorporated by reference ~~in rule 65A-1.400~~ may be obtained without cost from any Benefit Recovery office or by written request to the Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Marine Fisheries

RULE NO.: 68A-14.001 RULE TITLE: Establishment Orders

NOTICE OF CHANGE

Notice is hereby given that the following changes, in accordance with subparagraph 120.54(3)(d)1., F.S., have been made to this proposed rule which was published in Vol. 25, No. 35, Florida Administrative Weekly, September 3, 1999, so that when adopted, it will read as follows:

(1) Whenever the Commission establishes an area to be a Type I or Type II wildlife management area; a wildlife and environmental area; a refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; or a miscellaneous area, it shall do so by an establishment order.

(a) The establishment order shall recite at least the following:

- 1. The legal description of the area to be established.
2. Any terms and conditions under which the area is established.

(b) The establishment orders shall be kept by the Commission in its headquarters office, and lists of all orders establishing an area as a Type I or Type II wildlife management

area; a wildlife and environmental area; a wildlife refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; a wild hog area or a miscellaneous area shall be kept by the Commission in its headquarters office and shall be available to the public for inspection. ~~are hereby incorporated by reference.~~

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE TITLE: FLORIDA LOTTO  
 RULE NO.: 53ER99-36  
 SUMMARY OF THE RULE: This emergency rule sets forth the provisions that govern the conduct of the on-line game, FLORIDA LOTTO, effective October 24, 1999.  
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-36 FLORIDA LOTTO.

(1) Effective October 24, 1999, FLORIDA LOTTO shall be conducted in accordance with the provisions set forth in this emergency rule.

(2) Any FLORIDA LOTTO ticket purchased on or after October 24, 1999, shall be governed by the provisions set forth in this emergency rule.

(3) A FLORIDA LOTTO advance play ticket purchased prior to March 27, 1999, is a valid ticket for all outstanding draws remaining on the ticket after October 23, 1999, and shall be eligible to receive one complimentary FLORIDA LOTTO ticket as set forth in rule 53ER99-39, F.A.C.

(4) A winning FLORIDA LOTTO ticket purchased prior to October 24, 1999, for drawings held prior to October 24, 1999, which is claimed on or after October 24, 1999, shall be governed by the provisions set forth in Chapter 53-28, F.A.C.

(5) Claims made on a FLORIDA LOTTO advance play ticket purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, shall be governed by the provisions set forth in 53ER99-42, F.A.C., or 53ER99-36, F.A.C., as applicable.

(6) How to Play FLORIDA LOTTO.

(a) Players select six numbers from a field of one to fifty-three.

(b) Players can select their numbers by using a play slip or may receive their numbers by using the Quick Pick feature.

(c) There are five panels on a play slip. A player electing to use a play slip must select six numbers from each panel played. Each panel played must contain six number selections. Each panel played will cost one dollar per draw.

(d) Players must use only blue or black ballpoint pen or pencil for making selections.

(e) Play slips must be processed by an on-line retailer in order to obtain a ticket.

(f) Retailers can manually enter numbers selected by a player.

(7) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The drawing machine used for each drawing shall be determined by random selection. An employee of the Lottery's Security Division shall select two cards from a number of cards equivalent to the number of available drawing machines. Each card shall contain one number which shall correspond to the number assigned to one numbered drawing machine. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine, and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by acceptance testing or equipment failure.

(c) The ball set to be used in a drawing shall be determined by random selection. The Security employee shall select two cards from a number of cards equivalent to the number of available ball sets. Each card shall contain one number which shall correspond to the number assigned to one numbered ball set. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set, and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when there is question as to the reliability of the primary ball. Each set contains fifty-three balls numbered one through fifty-three.

(d) The primary ball set is weighed and the weight is recorded. A primary ball set which does not fall within the manufacturer's weight tolerances shall be rejected and the backup ball set is weighed using the procedures herein.

(e) The primary ball set is placed in the primary drawing machine and six test drawings are conducted, using the following testing criteria. If the same numbered ball is drawn four times in the six test drawings, four additional test drawings are conducted. If the same numbered ball is drawn two times in the four additional test drawings, the primary ball

set is rejected. The backup ball set is weighed, and if it falls within the manufacturer's weight tolerance, it is placed in the primary drawing machine and tested using the testing criteria. If both the primary and backup ball set fail the test drawings, the backup drawing machine will be used with the backup ball set and additional tests will be conducted. If the backup ball set fails the additional tests, another ball set will be selected and procedures will be followed as set forth in paragraphs (c), (d), and (e) until a ball set passes all required tests and procedures.

(f) Once a ball set has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(g) The fifty-three balls in the loading tubes of the FLORIDA LOTTO machine are dropped into the mixing chamber and mixed by the action of an air blower.

(h) Six of the fifty-three balls are drawn by vacuum action into the six display tubes. The numbers shown on the six balls, after certification by the Draw Manager and the accountant employed by the certified public accounting firm, are the official winning numbers for the drawing.

(i) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(j) Equipment used in each drawing is inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.

(k) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in paragraph (i). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in FLORIDA LOTTO drawings.

(l) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(8) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each draw, fifty percent of the gross revenue from the sale of lottery tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of the Jackpot, second prize, third prize and fourth prize.

(b) The Jackpot shall consist of 63.5 percent of the winning pool for the drawing plus any Jackpot money carried forward from the previous draws. The Jackpot shall be divided equally among the number of players matching all six official winning numbers. If there is not a Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) Second Prize shall consist of 12.3 percent of the winning pool for the drawing. The second prize shall be divided equally among the number of players matching five of the six official winning numbers.

(d) Third Prize shall consist of 10 percent of the winning pool for the drawing. The third prize shall be divided equally among the number of players matching four of the six official winning numbers.

(e) Fourth Prize shall consist of 14.2 percent of the winning pool for the drawing. The fourth prize shall be divided equally among the number of players matching three of the six official winning numbers.

(f) Except for the Jackpot prize which will pay the exact amount, the second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50). All rounding differences in the second, third and fourth prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(9) Determination of Prize Winners. In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, or E) must match the official winning FLORIDA LOTTO numbers for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Jackpot Prize: Six of six official winning numbers.

(b) Second Prize: Five of six official winning numbers.

(c) Third Prize: Four of six official winning numbers.

(d) Fourth Prize: Three of six official winning numbers.

(10) FLORIDA LOTTO Odds of Winning. The odds of winning the prizes described above are as follows:

(a) Jackpot Prize – 1: 22,957,480.

(b) Second Prize – 1: 81,409.50.

(c) Third Prize – 1: 1,415.82.

(d) Fourth Prize – 1: 70.79.

(e) The overall odds of winning a prize in a FLORIDA LOTTO drawing are 1: 67.36.

(11) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket the player agrees to comply with and abide by all rules and regulations of the Lottery.

(b) The play slip is not a valid receipt.

(c) Tickets shall not be sold to minors under the age of eighteen.

(d) A FLORIDA LOTTO ticket can be cancelled by the retailer which sold the ticket within twenty minutes after printing, except that no FLORIDA LOTTO ticket may be cancelled after game close for that drawing. No FLORIDA LOTTO ticket may be cancelled except through the optical mark reader.

(e) A FLORIDA LOTTO ticket shall not be purchased after game close for that drawing.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers on ticket(s). In the event that ticket(s) given to the player by the retailer contain selections which are not consistent with the player's selections, the player should immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel a ticket. A retailer is not required to cancel a ticket which is produced upon request of the player by the "quick pick" method of number selection.

(12) FLORIDA LOTTO Jackpot Pool. Each week the Lottery will announce the estimated deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, interest rates, and funds from rollovers, if any. If the cash available in the Jackpot pool is insufficient to yield at least one million dollars over the designated deferred payment period for each winning ticket, the Lottery will pay the Jackpot winner or winners in cash. In the event the cash available in the Jackpot pool is insufficient to yield the announced estimated Jackpot value, the Lottery may add prize money rendered unclaimable by Section 24.115, F.S., to the Jackpot pool to render it sufficient to yield the announced estimated Jackpot. Use of unclaimable prize money to increase the Jackpot pool for FLORIDA LOTTO shall only occur when the Lottery has determined in writing prior to the drawing that circumstances warrant the use of such funds to positively impact sales. Nothing in this rule shall be construed to prohibit a guaranteed Jackpot.

(13) FLORIDA LOTTO Payment Options. Players can choose one of two payment options for receiving their portion of the FLORIDA LOTTO Jackpot prize. Payment options are "Cash Option" and "Annual Payment."

(b) Jackpot winners have sixty days after the winning draw date to choose between the two payment options. Once the jackpot winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 07/93, and Addendum B, Effective 10/21/98, are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, Capitol Complex, Tallahassee, Florida 32399-4027. In order to select Cash Option, the winner must claim his or her prize within sixty days after the winning draw date; otherwise, the Annual Payment option will be applied.

(c) Cash Option prizes will be paid in one lump sum cash payment. The jackpot winner who chooses the Cash Option for payment will receive his or her portion of the amount in the jackpot pool that is available immediately for investment.

(d) Annual Payment prizes shall be paid in thirty annual payments. The Annual Payment option shall occur automatically if:

1. The Jackpot winner does not make an election within sixty days after the winning draw date as provided in paragraph (b); and

2. The cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in thirty annual installments for each winning ticket.

(e) Federal income taxes will be applied and withheld from the prize amount at the time payment is made pursuant to applicable Internal Revenue Code and Regulations.

(f) Any interest or earnings accrued on a Florida Lotto Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

Specific Authority 24.105(2)(b)2., 24.109(1), 24.115(1), 24.105(10)(a),(b),(c),(d),(e),(f) FS. Law Implemented 24.105(10)(e), 24.117(2), 24.109(1), 24.105(a),(b),(c),(d),(e),(f) FS. History--New 10-22-99.

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

EFFECTIVE DATE: October 22, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: RULE NO.:

FLORIDA LOTTO Advance Play 53ER99-39  
Complimentary Ticket

SUMMARY OF THE RULE: This emergency rule sets forth the requirements and procedures for eligible FLORIDA LOTTO advance play players to receive one complimentary FLORIDA LOTTO ticket.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-39 FLORIDA LOTTO Advance Play Complimentary Ticket.

(1) Effective October 24, 1999, through July 3, 2000, players who present to the Florida Lottery an original FLORIDA LOTTO advance play ticket or an original advance play trailer ticket (continuation ticket) purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, shall be eligible to receive one complimentary FLORIDA LOTTO ticket.

(2) Players must present an original advance play ticket or original advance play trailer ticket (continuation ticket) to a Lottery District Office or a Lottery Redemption Center. No photocopied tickets will be accepted or eligible. A complete list of Florida Lottery Office addresses may be obtained from the Florida Lottery, Public Information, Capitol Complex, Tallahassee, Florida 32399-4016.

(3) Upon presentation of an advance play ticket to a Lottery Office, the player shall initial the back of the ticket as directed by the Lottery. The ticket will then be verified for eligibility using the criteria set forth in subsection (1), above. The player's initials on the back of the advance play ticket and signature on a FLORIDA LOTTO Advance Play Complimentary Ticket Form shall indicate that the ticket has been presented for one complimentary ticket and is ineligible for additional complimentary tickets. FLORIDA LOTTO Advance Play Complimentary Ticket Form DOL-437, Effective 10/24/99, is incorporated herein by reference and may be obtained at any Lottery District Office or Lottery Redemption Center, or by writing the Florida Lottery, Winner Validation, Capitol Complex, Tallahassee, Florida 32399-4027.

(4) A player with an eligible ticket will receive one complimentary FLORIDA LOTTO ticket for the same number of draws remaining on the original advance play ticket after October 23, 1999. Players may select the numbers for a complimentary ticket by using a FLORIDA LOTTO play slip with the matrix of one to fifty-three, or by using the quick pick method. Players cannot select draw dates on a complimentary ticket. The numbers the player selects by play slip or by quick pick shall be applied to draw dates in sequential order for both Wednesday and Saturday FLORIDA LOTTO drawings, starting with the first available drawing.

(5) The original advance play ticket and the complimentary ticket are valid for the specified FLORIDA LOTTO drawings printed on the tickets and shall be governed by the provisions set forth in emergency rule 53ER99-36, F.A.C.

Specific Authority 24.109(1), 24.105(10)(a),(b) FS. Law Implemented 24.109(1), 24.105(10)(a),(b) FS. History--New 10-22-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: October 22, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Payment of Prizes on FLORIDA LOTTO Advance Play Tickets

RULE NO.: 53ER99-42

SUMMARY OF THE RULE: This emergency rule sets forth the specifics and procedures for players with a winning FLORIDA LOTTO advance play ticket purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, to claim their prize under the prize structure set forth in 53-28.003, FAC., or 53ER99-36, FAC., as applicable.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-42 Payment of Prizes on FLORIDA LOTTO Advance Play Tickets.

(1) Claims on FLORIDA LOTTO advance play tickets shall be governed by rule 53ER98-16, F.A.C., *Procedures For Awarding Prizes*, except as provided in this rule. In the event of a conflict between the provisions of the above referenced rule and this rule, this rule shall govern.

(2) Claims on winning FLORIDA LOTTO advance play tickets purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, should be submitted by players to the Lottery by:

(a) Presenting the winning ticket in person to Florida Lottery Headquarters, to a Lottery Redemption Center, or to a Lottery District Office; or

(b) Mailing the winning ticket or trailer ticket (continuation ticket) in the self-mailing envelope attached to a claim form or in an envelope addressed to Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-4027. The envelope must be postmarked on or before the 180th day after the winning drawing.

(3) Claims on winning 5 of 6 FLORIDA LOTTO advance play tickets purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, shall be paid in accordance with rule 53ER99-36, F.A.C.

(4) If a winning 6 of 6, 4 of 6, or 3 of 6 FLORIDA LOTTO advance play ticket purchased prior to March 27, 1999, for drawings occurring after October 23, 1999, has not been presented to or validated by a retailer and no prize has been paid, the Lottery will pay the prize based upon the prize structure set forth in rule 53-28.003, F.A.C.

(5) If a winning 4 of 6 or 3 of 6 FLORIDA LOTTO advance play ticket purchased prior to March 27, 1999, for drawings occurring after October 23, 1999 has been presented to and validated by a retailer, and no prize has been paid, the Lottery will pay the prize based upon the prize structure contained in rule 53-28.003, F.A.C.

(6) Players may call (800)752-9352 for answers to questions or to obtain additional information and instructions for making a claim under this rule.

Specific Authority 24.105(10)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(10)(e), 24.109(1), 24.115(1) FS. History--New 10-22-99.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: October 22, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 87  
 RULE NO.: 53ER99-50

“BONUS CARD BINGO”  
 SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 87, "BONUS CARD BINGO" for which the Department of the Lottery will start selling tickets on a date determined by the Secretary of the Department. The rule sets forth the specifics of the game, procedures to be followed on how to play the game, and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-50 Instant Bingo Game Number 87, "BONUS CARD BINGO."

(1) Name of Game. Instant Game Number 87, "BONUS CARD BINGO."

(2) Price. BONUS CARD BINGO Lottery tickets sell for \$2.00 per ticket.

(3) BONUS CARD BINGO Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning BONUS CARD BINGO Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any BONUS CARD BINGO Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The Caller's Card play symbols are as follows:

(5) The Player's Card play symbols are as follows:

(6) Determination of Prize Winners. There is one Caller's Card, and five Player's Cards numbered 1 through 5 on each BONUS CARD BINGO ticket. Player's Card number 5 is the Bonus Card.

(7) The holder of a ticket whose Caller's Card numbers match the numbers on one of the five Player's Cards in one of the following designs shall be entitled to the prize shown for that design on the card:

(a) Horizontal line of five numbers (or four numbers and "FREE")

(b) Vertical line of five numbers (or four numbers and "FREE")

(c) Diagonal line of five numbers (or four numbers and "FREE")

(d) Four corners

(e) "X" (consisting of eight numbers and "FREE")

(8) Prize amounts for a particular design are different on each card.

(9) Players may win on one or more cards per ticket.

(10) Prizes which appear in the card play area are: FREE TICKET, \$3, \$5, \$10, \$15, \$25, \$50, \$100, \$500, \$1,000, \$25,000.

(11) Number and Size of Prizes. The following prizes will be available in the Instant

Bingo Game Number 87 BONUS CARD BINGO:

(a) Approximately 2,091,948 prizes falling in the cash categories of 84 pools of 120,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 84 BONUS CARD BINGO are as follows:

GET BINGO WITH:	WIN:	NUMBER IN 84 POOLS OF 120,000 TICKET	ODDS
LINE - CARD 1	TICKET	1,209,600	1 in 8.33
LINE - CARD 2	\$3	1,612,800	1 in 6.25
LINE - CARD 3	\$5	33,600	1 in 300.00
LINE - CARD 1 + CARD 2	\$3 + TICKET	67,200	1 in 150.00
4 CORNERS - CARD 1 LINE - CARD 2 + CARD 3	\$5	33,600	1 in 300.00
4 CORNERS - CARD 1 + LINE - CARD 2	\$8	33,600	1 in 300.00
4 CORNERS - CARD 2 4 CORNERS - CARD 1 + LINE - CARD 3	\$8	33,600	1 in 300.00
4 CORNERS - CARD 2 4 CORNERS - CARD 1 + LINE - CARD 3	\$10	33,600	1 in 300.00
LINE - CARD 1 + CARD 2 + CARD 3	\$10	33,600	1 in 300.00
LINE - CARD 1 + CARD 2 + CARD 3	\$8 + TICKET	67,200	1 in 150.00
LINE - CARD 4	\$15	33,600	1 in 300.00
4 CORNERS - CARD 1 + CARD 2	\$15	16,800	1 in 600.00
4 CORNERS - CARD 2 + LINE - CARD 3	\$15	16,800	1 in 600.00
4 CORNERS - CARD 3	\$25	8,400	1 in 1,200.00
"X" - CARD 1	\$25	8,400	1 in 1,200.00
4 CORNERS - CARD 2 + LINE - CARD 4	\$25	16,800	1 in 600.00
4 CORNERS - CARD 1 + LINE - CARD 3 + CARD 4	\$25	16,800	1 in 600.00
LINE - CARD 1 + CARD 2 + CARD 3 + CARD 4	\$23 + TICKET	16,800	1 in 600.00
LINE - CARD 5	\$50	2,100	1 in 4,800.00
4 CORNERS - CARD 4	\$50	2,100	1 in 4,800.00
4 CORNERS - CARD 3 + "X" - CARD 1	\$50	1,260	1 in 8,000.00
"X" - CARD 1 + 4 CORNERS CARD 2	\$50	840	1 in 12,000.00
"X" - CARD 4 + LINE - CARD 4	\$100	840	1 in 12,000.00
"X" - CARD 2 LINE - CARD 5 + 4 CORNERS - CARD 4	\$100	420	1 in 24,000.00
"X" - CARD 1 + 4 CORNERS - CARD 3 + CARD 4	\$100	336	1 in 30,000.00
"X" - CARD 1 + 4 CORNERS - CARD 3 + LINE - CARD 5	\$100	336	1 in 30,000.00
LINE - CARD 5 + 4 CORNERS - CARD 3 + LINE - CARD 4 + 4 CORNERS - CARD 2	\$100	336	1 in 30,000.00
4 CORNERS - CARD 5	\$500	84	1 in 120,000.00
"X" - CARD 3	\$500	84	1 in 120,000.00
"X" - CARD 4 4 CORNERS - CARD 5 + "X" - CARD 3	\$1,000	5	1 in 2,016,000.00
"X" - CARD 4 4 CORNERS - CARD 5 + "X" - CARD 3	\$1,000	5	1 in 2,016,000.00
"X" - CARD 5 "X" - CARD 5	\$25,000	2	1 in 5,040,000.00

(12) The over-all odds of winning any prize in BONUS CARD BINGO Instant Game Number 87 are 1 in 3.05.

(13) For reorders of Instant Game Number 87, the expected value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c), 24.109(1) FS. History—New 10-22-99.

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

EFFECTIVE DATE: October 22, 1999

**DEPARTMENT OF THE LOTTERY**

RULE TITLE:

RULE NO.:

Retailer FLORIDA LOTTO Bonus

Commission Program

53ER99-51

SUMMARY OF THE RULE: The rule describes the Lotto Bonus Commission program for Florida Lottery retailers that sell a grand prize Lotto ticket for a Wednesday drawing during the program period.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-51 Retailer FLORIDA LOTTO Bonus Commission Program.

(1) Effective October 27, 1999, through November 24, 1999, the Florida Lottery will conduct, as a sales incentive, a Retailer FLORIDA LOTTO Bonus Commission Program in which the Florida Lottery will award bonus commissions totaling up to \$5,000 per week to eligible on-line retailers that sell a grand prize FLORIDA LOTTO ticket for a Wednesday drawing held during the sales incentive period.

(2) During the bonus commission program period, the five or fewer eligible retailers who sell a winning grand prize FLORIDA LOTTO ticket for a Wednesday drawing will each earn a bonus commission of \$1,000. If more than five eligible retailers sell winning FLORIDA LOTTO grand prize tickets, each of the retailers will earn an equal share of the weekly \$5,000 bonus commission pool.

(3) Bonus commissions are subject to availability of funds appropriated for retailer incentives.

(4) For purposes of this program, the maximum weekly bonus commission pool is \$5,000 regardless of jackpot rollovers. If there is no FLORIDA LOTTO jackpot winner on November 24, 1999, the bonus commission program will end.

(5) Winning retailers will be eligible to receive a bonus commission once the FLORIDA LOTTO grand prize winning ticket sold by that retailer is validated or the winning ticket redemption period of 180 days has expired.

(6) Eligibility for bonus commissions will be open to all Florida Lottery on-line retailers who are in good financial standing with the Florida Lottery at the time bonus commissions are awarded. Good financial standing is defined as having no dishonored unpaid electronic funds transfers or associated penalties or any other account receivable outstanding for more than sixty (60) days. Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award, shall be paid the bonus commission earned provided said termination or inactivation

was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(7) Retailers that earn a bonus commission will receive payment upon determination by the Lottery of the bonus commission amount and retailer eligibility as set forth in this rule. Bonus commissions will be reported to the Internal Revenue Service as compensation. The Lottery reserves the right to apply bonus commissions earned against outstanding debt for retailers meeting all eligibility requirements.

Specific Authority 24.105(10)(a), 24.109(1) FS. Law Implemented 24.105(10)(a),(c) FS. History—New 10-22-99.

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

EFFECTIVE DATE: October 22, 1999

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

### DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from John Boccanfuso on October 18, 1999, a petition for Variance or Waiver of Rule 11B-27.00225, FAC., pursuant to Section 120.542, F.S. Section 11B-27.00225(3)(b), Florida Administrative Code (1995), requires the laboratory performing the analysis to analyze the urine sample for the presence of the following eight substances: amphetamines, barbiturates, cannabis or cannabinoids, opiates, cocaine or cocaine metabolite, phencyclidine, benzodiazepines, methaqualone. The petitioner is requesting that the Department waive the eight panel criteria and accept as proper the six panel drug test that was taken in 1993 for pre-employment purposes, the results of which were negative. The petitioner further contends that the screening discrepancy was the result of an error committed by the laboratory company. Additionally, petitioner requests that his certification registration date be March 12, 1996, which was the date he completed the necessary schooling to become an auxiliary police officer. The proper paperwork, which would certify him as an auxiliary officer on that date, was not sent to the Florida Department of Law Enforcement and was the fault of the employing agency and not the petitioner.

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

A copy of the Petition may be obtained by contacting Assistant General Counsel, Shehla A. Milliron at the above address, or by calling (850)410-7684.

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Pro Telecom, Inc.'s petition for waiver of Rule 25-24.515(18)(f), Florida Administrative Code, filed July 16, 1999, in Docket No. 990929-TC was approved by the Commission at its October 5, 1999 Agenda Conference. Order No. PSC-99-2087-PAA-TC, issued October 22, 1999 memorialized the decision. The rule addresses Modification of pay telephone stations to comply with the American National Standards Institute, Inc. Standards dealing with hearing-aid compatibility. 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 August 11, 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 the Florida Public Service Commission has received a petition from Dana Utility Corporation, filed October 20, 1999, in Docket No. 991632-WS, seeking waiver from Rule 25-30.033(1)(h),(k),(m),(o),(t),(u),(v),(w); (2); (3) and (4), Florida Administrative Code. The above-referenced rule addresses information for setting of initial rates and charges. Rule 25-30.033(2), (3), (4) requires the utility to implement the base facility and usage rate structure, to establish a return on common equity using the Commission's equity leverage formula, and authorizes the accrued allowance for funds used during construction. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shimmered Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Patricia A. Christensen, Division of Legal Services, at the above address or telephone (850)413-6199.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Florida Public Utilities Company, filed October 4, 1999, in Docket No. 991493-EG, seeking waiver of Rule 25-17.003(3)(a), Florida Administrative Code. The rule requires all utilities to offer eligible residential customers Building Energy-Efficiency Rating System (BERS) Audits which comply with other subsections of the Rule and subsection (4)(a) requires each utility to charge a customer for a BERS Audit but also requires that the utility file a tariff reflecting the actual cost of the Audit. Comments on the petition should be filed with the



Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Tiffany Collins, Esquire, Division of Legal Services, at the above address or telephone (850)413-6398.

NOTICE IS HEREBY GIVEN that on October 13, 1999, the Florida Public Service Commission received a Petition from Southwest Pay Telephone Corporation, in Docket No. 991614-TC, seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The pay telephone stations are located at Circle K Store #7193, 2612 Monatee Avenue, Bradenton, Florida 34208. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice. A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770. For additional information, contact Marlene Stern, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6230.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection has taken action on a petition for variance received from LFR, Inc., on March 24, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 16, dated April 23, 1999. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of the remediation product to clean up sites contaminated with chlorinated solvents, and specifically to allow a zone of discharge for pH, total dissolved solids, manganese, color, and chloride within a 100-foot radius from the point of discharge for a duration of 18 months. On September 9, 1999, the Department granted a variance to LFR, Inc., in a final order, OGC File No.: 99-0479. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for pH, total dissolved solids,

manganese, color, and chloride shall be a 100-foot radius from the point of injection; that the injection of the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

The Department of Environmental Protection has taken action on a petition for variance received from Gasparilla Island Water Association, on July 16, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 33, dated August 20, 1999. No public comment was received. The petition requested a variance from the ten-foot above the 100-year flood elevation requirement for a public water system pumping station under rule 62-555.330(3) of the Florida Administrative Code. On October 12, 1999, the Department granted a variance to Gasparilla Island Water Association, in a final order, OGC File No.: 99-1216. The final order granted a variance from the ten feet above the 100-year flood elevation requirement for the existing booster pump station, and contained conditions. The conditions require that the modifications to the existing booster station to be at or above, or protected to, an elevation of at least ten feet NGVD, and that all of the other conditions of the drinking water system permit issued to petitioner by the Department on May 19, 1999, be met.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on October 15, 1999, a petition from Eagle-Picher Industries, Inc., seeking an emergency variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of a remediation process to clean up a contaminated site in Jacksonville, Florida. The petition has been assigned OGC File No.: 99-1766.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard,

Tallahassee, Florida 32399-3000, Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

The Department of Environmental Protection has taken action on a petition for variance received from Ecology and Environment, Inc., on July 8, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 30, dated July 30, 1999. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of the remediation product to clean up the City Chemical site in Sanford, Florida, and specifically to allow a zone of discharge for pH, total dissolved solids, manganese, color, and chromium within a 15-foot radius from the point of discharge for a duration of six months from the last injection. On October 12, 1999, the Department granted a variance to Ecology and Environment, Inc., in a final order, OGC File No.: 99-1140. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for pH, total dissolved solids, manganese, color, and chromium shall be a 15-foot radius from the point of injection; that the injection of the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions.

For a copy of the final order write or call: Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

The Department of Environmental Protection received a petition for variance from the Florida Citrus Center, Inc., on 25 March 1999. The Department requested additional information regarding the petition and on October 18, 1999 Florida Citrus Center, Inc., withdrew the request. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 15, dated 16 April 1999. Public comment was not received. The petition had requested a temporary variance under rule 62-761.510(1)(c) of the Florida Administrative Code.

For more information please contact: John L. Stout, P.E., Storage Tank Regulation Section, 2600 Blair Stone Rd. 4525, Tallahassee, FL 32399-2400, (850)921-9008.

## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The **Museum of Florida History Foundation, Inc.** announces a Board of Director's Meeting to which all persons are invited. DATE AND TIME: Monday, November 15, 1999, 12:15 p.m. PLACE: Knott House Museum, 301 E. Park Avenue, Tallahassee, Florida 32301 PURPOSE: Regularly scheduled meeting Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact Penny Lord, (850)922-5299, at least 48 hours prior to the meeting in order to request any special assistance.

### DEPARTMENT OF INSURANCE

The **Department of Insurance, Division of State Fire Marshal**, announces a public meeting to which all persons are invited. DATE AND TIME: November 18, 1999, 8:30 am. PLACE: Florida Department of Transportation, Pinellas Maintenance Facility, 5211 Ulmerton Road, Clearwater, Florida 33760 PURPOSE: Florida Fire Prevention Code Training TAC meeting. A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited. DATE AND TIME: November 18, 1999, 8:30 a.m. PLACE: Florida Department of Transportation, Pinellas Maintenance Facility, 5211 Ulmerton Road, Clearwater, Florida 33760 PURPOSE: Florida Fire Prevention Code TAC meeting. A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

The **Department of Insurance, Division of State Fire Marshal**, announces a public meeting to which all persons are invited. DATE AND TIME: November 18, 1999, 1:00 p.m.

PLACE: Florida Department of Transportation, Pinellas Maintenance Facility, 5211 Ulmerton Road, Clearwater, Florida 33760

PURPOSE: Florida Fire Code Advisory Council.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Department of Agriculture and Consumer Services** announces a meeting of the Animal Industry Technical Council.

DATE AND TIME: December 4, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Holiday Inn Express Hotel and Suites, 10826 US Highway 19, North, Port Richey, Florida 34668, (727)869-9999

PURPOSE: To discuss animal health issues of concern to the agricultural industry both intrastate and interstate and to provide a forum for the Department to keep agricultural industry groups abreast of state and national activities as they relate to animal health issues in Florida and activities of other states and USDA, affecting Florida’s agriculture animal industries.

A copy of the agenda can be obtained by contacting: Dr. Leroy Coffman, Florida Department of Agriculture and Consumer Services, 335 Mayo Building, Tallahassee, FL 32399-0800, (850)488-7747.

If special accommodations are needed to attend this meeting because of a disability, please contact the above mentioned as soon as possible.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center and Horse Park Authority:

DATE AND TIME: December 1, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Executive Office of Seminole Stores, 335 N. W. Watula Avenue, Ocala, Florida

PURPOSE: Quarterly Business Meeting.

A copy of the agenda can be obtained by contacting: Stephen Monroe, Mayo Building Room 431, Tallahassee, Florida 32399-0800 or by calling (850)488-4132.

If special accommodations are needed to attend this meeting because of a disability, please contact Stephen Monroe.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center and Horse Park Authority:

DATE AND TIME: December 1, 1999, 4:00 p.m. – 7:00 p.m.

PLACE: Marion County Commission Auditorium, 601 S. E. 25 Avenue, Ocala, Florida

PURPOSE: Public Workshop on Redesigned Conceptual Site Plan.

A copy of the agenda can be obtained by contacting: Stephen Monroe, Mayo Building Room 431, Tallahassee, Florida 32399-0800 or by calling (850)488-4132.

If special accommodations are needed to attend this meeting because of a disability, please contact Stephen Monroe.

**DEPARTMENT OF EDUCATION**

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, November 17, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Room 1706, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Postsecondary Education Coordination, Florida Department of Education, 401 Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)922-0344 or Suncom 292-0344.

The State of Florida, **Education Standards Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, November 18, 1999; Friday, November 19, 1999, 8:30 a.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1724, Tallahassee, Florida, Telephone (850)488-1523

PURPOSE: Members of the Education Standards Commission will meet and discuss issues related to the Commission’s charge. To obtain a copy of the agenda, please call or write the Florida Education Standards Commission, 325 West Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399, Telephone (850)488-1523 or Suncom 278-1523.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Dr. Adeniji Odutola at the above address or telephone numbers.

The **Board of Regents** of the State University System of Florida announces a meeting to which the public is invited. This meeting will be held to negotiate the 2000-2001 Re-Opener Agreement between the Board of Regents and the United Faculty of Florida.

DATE AND TIME: November 8, 1999, 9:30 a.m. – 4:00 p.m.

PLACE: Florida Education Center, Room 1724, 325 West Gaines Street, Tallahassee, Florida

The Board welcomes participation from any interested members of the public. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The **Board of Regents** cordially invites the public to a meeting:

**DATES AND TIME:** November 18-19, 1999, 1:00 p.m.

**PLACE:** University Center, University of North Florida, Jacksonville, Florida

**PURPOSE:** Approval of: Tenure Nominations as a Condition of Employment, FAMU, FAU, FIU, FSU, UCF, UF, UNF, USF; Amendments to Bylaws of the University of Florida Research Foundation, Inc., a Direct Support Organization; Amendments to Articles of Incorporation and Bylaws of the USF Physicians Group, Inc. (USFPG) and USF Medical Services Support Corporation (MSSC); Resolution Excluding Members of the Board of Regents and the Chancellor from Access to Classified Information and the Requirement for Personnel Security Clearance, UWF; Request to File Lawsuit Against Compco, Inc. and Charles Mashburn ("Compco"), USF; Construction Contract Agreement between Florida State University and the Seminole Boosters, Inc.; Purchase of Field Emission Scanning Electron Microscope, UF; Sublease of Property, UF; Consideration of: Addendum to Legislative Budget Request Instructions Requiring Agencies to Rank in Priority Order the 2000-2001 Estimated Expenditures by Activity; Request to Seek Legislative Approval to Sell Revenue Bonds to Finance Fixed Capital Outlay Projects, 2000-2001; Request to Seek Legislative Approval to Design and Construct Facilities During 2000-2001 from Sources other than a Legislative Appropriation; Request to Seek Legislative Approval to Construct Fixed Capital Outlay Projects During 2000-2001 through Direct Support Organizations; Revised SUS 2000-2001/2004-2005 Five-Year Capital Improvements Program; Enhancement of Graduate and Professional Education, Research, Extension and Service Formula; Discussion of Governor's Proposed New Planning and Budgeting Process; Student Housing Complex Project, FIU; Proposed Amendments to Campus Master Plan, UF; Presentation, Undergraduate Mentoring Course for At-Risk Youth, Secretary Bill Bankhead, Department of Juvenile Justice; Update on Mentoring and Community Service Initiatives; Status Report on Division I-AA Football at Florida Atlantic University; Consideration of: University Requests for Implementation Authorization of New Degree Programs: B.S., Packaging Science, UF; M.S., Human Resource Development, UF; M.A., Applied Behavior Analysis, USF; M.A., Environmental Science and Policy, USF; University Request to Terminate Degree Program, B.S., Medical Laboratory Sciences, FIU; Status Report on the Florida A&M University

Center of Excellence; Review of SUS Developmental Research Schools, UF, FSU, FAMU, FAU; Discussion of Alcohol and Substance Abuse Policies on Campus; Status Report on Post-Tenure Review; Update on SUS Education Partnership Initiative; Consideration of: Presidential Evaluation Process; SUS Accountability Plan; 1998-99 Alternative Admissions Report; Proposed 2000 Legislative Agenda; Discussion of Tuition and Required Fees; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Ms. Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The Florida **Department of Law Enforcement/The Institute of Police Technology and Management**, (FDLE/IPTM) Implied Consent Rules Committee will be convened on Friday, November 12, 1999 at the University of Florida in Gainesville. The meeting will be held to discuss the status of current alcohol testing rules and possible suggestions for future modification of the rules and statutes. All parties are invited to attend.

FDLE/IPTM Implied Consent Rules Committee

**DATE AND TIME:** Friday, November 12, 1999, 8:30 a.m. – 1:00 p.m.

**PLACE:** University of Florida, 2310 S. W. 13th Street, Gainesville, FL 32608. Telephone number for hotel reservations is: Baymont Inns and Suites, 3905 S. W. 43rd Street, Gainesville, FL 32608, 1(800)301-0200

**PURPOSE:** To discuss the status of current alcohol testing rules and possible suggestions for future modification of the rules and statutes.

**MEETING AGENDA:** A copy of the November 12, 1999 meeting agenda may be obtained by contacting: Dr. Bruce Goldberger, (352)846-1579.

**SPECIAL ACCOMMODATIONS:** Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Dr. Bruce Goldberger, (352)846-1579.

The Foundation for **Florida's Community Colleges** announces the following teleconference meeting of the Foundation's Board of Directors to which all persons are invited.

**DATE AND TIME:** November 19, 1999, 11:00 a.m. – 12:00 Noon

**CONFERENCE CALL NUMBERS:** Nonsuncom (850)921-6433 or Suncom 291-6433

PLACE: Division of Community Colleges, Department of Education, Turlington Building, 325 West Gaines Street, Room 1314, Tallahassee, Florida

PURPOSE: Board meeting to report on and discuss Foundation activities and Executive Compensation.

For information contact: Joe Mizereck, (850)488-1721, Ext. 128.

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Building Commission** announces the following meetings to which all persons are invited:

The South Florida Integration Ad Hoc Committee on Product Approval

DATE AND TIME: November 20, 1999, 8:00 a.m. – 5:00 p.m.

PLACE: Holiday Inn, International Airport, Miami Springs, 1111 S. Royal Poinciana Blvd., Miami, Florida 33166, (305)885-1941

PURPOSE: To discuss and consider the Florida Building Commission’s results from the Product Approval ranking exercise and develop a consensus option to present to the Commission.

A copy of the Committee and Commission meeting agendas may be obtained by sending a request in writing: Jean Easom, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Ms. Jean Easom, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a series of Public Meetings of the Emergency Management Preparedness and Assistance Competitive Grant Review Committee to which all persons are invited.

DATES AND TIMES January 10, 2000, January 11, 2000, and January 12, 2000, 8:30 a.m. – 5:00 p.m.

PLACE: Media Briefing Room, Emergency Operations Center, 2575 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

PURPOSE: Programmatic staff will give an oral presentation to the review committee of their narrative reviews for the proposed projects for applications submitted under the 1999-2000 Emergency Management Preparedness and Assistance Competitive Grant cycle.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Dianne Smith, Grants Specialist II, Division of Emergency Management, Bureau of Compliance Planning and Support; 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, Telephone (850)413-9966 or Suncom 293-9966, at least seven days before the date of the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a series of Public Meetings of the Emergency Management Preparedness and Assistance Competitive Grant Review Committee to which all persons are invited.

DATES AND TIMES: January 26-27, 2000, 8:30 a. m. – 5:00 p.m.

PLACE: Media Briefing Room, Emergency Operations Center, 2575 Shumard Oak Boulevard, Tallahassee Florida 32399-2100

PURPOSE: Review, discuss and make final recommendations on preliminary scores for applications submitted under the 1999-2000 Emergency Management Preparedness and Assistance Competitive Grant cycle.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Dianne Smith, Grants Specialist II, Division of Emergency Management, Bureau of Compliance Planning and Support; 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, Telephone (850)413-9966 or Suncom 293-9966, at least seven days before the date of the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

**DEPARTMENT OF TRANSPORTATION**

The Florida **Department of Transportation**, District Four, announces public hearings to which all interested person are invited. Specific notice is provided to the Broward County, Indian River County (Vero Beach), Martin County (Stuart), Palm Beach County, and St. Lucie County Metropolitan Planning Organizations.

**PURPOSE:** These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of these public hearings is to present the Department's Tentative Five Year Work Program for Fiscal Years 2000/2001 – 2004/2005 which contains listing of Project Phases to be undertaken during that time frame. These Hearings also will include consideration of proposed projects for Florida's Turnpike System as applicable.

**LOCATION/SPECIFIC DATES AND TIMES:**

1. Broward County:

**DATE AND TIME:** Thursday, December 9, 1999, 1:30 p.m.  
**PLACE:** Broward County Governmental Center, 115 South Andrews Avenue, Room 301, Fort Lauderdale, Florida 33301

2. Palm Beach County:

**DATE AND TIME:** Thursday, December 16, 1999, 1:30 p.m.  
**PLACE:** Palm Beach County Planning, Building and Zoning, 100 Australian Avenue, Third Floor, Conference Room, West Palm Beach, Florida 33406

3. Martin County (Stuart):

**DATE AND TIME:** Monday, November 15, 1999, 1:30 p.m.  
**PLACE:** Martin County Administration Center, County Commission Chambers, 2401 Southeast Monterey Road, Stuart, Florida 34996

4. Indian River County (Vero Beach):

**DATE AND TIME:** Wednesday, December 8, 1999, 1:30 p.m.  
**PLACE:** Indian River County Governmental Center, County Commission Chambers, 1840 25th Street, Vero Beach, Florida 32960

5. St. Lucie County:

**DATE AND TIME:** Thursday, December 2, 1999, 4:00 p.m.  
**PLACE:** St. Lucie County Governmental Center, County Commission Chambers, 2300 Virginia Avenue, Ft. Pierce, Florida 34982

All interested persons are invited to attend and be heard. Assistance for disabled persons may be arranged by contacting: Michael DeRosa or Julie Lucas, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421. Mr. DeRosa's telephone number is (954)777-4627, Ms. Julie Lucas's telephone number is (954)777-4601, at least ten working days prior to the public hearings. Written comments from the Metropolitan Planning Organizations and other interested parties will be received by the Department at the public hearing and within ten days after the public hearing. Comments should be addressed to: Mr. Rick Chesser, P. E., District Secretary, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

The Florida **Department of Transportation** announces a meeting of the Advisory Committees on Mobility, Sustainability, and Economic Development for the 2020 Florida Transportation Plan Update to which all persons are invited.

**DATES AND TIMES:** November 15, 1999, 10:00 a.m.; November 16, 1999, 8:00 a.m.

**PLACE:** Ramada Inn, 2900 North Monroe St., Tallahassee, Florida

**PURPOSE:** To discuss changes needed in the plan which respond to new ideas and changes since the plan was adopted in 1995 and to establish a common planning horizon for transportation planning in Florida.

A copy of the agenda may be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, MS 28, Tallahassee, Florida 32399-0450 or by calling Pamela Richmond, (850)488-8006.

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 Pamela Richmond, (850)488-8006. If you are hearing or speech impaired, please contact the agency by calling TDD telephone 1(800)955-8771.

The Florida **Department of Transportation**, District Five announces public hearings to which all interested persons are invited. Specific notice is provided to the Brevard, Volusia, Ocala, and Orlando Metropolitan Planning Organizations (MPOs) and the County Commissioners for Brevard, Volusia, Marion, Orange, Seminole, Osceola, Lake, Flagler and Sumter Counties.

**PURPOSE:** These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of these public hearings is to consider the Department's Tentative Five Year Work Program for Fiscal Years 2000/2001 – 2004/2005, and to consider making any changes to the Program.

Prior to each hearing, the public is invited to review and discuss with Department staff, the District's Tentative Five Year Work Program and other exhibits. Court reporters will also be available to accept public comments for entry into the public hearing records.

**LOCATIONS/SPECIFIC DATES AND TIMES:**

1. Brevard County:

**DATE AND TIME:** November 15, 1999, 5:00 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

**PLACE:** Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida

2. Marion and Sumter Counties:

DATE AND TIME: November 22, 1999, 5:00 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Appleton Museum of Art, 4333 East Silver Springs Boulevard, Ocala, Florida

3. Flagler and Volusia Counties:

DATE AND TIME: November 30, 1999, 5:00 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Volusia County Mobility Management Center “VOTRAN,” 950 Big Tree Road, South Daytona, Florida

4. Lake, Orange, Osceola, and Seminole Counties:

DATE AND TIME: December 9, 1999, 4:00 p.m. – Documents/Information available for review; 5:00 p.m. – Public Hearing

PLACE: METROPLAN ORLANDO Board Room, 315 East Robinson Street, Suite 355, Orlando, Florida

These hearings also will include consideration of proposed projects for Florida’s Turnpike System as applicable in Lake, Marion, Orange, Osceola, Seminole and Sumter Counties. The proposed projects have been developed in accordance with the Civil Rights Acts of 1964 and the Civil Rights of 1968. Under Title VI and Title VIII of the United States Civil Rights Act, any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint to the Florida Department of Transportation’s Minority Programs Office in Tallahassee or contact the District’s Title VI and Title VIII Coordinator as shown below:

Central Office: Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, M.S. 65, Tallahassee, Florida 32399-0450.

District Five: Florida Department of Transportation, District Five, Morris Scott, 719 South Woodland Boulevard, DeLand, Florida 32720

In compliance with the Americans with Disabilities Act, the Department, if requested, will provide special assistance at the public hearings for those persons who are disabled. Those persons requiring special assistance must notify the Department at least ten days prior to the public hearing, by contacting: Michael Szunyog, Florida Department of Transportation, 133 South Semoran Boulevard, Orlando, Florida 32807, Telephone (407)482-7800.

Written comments from all interested parties will be accepted by the Department at the public hearing and within ten days after the public hearing.

Comments should be addressed to: District Secretary, Florida Department of Transportation, District 5, 719 South Woodland Boulevard, DeLand, Florida 32720.

A copy of the agenda may be obtained from: Ms. Lennon Moore, District Planning Manager, Florida Department of Transportation, District 5, 133 South Semoran Boulevard, Orlando, Florida 32807.

The Florida **Department of Transportation**, District 6 announces a public hearing to which all interested persons are invited.

DATE AND TIME: November 17, 1999, 6:00 p.m. – 8:00 p.m., Copies of the District Six Work Program documents will be available for review between those hours.

PLACE: Roz and Cal Kovens Conference Center, Bayview Room South, N. E. 151 Street and Biscayne Boulevard, North Miami, Florida

DATE AND TIME: November 18, 1999, 6:00 p.m. – 8:00 p.m., Copies of the District Six Work Program documents will be available for review between those hours.

PLACE: South Dade Regional Library Auditorium, 10750 S. W. 211 Street, Miami, Florida

DATE AND TIME: November 30, 1999, 6:00 p.m. – 8:00 p.m., Copies of the District Six Work Program documents will be available for review between those hours.

PLACE: Harvey Government Center, Second Floor, Meeting Room, 1200 Truman Avenue, Key West, Florida

PURPOSE: These hearings are being held in accordance with Section 339.135, Florida Statutes and offer the public the opportunity to comment on projects for the State Highway System, Public Transportation or any other project in the Sixth District’s Tentative Five Year Transportation Plan. These hearings will also include consideration of proposed projects for Florida’s Turnpike System. The Sixth District comprises Miami-Dade and Monroe Counties. The Plan covers the period from July 1, 2000-June 30, 2005.

All interested persons are invited to attend and be heard.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Act any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint to the Florida Department of Transportation’s Minority Programs Office in Tallahassee or contact Jeffrey Dodge, District Six’s Title VI and Title VIII Coordinator.

Central Office: Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, M.S. 65, Tallahassee, Florida 32399-0450.

District Six: Jeffrey Dodge, Title VI and Title VIII Coordinator, Florida Department of Transportation, 1000 N. W. 111 Avenue, Room 6207A, Miami, Florida 33172.

Assistance for persons who require transcriptions in braille may be arranged by contacting the Public Information Office, (305)470-5349, seven days before the public hearings to allow

time for the documents to be transcribed. Assistance for other disabled person may be arranged by contacting the Public Information Office prior to the hearings.

The Florida **Department of Transportation**, District One announces a public hearing to which all interested persons are invited. Specific notice is provided to the Polk, Lee, Sarasota/Manatee, Charlotte and Collier Metropolitan Planning Organizations (MPO's) and the County Commission Chairpersons for Polk, Manatee, Sarasota, Charlotte, Lee, Collier, Hendry, Glades, Okeechobee, Highlands, Hardee and DeSoto Counties.

DATE AND TIME: November 30, 1999, 6:00 p.m.

PLACE: Charlotte County School Board Building, 1445 Education Way, Port Charlotte, Florida

PURPOSE: This hearing will consist of presentations by the Department on the Tentative Five Year Work Program for fiscal years 2000/2001 – 2004/2005, followed by a public testimony period. This public hearing is being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. At the hearing, the public is invited to review the District One Tentative Five Year Work Program. Department staff will be available prior to and immediately following for informal discussion and assistance. A Court reporter will be available to accept public comments, if desired, for entry into the public records.

The proposed projects have been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under title VI and Title VII of the United States Civil Rights Act any person(s) or beneficiary who believes he or she has been subjected to discrimination because of race, color, religion, sex, age, national origin, disability of familial status may file a written complaint to the Florida Department of Transportation Minority Programs Office in Tallahassee or contact the District's Title VI and Title VII Coordinator as shown below:

CENTRAL OFFICE: Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, MS 65, Tallahassee, Florida 32399-0450

DISTRICT 1: Florida Department of Transportation, District 1, 801 North Broadway, Bartow, Florida 33830, Attn.: Lori Spruce

If requested and in compliance with the Americans with Disabilities Act, the Department will provide special assistance at the public hearing for those persons who are disabled. Those persons requiring special assistance must send written notification to the Department at least 10 days prior to the public hearing to: John Limbaugh, Florida Department of Transportation, 2295 Victoria Ave., Suite 292, Fort Myers, Florida 33902.

A copy of the agenda may be obtained from John Limbaugh at the same address, or by calling (941)338-2341.

Written comments from all interested parties will be accepted by the Department at the public hearing and within thirty days after the public hearing. Comments should be mailed to: David A. Twiddy, P. E., District Secretary, Florida Department of Transportation, Post Office Box 1249, Bartow, Florida 33831.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited:

DATE AND TIME: November 18, 1999, 11:00 a.m. – conclusion of agenda

PLACE: Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

PURPOSE: Regular meeting of the Florida Transportation Commission.

Information and a copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, Telephone (850)414-4105.

#### STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Thursday, November 18, 1999, 9:00 a.m., or soon thereafter

PLACE: Emerald Coast Conference Room, 6th Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

PURPOSE: To conduct a debriefing meeting of the Evaluation Committee for the Fixed Income Investment Manager Request for Proposals, RFP #99-03.

If any person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

#### DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATES AND TIMES: November 16, 1999, 1:00 p.m., Committee Meetings; November 17, 1999, 9:00 a.m., Continue Committee Meetings; 10:30 a.m., Regular Monthly Meeting

PLACE: November 16, 1999, Citrus Research and Education Center, Room 1, Ben Hill Griffin Hall, 700 Experiment Station Road, Lake Alfred, Florida; November 17, 1999, Florida Department of Citrus, 1115 East Memorial Boulevard, Lakeland, Florida



GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Regular monthly meeting.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, Post Office Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (941)499-2510.

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**FLORIDA PAROLE COMMISSION**

The Florida Parole Commission announces a public meeting to which all persons are invited.

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

PLACE: Florida Parole Commission, Chappie James State Office Building, 160 Governmental Center, Pensacola, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida 1980.

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

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**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces that the staff workshop scheduled to be held in the following matter has been cancelled

DOCKET NO.: 990188-EI – Generic Investigation into Requirement for Individual Electric Metering by Investor-owned Electric Utilities Pursuant to Rule 25-6.049(5)(a), Florida Administrative Code.

DATE AND TIME: November 9, 1999, 9:00 a.m.

PLACE: Room 180, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

The Commission is vested with jurisdiction over the subject matter of this proceeding by the provisions of Chapter 366, Florida Statutes.

The Florida Public Service Commission announces a staff rule development workshop to consider proposed revisions to Rule 25-22.032, FAC., Customer Complaints, at the following time and place.

DATE AND TIME: Friday, November 19, 1999, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

The proposed revisions to the rule are extensive, and they are designed to promote the prompt and effective resolution of disputes between regulated companies and their customers.

A copy of the agenda for the workshop may be obtained after November 5, 1999, from Mary Diskerud, Division of Appeals, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6090.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771.

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The Florida Public Service Commission will consider at its November 30, 1999, Agenda Conference, Docket No.: 991631-GU, Application by Florida Division of Chesapeake Utilities Corporation for Approval to Issue Common Stock, Preferred Stock and Secured and/or Unsecured Debt and to Exceed Limitation Placed on Short-term Borrowings in 2000.

DATE AND TIME: Tuesday, November 30, 1999. The Agenda Conference begins 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To take final action in Docket No.: 991631-GU.

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this agenda is asked to advise the agency at least 48 hours before the agenda conference by contacting the Division of Records and Reporting, (850)413-6770, at least 48 hours before the Agenda Conference. If you are hearing or speech impaired, please contact the agency by calling the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

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**REGIONAL PLANNING COMMISSION**

The North Central Florida Regional Planning Council announces a meeting of the Tourism Task Force to which all persons are invited.

DATE AND TIME: November 18, 1999, 10:00 a.m.

PLACE: A place to be determined in Taylor County, Florida

PURPOSE: To carry out business as it pertains to promotion of the 11-county north central Florida region.

A copy of the agenda may be obtained by calling (352)955-2200 or writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Any person deciding to appeal any decision of the Task Force with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made. Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

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**The North Central Florida Local Emergency Planning Committee, LEPC, District 3** announces the following meeting to which all persons are invited.

MEETING: North Central Florida Local Emergency Planning Committee

DATE AND TIME: November 19, 1999, 9:30 a.m.

PURPOSE: To conduct the regular business of the Local Emergency Planning Committee.

MEETING: Regional HazMat Team Work Group

DATE AND TIME: November 19, 1999, 11:00 a.m.

PURPOSE: Establish a regional hazardous materials response team in north central Florida.

PLACE: Echelon Business Park, One Progress Boulevard, Alachua, FL

Any persons deciding to appeal any decision of the Committee or Work Group with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603.

Persons with disabilities who need assistance may contact (352)955-2200, at least two business days in advance to make appropriate arrangements.

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**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: November 4, 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.

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**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: November 4, 1999, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 9143 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.

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**The Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 9143 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.

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**The District 5, Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Spill/Incident Review Subcommittee

DATE AND TIME: Monday, November 15, 1999, 9:30 a.m. – 10:00 a.m.

COMMITTEE NAME: Training Subcommittee  
DATE AND TIME: Monday, November 15, 1999, 10:10 a.m. – 10:50 a.m.

COMMITTEE NAME: Local Emergency Planning Committee  
DATE AND TIME: Monday, November 15, 1999, 11:00 a.m.

PLACE: Levy County Emergency Operations Center, 9010 N. E. 79th Ave., Bronson, FL (Near Levy County Jail Complex)

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact Charlotte Neupauer, (352)732-1315.

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The District Six, **Local Emergency Planning Committee** (LEPC) For Hazardous Materials at the East Central Florida Regional Planning Council announces public meetings to which all persons are invited, as follows:

DATES AND TIMES: Tuesday, December 7, 1999, 10:00 a.m.; Tuesday, January 4, 2000, 10:00 a.m.

PLACE: ECFRPC Offices, Second Floor, Conference Room, 1011 Wymore Road, Winter Park, Florida

PURPOSE: Business Meeting of the District Six, Local Emergency Planning Committee’s (LEPC) Hazardous Materials Community Outreach Subcommittee.

In the event a quorum is not present, a workshop will be convened to discuss the business of the Committee.

A copy of the agenda and more information may be obtained by writing: Ms. Teri Hunalp, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

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The District Six, **Local Emergency Planning Committee** (LEPC) For Hazardous Materials at the East Central Florida Regional Planning Council announces public meetings to which all persons are invited, as follows:

DATES AND TIMES: Tuesday, December 14, 1999, 10:00 a.m.; Tuesday, January 11, 2000, 10:00 a.m.

PLACE: ECFRPC Offices, Second Floor, Conference Room, 1011 Wymore Road, Winter Park, Florida

PURPOSE: Business Meeting of the District Six, Local Emergency Planning Committee’s (LEPC) Hazardous Materials Training Subcommittee.

In the event a quorum is not present, a workshop will be convened to discuss the business of the Committee.

A copy of the agenda and more information may be obtained by writing: Ms. Teri Hunalp, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

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The District Six, **Local Emergency Planning Committee** (LEPC) For Hazardous Materials at the East Central Florida Regional Planning Council announces public meetings to which all persons are invited, as follows:

DATES AND TIMES: Thursday, December 16, 1999, 10:00 a.m.; Thursday, January 20, 2000, 10:00 a.m.

PLACE: ECFRPC Offices, Second Floor, Conference Room, 1011 Wymore Road, Winter Park, Florida

PURPOSE: Business Meeting of the District Six Local Emergency Planning Committee’s (LEPC) Hazardous Materials Commodity Flow Study Working Group.

In the event a quorum is not present, a workshop will be convened to discuss the business of the Committee.

A copy of the agenda and more information may be obtained by writing: Ms. Teri Hunalp, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, FL 32789-1797.

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The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 11, 1999, 10:00 a.m.

PLACE: City of Clermont’s Highlander Hut, Meeting Hall, 330 3rd Street, Lake Minneola, Clermont, Florida

PURPOSE: Development of Regional Impact review charrette and pre-application conference for the proposed Lost Lake Reserve DRI. This will be a scoping workshop to guide the review of this project. There will also be a 9:00 a.m. pre-meeting site visit beginning by the Lost Lake Elementary School west of Hancock Road about 1.5 miles south of SR 50.

A copy of the agenda, directions or project information may be obtained by writing: ECFRPC, 1011 Wymore Rd., Winter Park, FL 32789, or by calling Fred Milch, (407)623-1075, Ext. 315.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Mr. Milch, (407)623-1075, Ext. 349. If you are hearing or speech impaired, please contact the ECFRPC by calling the Florida Relay Service at 1(800)955-8771 (TDD).

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The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee, (LEPC) to which all persons are invited.

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

PLACE: Okeechobee County Emergency Management, 499 N. W. 5th Avenue, Okeechobee, Florida 34972

PURPOSE: Regular Bi-monthly Meeting of the LEPC.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, November 22, 1999, 8:45 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Nominating Committee.

SUBJECTS TO BE CONSIDERED: To nominate the 2000 slate of Council officers.

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 **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: December 10, 1999, 9:30 a.m.

PLACE: Howard Johnson's Motor Lodge, 950 U.S. Highway One, Stuart, Florida

GENERAL SUBJECT MATTER: To conduct the Annual Meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

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## DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The **Department of Labor and Employment Security**, Division of Workers' Compensation announces the following meeting of the Physician Customer Council to which the public

is invited. This council is the forum for all physicians participating in the delivery of medical care to Florida's injured workers, to inform the Division of Workers' Compensation of issues and to discuss their concerns relating to the provision of medical and rehabilitation services.

DATE AND TIME: Tuesday, November 16, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: The Homewood Suites, 8745 International Drive, Orlando, Florida 32819

PURPOSE: To set the dates and agenda items for meetings for the upcoming year, as well as begin development of by-laws for the council.

Due to limited seating, persons planning to attend are asked to call Barbara Moody, (850)488-3431, Extension 330, by close of business November 8, 1999.

Persons with a disability or handicap requiring reasonable accommodations should contact: Barbara Moody, 2728 Centerview Drive, Suite 101, Forrest Building, Tallahassee, Florida 32399-0664, or by phone at least three business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Barbara Moody using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you have any questions or need additional information, please contact Ms. Moody.

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The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a Premiums and Benefits Committee meeting to which the public is invited.

DATE AND TIME: Thursday, November 18, 1999, 11:00 a.m. – 2:00 p.m.

PLACE: 8019 Bayberry Road, Jacksonville, Florida

PURPOSE: To discuss issues of interest to the committee.

For a copy of the agenda or for further information about this meeting, contact: Becky Thomas, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, (850)487-2613.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces a Public Hearing to which all persons are invited. The meeting is scheduled for:

DATE AND TIME: Wednesday, December 8, 1999, 9:00 a.m.  
MEETING: Public Hearing to amend Save Our Rivers Five-Year Plan  
PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: To receive public comment to amend the Save Our Rivers, Preservation 2000, Land Acquisition and Management Five-Year Plan. The amendment will be the 2000 update of the Plan to be submitted to the Florida Legislature by January 15, 2000.

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 public meeting to which all persons are invited:

DATE AND TIME: Thursday, November 18, 1999, 1:30 p.m.  
MEETING: Water Supply Planning Work, Group Area I Meeting  
PLACE: Orlando Utilities Commission Gardenia Facility, 3800 Gardenia Avenue, Orlando, FL

PURPOSE: The St. Johns River Water Management District is in the process of developing a water supply plan. Plan development is being carried out through a series of work group meetings. Work Group Area I involves Lake, Marion Orange, Osceola, Polk, Seminole and Sumter counties.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is requested to advise the District at least 48 hours before the hearing by contacting: Carol Taylor, (904)329-4170. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces the following public meeting to which all persons are invited.

GOVERNING BOARD EXECUTIVE COMMITTEE

DATE AND TIME: Tuesday, November 16, 1999, 8:30 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Personnel Business.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)423-1476 (Florida), or (352)796-7211, Extension 4604, Fax (904)754-6874, TDD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** Governing Board will hold a Public Hearing pursuant to a request made under §120.54(3)(c), Florida Statutes on the proposed rules regarding Northern Tampa Bay Minimum Flows and Levels.

DATE AND TIME: Wednesday, November 17, 1999, 9:00 a.m., during its regularly scheduled monthly Board meeting

PLACE: District's Brooksville Headquarters, 2379 Broad Street, U.S. 41 South, Brooksville, FL

PURPOSE: To hold a public hearing as requested pursuant to §120.54(3)(c), Florida Statutes on the proposed rules regarding Northern Tampa Bay Minimum Flows and Levels published on November 25, 1998 in the Florida Administrative Weekly, Vol. 24, No. 48.

Should you have any questions concerning this hearing please contact 1(800)423-1476 or (352)796-7211, Extension 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this activity is asked to advise the agency at least 72 hours before the activity by contacting: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: November 15, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Lorida Civic Center, 1909 Oak Avenue, Lorida, Florida

PURPOSE: A meeting of the Lake Istokpoga/Indian Prairie Canal Focus Group to discuss Lake Istokpoga.

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. Those who desire more information may contact Chris Sweazy, (407)858-6100.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: November 17, 1999, 9:30 a.m. – 5:00 p.m.

PLACE: South Florida Water Management District, Fort Myers Service Center, 2301 McGreor Blvd., Fort Myers, Florida

PURPOSE: To review and gather public input on the Lower West Coast Water Supply Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements. For more information, contact Mark Elsner, (561)682-6156.

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**The South Florida Water Management District** announces a closed door attorney-client meeting as follows:

DATE AND TIME: December 9, 1999, immediately following Governing Board meeting, but not to begin before 2:00 p.m.

PLACE: Governing Board Chambers, South Florida Water Management District, 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 Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., U.S. District Court, Southern District of Florida, Case Number: 98-6056-CIV-FERGUSON, and Friends of the Everglades v. South Florida Water Management District, U.S. District Court, Southern District of Florida, Case Number: 98-6057-FERGUSON.

ATTENDEES: Governing Board members: M. Collins, M. Minton, M. Berger, V. Carter, G. Fernandez, P. Gleason, N. Gutierrez, Jr., H. Thornton, T. Williams; District Executive Director: F. Finch; District Attorneys: J. Fumero, R. Clements and District outside counsel P. Nettleton.

The subject matter shall be confined to 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.

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**The South Florida Water Management District** announces regular and special public workshops and meetings which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATES AND TIMES: November 12, 1999; November 15-16 1999; November 22-23, 1999; November 29-30, 1999, 9:00 a.m. – 6:00 p.m.

PLACE: Freshman Campus, Auditorium, Okeechobee School Board Complex, 700 S. W. 2nd Avenue, Okeechobee, Florida

PURPOSE: Governing Board workshop 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.

DATES AND TIMES: November 29-30, 1999; December 6-7, 1999; December 13-14, 1999; December 20-21, 1999; December 27-28, 1999, January 3-4, 2000; January 10-11, 2000; January 17-18, 2000; January 24-25, 2000, 9:00 a.m. – 6:00 p.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Governing Board workshop 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.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: November 16, 1999, 3:00 p.m. – 5:00 p.m.

PLACE: South Florida Water Management, District B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Policy Review and Goal Setting Committee meeting to review Supplier Diversity and Outreach program annual performance; FY2000 proposed competitive contract opportunities; proposed M/WBE Contracting rulemaking, advisory council charter, and small business initiative.

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.

Those who desire more information 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: November 19, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Orlando Utilities Commission, 3800 Gardenia Avenue, Orlando, Florida

PURPOSE: To review and gather public input of the Kissimmee Basin Water Supply Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

For more information, contact: Chris Sweazy, (407)858-6100.

**WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY**

The **Tampa Bay Water** announces the following Public Meeting and Board Workshop to which all persons are invited:

DATE AND TIME: Monday, November 15, 1999, 11:30 a.m.

PURPOSE: Regularly Meeting of the Board of Directors.

DATE AND TIME: Friday, October 22, 1999, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

PURPOSE: Water Quality Workshop.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing: Tampa Bay Water or can be accessed on the Website: www.tampabaywater.org after 11/8/99.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regularly scheduled November meeting as scheduled. This is a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 17, 1999, 4:30 p.m.

PLACE: Ocala City Hall, City Council Chambers, 151 Southeast Osceola Avenue, 2nd Floor, Ocala, FL 34471

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, Post Office Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

**DEPARTMENT OF THE LOTTERY**

The **Department of the Lottery** announces a meeting of the Florida Lottery Commission to which all interested parties are invited.

DATE AND TIME: Thursday, November 18, 1999, 10:00 a.m. – 12:00 Noon

PLACE: Lottery Central Building, 250 Marriott Drive, Tallahassee, Florida

PURPOSE: Quarterly meeting to discuss issues relating to the Lottery.

Any person requiring a special accommodation at the meeting because of a disability should call Doug Roberts, (850)487-7777, Ext. 2469 (Voice), or use the Florida Relay Service at 1(800)955-8771 (TDD), at least seven (7) working days prior to the meeting date.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a meeting of the District 10, Managed Care Ombudsman Committee to be held in Ft. Lauderdale, Florida, to which all persons are invited.

DATE AND TIME: November 10, 1999, 9:30 a.m. – 12:00 Noon

PLACE: The Healthcare Building, Room 195, 1400 West Commercial Blvd., Ft. Lauderdale, Florida

PURPOSE: Regular monthly meeting.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone (850)921-0625.

The **Agency for Health Care Administration** announces a meeting of the District 9, Managed Care Ombudsman Committee Meeting to be held in West Palm Beach, Florida, to which all persons are invited.

DATE AND TIME: November 10, 1999, 1:00 p.m. – 3:30 p.m.

PLACE: 1710 E. Tiffany Drive, Medicaid Conference Room, 2nd Floor, West Palm Beach, Florida

PURPOSE: The purpose of this meeting is routine business.

If you need a special accommodation in order to attend this meeting because of a disability, please contact us in writing or by phone (850)921-0625.

The Probable Cause Panel (North), **Board of Medicine** announces a meeting.

DATE AND TIME: November 12, 1999, 1:00 p.m. or soon thereafter

PLACE: Agency for Health Care Administration, Conference Room, 1580 Waldo Palmer Lane, Tallahassee, Florida 32308, (850)487-9700

PURPOSE: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, Telephone (850)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Agency for Health Care Administration** announces the fifth meeting of the panel on Medicaid reimbursement to which all persons are invited.

DATE AND TIME: December 2, 1999, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308

PURPOSE: In accordance with chapter 99-394, Laws of Florida, the panel on Medicaid reimbursement will be conducting its fifth meeting. The purpose of the panel is to study the State’s Medicaid reimbursement plan for nursing home facilities and recommend changes to accomplish specific goals. The meeting will be for the purpose of incorporating the preliminary recommendations into the draft copy of the preliminary report to the Florida Legislature that is due by December 31, 1999.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda has not been set. Contact Mr. Edwin Stephens, (850)413-8067 or Suncom 293-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** would like to announce a workshop to which all persons are invited to attend.

DATE AND TIME: December 2, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida

PURPOSE: To review and comment on the draft report of the advisory group on the statutory definition of “rural hospital” in ss. 395.602 and 408.07, Florida Statutes, as referenced in Laws of Florida 98-21.

Copies of the draft report and workshop agenda may be obtained by contacting: Dehryl R. McCall, Sr., Agency for Health Care Administration, Office of Health Policy, Mail Stop 17, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)922-5529.

In lieu of attendance at the workshop, written comments should be directed to Mr. McCall, at the above address by December 15, 1999.



Persons requiring special accommodations due to disability or physical impairment should contact Dehryl McCall, by November 19, 1999.

The **Agency for Health Care Administration** announces a meeting of the Panel on Excellence in Long-Term Care to which all interested parties are invited.

DATE AND TIME: Wednesday, November 17, 1999, 1:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, Fort Knox Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

PURPOSE: An organizational meeting of the Panel on Excellence in Long-Term Care. The purpose of this Panel is to develop an award and recognition program for nursing facilities that demonstrate excellence in delivery of services over a sustained period.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Kim Stewart, (850)487-2528, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Elizabeth Dudek, Division of Managed Care and Health Quality, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308.

The **Agency for Health Care Administration, Medicaid** announces a meeting of the Organ Transplant Advisory council to which all persons are invited.

DATE AND TIME: Friday, November 19, 1999, 10:00 a.m.

PLACE: The Radisson Orlando Airport, 5555 Hazeltine National Dr., Orlando, FL 32812

PURPOSE: To conduct general business of the council, recommendations to update Medicaid organ transplant policy.

A copy of the agenda may be obtained by writing: Kathleen Brown, Transplant Coordinator, Agency for Health Care Administration, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

People with disabilities wishing to attend this meeting should contact the Agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Agency for Health Care Administration, (AHCA)** will hold a public meeting to discuss its plans for release of a Request for Proposals (RFP) for the Medicaid Area Six Prepaid Mental Health Plan. The projected release date of this RFP will be on or about December 15, 1999.

DATE AND TIME: Wednesday, November 17, 1999, 10:00 a.m. – 1:00 p.m.

PLACE: Florida Mental Health Institute, Westside Conference Rooms A, B, and C, University of South Florida, 13301 Bruce B. Downs Boulevard, Tampa, Florida

GENERAL QUESTIONS: All questions related to this meeting should be directed to: Wendy Smith, Behavioral Health Care Unit, Medicaid Program Development, Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Tallahassee, FL 32308, Telephone (850)488-8711, Fax (850)414-1721.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

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

PLACE: Department of Management Services, 4050 Esplanade Way, Room 315 L, Tallahassee, FL

PURPOSE: Industry Impact Review and Fair Market Price Determination and assignment of the following service contracts and products to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes: Miami International Airport Janitorial Services Contract; Department of State, San Luis Archaeological Site Janitorial Services Contract; Department of Transportation, District Five, Orlando Administration Office Janitorial Services Contract; Florida Department of Health, Volusia County Health Department Janitorial Services Contract; and recycled paper products. Price adjustments of various service contracts and products, and other matters related to the business of the Commission are also on the agenda.

Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.

Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact RESPECT by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **Smart Schools Clearinghouse** announces a regular meeting of the SMART Schools Clearinghouse to which all interested persons are invited:

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

PLACE: Department of Management Services, Capitol Circle Office Center, 4050 Esplanade Way, Suite 101, Tallahassee, Florida 32399-0950

A copy of the agenda may be obtained by contacting: SMART Schools Clearinghouse, Office of the Executive Director, 4050 Esplanade Way, Suite 250, Tallahassee, FL 32399-0950, Telephone (850)921-8699, Suncom 291-8699.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Office of the Executive Director at the above telephone or address at least five (5) calendar days prior to the meeting. If you are hearing or speech-impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Clearinghouse with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The State of Florida, **State Retirement Commission** announces public hearings to which all persons are invited.

DATE AND TIME: November 15, 1999, 8:30 a.m.

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence. Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

**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: December 10, 1999, 10:00 a.m. – 1:00 p.m.

PLACE: Daytona Beach Community College, Building 37, Room 112, 1200 International Speedway Boulevard, Daytona Beach, Florida

A copy of the agenda may be obtained by writing: Robin Bradwell, Administrative Assistant II 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)488-0740.

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 Robin Bradwell, (850)488-0740. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Department of Business and Professional Regulation** announces the following public meeting of the **Division of Hotels and Restaurants'** Advisory Council Task Force which the public is invited to attend.

The meeting will be conducted at the date, time and place listed below:

DATE AND TIME: Wednesday, November 17, 1999, 6:00 p.m. – 8:00 p.m.

PLACE: Embassy Suites Hotel, 8250 Jamaican Court, Orlando, FL 32819, 0.3 mile south of SR 482 (Sand Lake Road) just west of International Drive

PURPOSE: To conduct general Advisory Council business.

If you need additional information, please contact: Ms. Delores Koonce, Administrative Assistant, Office of the Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1011, or call 1(800)749-6368 or (850)488-1133.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Delores Koonce, 1(800)749-6368 or (850)488-1133 at least five days prior to the meeting.

The **Department of Business and Professional Regulation** announces the following public meeting of the **Division of Hotels and Restaurants'** Advisory Council Task Force which the public is invited to attend.

The meeting will be conducted at the date, time and place listed below:

DATE AND TIME: Thursday, November 18, 1999, 10:00 a.m. – 2:00 p.m.

PLACE: The Central Florida Hotel Motel Association, Sand Lake IV Business Building, 7380 Sand Lake Road, Suite 135, Orlando, FL 32819, 0.3 miles South of SR 482 (Sand Lake Road) just West of International Drive

PURPOSE: To conduct general Advisory Council business.

If you need additional information, please contact: Ms. Delores Koonce, Administrative Assistant, Office of the Director, Division of Hotels and Restaurants, Department of Business

and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1011, or call 1(800)749-6368 or (850)488-1133.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Delores Koonce, 1(800)749-6368 or (850)488-1133, least five calendar days prior to the meeting.

The **Department of Business and Professional Regulation**, Bureau of Testing announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 15, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Bureau of Testing Conference Room, Suite 42, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida

PURPOSE: To discuss the implementation of Computer Based Testing for the Construction Industry Licensing Board and the Electrical Contractors' Licensing Board.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official telephone conference call regarding change of ownership applications.

DATES AND TIMES: November 17, 1999, 10:00 a.m.

PLACE: Meet Me Number (850)488-8295 or Suncom 278-8295

PURPOSE: General Business Meeting of the Board regarding Change of Ownership Applications and other business as directed by the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Stacey Merchant, (850)921-7868.

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 Stacey Merchant, (850)921-7868. 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 based. For further information contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting to be held by public telephone conference call which all persons are invited:

DATE AND TIME: Tuesday, November 16, 1999, 10: 00 a.m., or as soon thereafter

CONFERENCE CALL NUMBER: 1(800)720-1642

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

DATE AND TIME: November 17, 1999, 7:30 p.m.

PLACE: Brevard County Commission Chambers, Building C, Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, Florida

PURPOSE: To accept public comments and provide status of Department's Intent to Issue an Air Construction Permit to construct a fiberglass boat manufacturing plant on a 38-acre tract 1.2 miles east of the existing Sea Ray facility, 1200 Sea Ray Drive, Merritt Island, FL. The permitting action is subject to the Clean Air Act's requirements for the Prevention of Significant Deterioration of Air Quality/Best Available Control Technology (BACT) and the requirements for a case-by-case determination of Maximum Achievable Control Technology (MACT) for the control of hazardous air pollutants.

A copy of the agenda and the Department's proposed permit and supporting documents can be obtained by contacting: J. M. Reynolds, Department of Environmental Protection, 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399, Telephone (850)921-9536, or by Telephoning the Bureau of Air Regulation's New Source Review Section, (850)921-9533. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel

Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection** announces public hearings to which all interested persons are invited.

DATE AND TIME: December 8, 1999, 1:00 p.m. and 2:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida. If an accommodation for a disability is needed in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Human Resources, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

PURPOSE: At One o'clock p.m., to receive testimony and public comment and to take final action on proposed management of the Fiscal Year (FY) 1999 drinking water State Revolving Fund (SRF) loan priority list. Approximately \$15 million is expected to be available for loans to drinking water projects. The Department may adopt, modify, or deny the proposed actions at the hearing.

At Two o'clock p.m., to receive testimony and public comment and to take final action on proposed management of the FY 2000 SRF wastewater preconstruction loan priority list and management of the FY 2000 wastewater construction loan priority list. Approximately \$33 million is expected to be available for loans to wastewater projects. The Department may adopt, modify, or deny the proposed actions at the hearing.

The Department's funding commitment to projects currently assigned to priority lists may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled.

Projects may be added to the wastewater construction or preconstruction priority lists pursuant to Rule 62-503.680, FAC., or to the drinking water priority list pursuant to Rule 62-552.680, FAC., if requests and required documentation have been approved by the Department by the date of publication of this notice. Prior to Department action at the hearings, all interested persons will have the opportunity to testify regarding the proposed actions.

After the hearings, the Department will file the Final Orders for actions taken at the hearings. A copy of the Final Orders 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 hearings or must be filed with the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the Department's proposals and recommendations may be obtained by contacting: Gary Powell, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida 32399-2400, Telephone (850)488-8163 or Suncom 278-8163, or e-mail: gary.powell@dep.state.fl.us.

The **Department of Environmental Protection** announces a series of public workshops to discuss the proposed NPDES stormwater delegation rules to which all interested persons are invited.

DATE AND TIME: Monday, December 13, 1999, 1:00 p.m.

PLACE: Department of Environmental Protection, Twin Towers, Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

DATE AND TIME: Wednesday, December 15, 1999, 1:00 p.m.

PLACE: Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida

DATE AND TIME: Thursday, December 16, 1999, 1:00 p.m.

PLACE: Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, Second Floor Conference Room, West Palm Beach, Florida

PURPOSE OF MEETINGS: To discuss proposed revisions to Chapters 62-4, 62-620, 62-621 and 62-624 of the Florida Administrative Code, in anticipation of the state of Florida receiving delegation of the federal NPDES stormwater program.

A copy of the agenda for the meeting may be obtained by writing: Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling Michael Bateman, (850)921-5330. Draft rules may be accessed on the world wide web at the following address: <http://www.dep.state.fl.us/water/slerp/pds/draft.htm>

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Personnel Services Specialist in the Bureau of Personnel, (850)488-2996 or 1(800)955-8771 (TDD) at least seven days prior to the event.

#### DEPARTMENT OF JUVENILE JUSTICE

The **Juvenile Justice Accountability Board** announces a rescheduled meeting of it's Juvenile Justice Education Policy Task Force, which is open to the public. This meeting is to replace the canceled meeting of November 3, 1999 in Tampa.

DATE AND TIME: November 10, 1999, 10:00 a.m. – 4:00 p.m.

PLACE: Hyatt Regency Hotel, Airport Conference Room, 4th Floor, 9300 Airport Boulevard, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: To school district accountability and funding, the programmatic, fiscal and governance issues associated with the creation of a separate school district to serve juvenile justice youth.

For more information, contact Marianna Tutwiler, Juvenile Justice Accountability Board Office, (850)921-5274.

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**DEPARTMENT OF HEALTH**

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, November 10, 1999, 12:00 p.m. – 2:00 p.m.

PLACE: American Cancer Society's Winn-Dixie Hope Lodge Center

PURPOSE: Monthly meeting.

A copy of the agenda can be obtained by contacting Christine Kelly, (305)377-5010, Ext. 118.

If special accommodations are needed to attend this meeting because of a disability, please contact Christine Kelly, as soon as possible.

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The Florida **Board of Acupuncture** and Committees will hold the following Meeting to which all persons are invited:

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

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

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 Acupuncture, 2020 Capital Circle, N. E., BIN C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Penny Perkins, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Penny Perkins using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Board of Dentistry** will hold a Probable Cause Panel meeting to which all persons are invited:

DATE AND TIME: Thursday, November 18, 1999, 6:00 p.m.

PLACE: Hilton Miami Airport, 5101 Blue Lagoon Drive, Miami, FL 33126, (305)262-1000

PURPOSE: To review reconsideration cases.

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 include 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: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, Southeast, BIN C06, Tallahassee, Florida 32399-3256, (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Board of Medicine's**, Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, November 13, 1999, 8:00 a.m., or soon thereafter

PLACE: The Crowne Plaza Hotel, 700 North Westshore Boulevard, Tampa, Florida 33609, (954)772-1331

PURPOSE: To conduct general business of the Committee.

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.

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).

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NOTICE OF CHANGE – The **Board of Podiatric Medicine** has rescheduled the following conference call meeting to which all persons are invited to attend.

DATES AND TIMES: Wednesday, October 27, 1999, 8:30 a.m., through Monday, November 15, 1999, 8:30 a.m., at Meeting Me Number (850)488-5778

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the 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 matter 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 Regulation 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.

The **Department of Health, Board of Psychology**, Credentials Committee announces a conference call of the committee to which all persons are invited:

DATE AND TIME: November 15, 1999, 8:00 a.m., or soon thereafter

CONFERENCE CALL NUMBERS: Nonsuncom (850)487-8540 or Suncom: 277-8540

PURPOSE: For the consideration and review of applications for examination and licensure.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, Northwood Centre, 2020 Capital Circle, S. E., BIN C05, Tallahassee, Florida 32399-3255, or by calling the board office, (850)487-9834.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited:

DATE AND TIME: November 15, 1999, 8:45 a.m., or soon thereafter

CONFERENCE CALL NUMBERS: Nonsuncom (850)487-8540 or Suncom 277-8540

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.

The **Department of Health**, Council of Licensed Midwifery announces a telephone conference meeting which all persons are invited.

DATE AND TIME: November 16, 1999, 11:00 a.m. (Please call no later than 10:55 a.m.)

PLACE: Nonsuncom (850)921-2591, Suncom 291-2591

PURPOSE: Review and Discuss Proposed Legislation.

A copy of the agenda may be obtained by writing: Department of Health, Council of Licensed Midwifery, 2020 Capital Circle, Southeast, BIN C06, Tallahassee, Florida 32399-3256.

Any person requiring special accommodations to participate in this meeting is asked to advise the department at least 5 days before the meeting by contacting Dianne Clark, (850)488-8154. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the evidence upon which the appeal is to be based.

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 1999, 1:30 p.m. – 3:00 p.m.

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, 3rd Floor, Tallahassee, FL 32301-4881, Conference Call at 1(888)860-6808.

PURPOSE: A subcommittee appointed by the Bureau of Emergency Medical Services is holding its first telephone conference call to assist the Department of Health in implementation of the 1999 legislative requirement to review the current assignment of counties to trauma service areas during the year 2000.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, S. E., BIN C18, Tallahassee, Florida 32399-1738 or by calling Karen White, (850)487-1911.

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 before November 15, 1999 by contacting Karen White, (850)487-1911. 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).

Purchase Order Number XOO699

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 1999, 1:00 p.m. – 2:00 p.m.

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, Tallahassee, FL 32301-4881, Conference Call 1(800)647-7427

PURPOSE: A committee appointed by the Bureau of Emergency Medical Services is holding its first telephone conference call to assist the Department of Health in the implementation of the 1999 trauma legislation which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and general hospitals.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, Southeast, Bin #C18, Tallahassee, Florida 32399-1738 or by calling Jennie Cruce, (850)487-1911.

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 before November 15, 1999 by contacting Jennie Cruce, (850)487-1911. 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).

Purchase Order Number XOO699

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

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

PLACE: Agency for Health Care Administration Headquarters, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL

PURPOSE: A committee appointed by the Bureau of Emergency Medical Services is holding its third meeting to assist the Department of Health in implementation of the 1999 trauma legislation.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, Southeast, Bin #C18, Tallahassee, Florida 32399-1738, or by calling Beth Hamilton, (850)487-1911.

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 before November 25, 1999 by contacting Beth Hamilton, (850)487-1911. 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).

Purchase Order Number XOO699

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Commission on Mental Health and Substance Abuse** announces its initial meeting to which all persons are invited.

DATE AND TIME: November 16, 1999, 9:00 a.m. – 5:00 p.m.

PLACE: Senate Office Building, Lower Level, Room 37, 404 South Monroe Street, Tallahassee, Florida

PURPOSE: To adopt rules of order, establish committees and orient members.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact Denise Putnal prior to the meeting at the Department of Children and Family Services, 1317 Winewood Boulevard, Building 3, Room 102, Tallahassee, FL 32399-0700, Telephone (850)922-4272, Suncom 292-4272 or call via the Florida Relay Service, 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing the department at the above address.

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 1999, 9:30 a.m. (EDT)

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950

A copy of the agenda may be obtained by contacting: Pearlle Clark, HRAC Liaison, (561)467-4176.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Developmental Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 1999, 9:00 a.m.  
PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida  
PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

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The **Department of Children and Family Services**, District 12, Health and Human Services Board announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 1999, 9:00 a.m.  
PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida  
PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

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The District 14, **Department of Children and Family Services**, Health and Human Services Board announces the following meeting to which all persons are invited.

Advisory Community-Based Care Council meeting  
DATE AND TIME: Thursday, November 18, 1999, 3:00 p.m.  
PLACE: Fort Meade Community Center, 10 S. W. Third Street, Fort Meade, FL

PURPOSE: To plan for community-based care in District 14.  
For copies of the agenda, further information, or persons needing accommodation to participate in these conference call please contact, Patty Harrison, (941)619-4100, Extension 157, 1(800)342-0825 or TDD (941)648-3337.

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NOTICE OF CHANGE – The meeting for **Health and Human Services**, Board Family Care Council Committee, District 5, on November 24, 1999, at 7:00 p.m. published in the October 22, 1999 issue of the Florida Administration Weekly has been changed to:

DATE AND TIME: November 17, 1999, 7:00 p.m.  
PLACE: Countryside Library, 2741 Route 580, Clearwater, FL

The **Department of Children and Family Services** announces a rule development workshop to which all persons are invited.

DATE AND TIME: November 22, 1999, 9:00 a.m. – 4:00 p.m.  
PLACE: Webster Building, Suite 200, 2671 Executive Center Circle, West, Tallahassee, Florida 32399-0681

PURPOSE: The purpose of this workshop is to seek input from interested parties on the proposed rule to implement the provisions of Section 20.19(17)(c), Florida Statutes, to provide procedures for a methodology for the competitive procurement of contracted client services, which represents an alternative to the request-for proposal or the invitation-to-bid process.

A copy of the agenda may be obtained by contacting: Joy Neves, (850)413-7464 or Suncom 293-7464.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Joy Neves, (850)413-7464. If you are hearing or speech impaired, please contact the agency by calling (850)921-1304.

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#### 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, November 12, 1999, 10:00 a.m.  
PLACE: Sarasota County, South County Administration Center, 4000 South Tamiami Trail, Venice, Florida  
PURPOSE: To conduct the regular business of the Navigation District.

The Board Meeting will be preceded by a Workshop on Comprehensive Planning at 9:00 a.m.

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.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWC) announces a public hearing for the Half Moon Wildlife Management Area, located near Wildwood in Sumter County, Florida.

DATE AND TIME: Thursday, December 2, 1999, 7:30 p.m.  
PLACE: Sumter County Commission Chambers, 209 North Florida Street, Bushnell, Florida

PURPOSE: To receive public comments regarding considerations for updating the five-year Conceptual Management Plan (CMP) for the Andrews WMA. (Participants in this hearing should understand that this purpose does not



include the opportunity to discuss public use and/or hunting regulations for Half Moon WMA (there is a separate public process for this purpose); this hearing is designed exclusively for discussion of the draft management plan.) You may contact Ms. Nancy Dwyer, (352)330-1370, to request a copy of the management prospectus for Half Moon WMA.

The **Northeast Florida Area Agency on Aging**, (PSA4) announces the following committee meetings to which all person are invited:

**DATES AND TIMES:** November 1, 1999, Personnel Committee, 10:00 a.m.; November 4, 1999, By-Laws Committee, 10:00 a.m.; November 10, 1999, Membership Committee, 10:00 a.m.

**PLACE:** The Northeast Florida Area Agency on Aging Office, 590 S. Ellis Road, Jacksonville, Florida 32254

**PURPOSE:** By-Laws Committee: Review and/or Revise By-Laws; Personnel Committee: Review and/or Revise Personnel Policies; Membership Committee: Nominate new members.

For further information contact: The Northeast Florida Area Agency on Aging, Inc., 590 S. Ellis Road, Jacksonville, FL 32254, (904)786-5111.

**NORTHEAST FLORIDA AREA AGENCY ON AGING**

The **Northeast Florida Area Agency on Aging**, (PSA4) announces a Budget/Finance Committee meeting and the Annual Board of Directors meeting to which all person are invited:

**DATE AND TIMES:** November 17, 1999, Budget and Finance Committee, 1:00 p.m.; Board of Directors Meeting, 1:30 p.m.

**PLACE:** First Coast Technical Institute of Culinary Arts, 2980 Collins Avenue, St. Augustine, Florida

**PURPOSE:** General Board Discussion; By-Laws Committee Report, Review and voting on any revisions to By-Laws; Personnel Committee Report, Review and voting on any revisions to Personnel Policies; Membership Committee Report and Election of new members.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 590 S. Ellis Road, Jacksonville, FL 32254, (904)786-5111.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The **Florida Independent Living Council**, Inc. announces the following meetings:

**MEETING:** Executive Committee Meeting

**DATE AND TIME:** Tuesday, November 2, 1999, 9:00 a.m., (EDT)

**PLACE:** FILC Headquarters, 1018 Thomasville Road, Ste. 100-A, Tallahassee, Florida 32303-6271

**MEETING:** Steering Committee Meeting

**DATE AND TIME:** November 15, 1999, 9:00 a.m., (EDT)  
**PLACE:** FILC Headquarters, 1018 Thomasville Road, Ste. 100-A, Tallahassee, FL. 32303-6271

**MEETING:** FILC and FACIL Training (ADA Transportation Issues)

**DATE AND TIME:** Wednesday, November 17, 1999, 9:00 a.m., (EDT)

**MEETING:** FILC, FULL COUNCIL Quarterly Meeting

**DATE AND TIME:** Thursday, November 18, 1999, 9:00 a.m., (EDT)

**PLACE:** BEST WESTERN GATEWAY GRAND, 4200 N. W. 97th Boulevard, Gainesville, FL. 32606

**PURPOSE:** To conduct the regular business of the council.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, Telephone (850)488-5624.

Any person who needs an accommodation to participate in this meeting because of a disability should submit a request for such accommodation in writing at least one week before the meeting date.

**COMMITTEE AND TASK FORCE MEETINGS:** Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Konni Wells at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

**COMMISSION ON RESPONSIBLE FATHERHOOD**

The Florida's **Commission on Responsible Fatherhood** announces the following meeting to which all interested parties are invited to attend.

**DATE AND TIME:** November 8, 1999, 11:00 a.m. – 12:00 Noon

**PLACE:** Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607, Telephone (813)357-6161, Fax (813)877-6766

**PURPOSE:** The Commission on Responsible Fatherhood will be having a business meeting and will take public testimony on all issues concerning responsible fatherhood. Public Testimony will begin, 11:00 a.m. – 12:00 Noon, November 8, 1999.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Kathy Collins, Commission on Responsible Fatherhood, (850)488-4952, at least five calendar days prior to the meeting.

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**FLORIDA TELECOMMUNICATIONS RELAY**

The **Florida Telecommunications Relay**, Inc. announces a regular meeting of the Board of Directors.

**DATE AND TIME:** Monday, November 8, 1999, 3:00 p.m.

**PLACE:** 1311A Paul Russell Road, Tallahassee, Florida

**PURPOSE:** Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

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**CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION**

The **Criminal Justice Standards and Training Regional Council**, Region X announces a meeting to which all interested persons are invited.

**DATE AND TIME:** Tuesday, November 9, 1999, 9:45 a.m.

**PLACE:** Smugglers Inn Restaurant, Fisherman's Village, 1200 W. Retta Esplanada, Punta Gorda, Florida 33950

**AGENDA**

1. Review the minutes from the last meeting.
2. Review budget expenditures and classes offered by Academies.
3. Review Region X future needs.
4. FDLE report from Mr. Tim Day.
5. Additional submissions for Training Council approval.
6. New Business.
7. Other items of interest.

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**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, November 16, 1999, 1:30 p.m.

**PLACE:** Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

**PURPOSE:** To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer by Friday, November 12, 1999.

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The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, November 16, 1999, 3:30 p.m.

**PLACE:** Moffitt Research Center Auditorium, 13131 Magnolia Drive, Tampa, FL

**PURPOSE:** To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Lori Payne by Friday, November 12, 1999.

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**PINELLAS WAGES COALITION**

The **Pinellas WAGES Coalition**, RFP Process Review Ad-Hoc Sub-Committee announces the following meeting on:

**DATE AND TIME:** Wednesday, November 17, 1999, 9:00 a.m.

**PLACE:** Pinellas WAGES Coalition, 13770 58th Street, N., Suite 304, WAGES Conference Room, Clearwater, Florida 34620

**SUBJECT MATTER:** Joint RFP process.

**PURPOSE:** To discuss, review and compile an assessment of the joint RFP process just completed by the Pinellas WAGES Coalition and the Pinellas Workforce Development Board.

Members of the public are invited to attend. Agendas can be obtained seven days in advance of the meeting at Suite 304, Pinellas WAGES Coalition or by calling (727)507-6197.

Persons needing special accommodations to participate in the meeting should call at least 3 days in advance at (727)507-6197.

If any person wishes to appeal any decision made by the Pinellas WAGES Coalition with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

**HEARTLAND LIBRARY COOPERATIVE**

The **Heartland Library Cooperative** which includes DeSoto, Hardee, Highlands and Okeechobee County Libraries announces a board meeting to which the public is invited.

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

PLACE: Hardee County Library, 315 North 6th Ave., Wauchula, FL

PURPOSE: Regular board meeting.

Contact person is Carolyn Hesselink, Administrative Secretary, (941)386-6719.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**DEPARTMENT OF STATE**

NOTICE IS HEREBY GIVEN that the Department of State has denied the Petition for Declaratory Statement filed by Ross M. Raphael, Docket Number 99-3.

The petition was denied because the petition does not concern statutory provisions over which the Department of State has authority and requests a statement as to the conduct of another person.

A copy of the final order may be obtained by writing: Agency Clerk, Department of State, Office of the General Counsel, PL-02, The Capitol, Tallahassee, FL 32399-0250.

**DEPARTMENT OF CORRECTIONS**

Notice is hereby given that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Susanne Manning. Petitioner requested that the Department of Corrections amend Florida Administrative Code Chapter 33-22 to include a provision that would prohibit the writing of corrective consultations or disciplinary reports for disobeying institutional regulations unless inmates have access to the regulations prior to any alleged violation. The Department denied the petition, finding that the issues raised by petitioner were adequately addressed in the Inmate Discipline Technical Manual.

A copy of the Order, Case No.: DC 99-55, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Milton Garey. Petitioner requested that the Department of Corrections amend Florida Administrative Code Rule 33-3.0055(10)(d)(4). Specifically,

he requested that the qualification for inmate law clerks stating that they must “display good character without abusing the authority of the position,” be amended to delete the phrase “authority of the position.” The Department denied the petition, finding that the phrase in no manner indicated that a law clerk had any position of authority or power over other inmates.

A copy of the Order, Case No.: DC 99-57, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on October 19, 1999 from inmate Paul Knight. He seeks an amendment to the Department’s October 15, 1999 Notice of Proposed Rule Development 33-401.401 Use of Tobacco Products. Specifically, he seeks a provision allowing inmates in maximum security close management housing areas, individual one man cells the same smoking privileges as those inmates on Death Row.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on October 20, 1999 from inmate Douglas Jackson. He seeks an amendment to Florida Administrative Code Chapter 33-38 that would prohibit the Department from utilizing a violation of inmate disciplinary rules as a basis for placement in close management.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

Notice is hereby given that the State of Florida, Department of Corrections, received three Petitions to Initiate Rulemaking on October 18, 1999, from Mark Osterback. Petitioner is an inmate seeking an amendment to Florida Administrative Code Rule 33-602.402(7) that would specify that legal materials that may be purchased and received by inmates includes legal supplies. He also seeks an amendment to Florida Administrative Code Rule 33-602.402(a)-(e) that would expand the definition of legal mail to include mail sent to the agency clerk of any state agency and the Department of Insurance, Division of Risk Management. Lastly, he seeks an amendment to Florida Administrative Code Rule 33-501.301(2)(f) that would provide more specificity as to the definition of “priority use” of the law library facilities and greater detail as to the definition of deadlines imposed by law and rule.

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.

Notice is hereby given that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on October 19, 1999 from inmate James Quigley. He seeks an amendment to Florida Administrative Code Rule 33-602.201, Appendix One that would delete disposable lighters from the inmate property list.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**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**

**Call for Bids**

Made by the University of Florida, on behalf of the State of Florida, Board of Regents.

**PROJECT NAME, NUMBER AND LOCATION:** Frazier Rogers Hall Remodeling/New Construction, BR-159, Bid Number: 00L-53, University of Florida, Gainesville, Florida

**QUALIFICATION:** All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** December 8, 1999 until 1:30 p.m., local time

**PLACE:** University of Florida, Purchasing Division, Elmore Hall, Radio Road, Gainesville, FL, at which time and place they will be publicly opened and read aloud

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect: Ponikvar and Associates, 5700 S. W. 34 Street, Suite 1307, Gainesville, FL 32608, Telephone (352)372-1378.

**MINORITY UTILIZATION PROGRAM:** Bidders are encouraged to expend at least twenty-one percent (21%) of the base bid with Minority Business Enterprises certified by the Florida Department of Labor and Employment Security Minority Business Advocacy and Assistance Office. An adjusted base bid price consideration will be given to the percentage of Certified Minority Business Enterprise (CMBE) participation using weight factors as set forth under Chapter 255, Florida Statutes.

**PRE-SOLICITATION/PRE-BID MEETING:** The Bidder is required to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project.

The meeting has been scheduled for:

**DATE AND TIME:** November 17, 1999, 10:00 a.m., local time

**PLACE:** University of Florida, Purchasing Division, Elmore Hall, Radio Road, Gainesville, FL 32611

**PURCHASE:** Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$150.00 per set for the printing and handling cost. Partial sets may be purchased \$1.00 per sheet of the drawings and \$50.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

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, within three (3) days of the event.

INVITATION TO BID

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to: Purchasing Department, Suite A1400, University Center, Florida State University, Tallahassee, FL 32306-2370, prior to Bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Facsimile Submittals are not acceptable. For information relating to this Invitation to Bid, contact Purchasing Agent referenced below, (850)644-6850.

K 3921-5: Structural Repair and Cathodic Protection System Building 408 located at Turkey Point Franklin County, Florida

Mandatory Pre-Bid Meeting: 10:00 a.m., Tuesday, November 30, 1999 Florida State University Marine Lab Turkey Point Franklin County, Florida

Plans & Specifications: 75.00 purchase, contact: Rosenbaum Engineering, Inc. 327 Office Plaza Drive, Suite 208 Tallahassee, FL 32301 (850)671-7230 (850)671-7279

Public Bid Opening: 2:00 p.m., Thursday, December 9, 1999 Florida State University Purchasing Department, Conference Room Suite A1400, University Center Tallahassee, FL 32306-2370

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida, on behalf of the Board of Regents, a public corporation of the State of Florida, announces that Professional Consulting Services in the discipline of campus master planning will be required for the project listed below:

Project Number: BR-506

Project and Location: Campus Master Plan Update, University of South Florida, Tampa, St. Petersburg, and Sarasota campuses.

This project consists of a five year update of the University of South Florida Comprehensive Master Plan and continuing services for studies through the next five years, up to the time of the next five year update. Work will consist of the various Elements in the current Master Plan for the Tampa, Sarasota, St. Petersburg, campuses as well as other properties. The Elements include Future Land Use, Academic Facilities, Support Facilities, Housing, Recreation and Open Space, General Infrastructure, Utilities, Intergovernmental coordination, Transportation, Capital Improvements Elements and others. The successful consultant should demonstrate experience in campus planning, including resolution of parking and traffic issues, as well as familiarity with Florida's campus master planning program and statutory (F.S. 240.155) and administrative rule requirements. Consultants should demonstrate the ability to assess the impacts of five years of university facilities development on public facilities and services (i.e. stormwater management, potable water, sanitary sewer, solid waste, roads and parks and recreation facilities.) Consultants should demonstrate the ability to update existing master plan map conditions to reflect the five year assessment. Greater consideration will be given to those consultants with previous experience in master planning, local government comprehensive plans and concurrency management in Florida. The selected firm shall provide comprehensive consulting services for the referenced project. The proposed Subconsultants, if required by your firm, to meet project scope requirements, shall be identified by discipline on the PQS form, but shall not be identified specifically by firm name. Subconsultant firms shall be recommended after selection, at the time of contract negotiations, for the University's approval. Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; minority participation; volume of work and distance from project, however distance will not be the determining factor. Finalists will be provided a copy of the current Comprehensive Master Plan Document and a copy of the standard Consultant Agreement.

The selected firm will be required to provide computer generated drawings according to the standards of the University of South Florida. Blanket professional liability

insurance will not be required for this project. Project development, including professional services, is contingent upon availability of funds

#### INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application shall have attached:

1. A completed Board of Regents "Professional Qualifications Supplement", dated September 1997. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data, bound in the order listed above. Letter of application shall be addressed to: Barbara Donerly, Division Head of Planning and Programming, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

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: Natasha Stewart, Senior Word Processing Operator, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, Telephone (813)974-0334, Fax (813)974-3542.

Submittals must be received in the University of South Florida, Facilities Planning and Construction Office, FPC 110 by 2:00 p.m., local time, Friday, December 3, 1999.

Facsimile (FAX) submittals are not acceptable and will not be considered.

Interested firms are invited to attend a presubmittal meeting at the University of South Florida, Tampa Campus, to be held at 10:00 a.m., Friday, November 19, 1999, at the Facilities Planning Conference Room, FPC 110, 4202 East Fowler

Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the short listed applicants and the State University System. Requests for any project information must be in writing to the above address. The Selection Committee may reject all proposals and stop the selection process at any time.

#### CALL FOR BIDS

Made by the University of North Florida, on behalf of the State of Florida, Board of Regents.

PROJECT NAME, NUMBER AND LOCATION: BR-927, Child Care Center

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: December 14, 1999, until 2:00 p.m., local time

PLACE: University of North Florida, 4567 St. Johns Bluff Road, Jacksonville, Florida, Building 6, Room 1225, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer, Rolland, Devalle & Bradley, 1660 Prudential Drive, Jacksonville, FL 32207, (904)398-3939.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: November 23, 1999, 10:30 a.m., local time

PLACE: University of North Florida, 4567 St. Johns Bluff Road, Building 6, Room 1225, Jacksonville, Florida.

DEPOSIT: \$50.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

**PURCHASE:** Full sets of bidding documents may be examined at the Architect/ Engineer’s office and local plan rooms. Full sets may be purchased through Southside Blueprints for \$15.00 per set for the printing and handling cost. Partial sets may be purchased at \$2.50 per sheet of the drawings and \$10.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

**PUBLIC ENTITY CRIMES:** As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$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.

**DEPARTMENT OF TRANSPORTATION**

**INVITATION TO BID**

Sealed bids will be received by the Florida Department of Transportation, District Three, in the Administration Building, Procurement Services Conference Room of the District Office Complex, Department of Transportation, 1074 Highway 90, Post Office Box 607, Chipley, Florida. Bids will be publicly opened and read aloud on:

**DATE AND TIME:** Thursday, December 9, 1999, 1:30 p.m., Local Time

**PLACE:** Florida Department of Transportation, Procurement Services Conference Room, Room 230, District Office Complex, 1074 Highway 90, Chipley, Florida 32428

**FINANCIAL ITEM NO.:** 2231671 52 01

**PROJECT NAME AND LOCATION:** Chipley Design Building Renovation.

General contract services are required for the renovation of the steel/masonry building containing approximately 14,400 square feet. All work is restricted to nights and weekends. Working hours for Monday through Friday will be after 4:00 p.m. – 7:00 a.m. All work must be completed and premises vacated prior to 7:00 a.m., including clean-up. This project will consist of the following: interior and exterior selective demolition for new mechanical systems; demolition of existing HVAC chilled water system and replacement with DX system, including removal of existing ductwork and installation of new ductwork; construction of new front entrance canopy structure; installation of new exterior doors, windows, walls and interior repairs as required for installation and office spaces; new

ramps and landings at existing front entrance and new double-door entrance for ADA compliance; new interior finishes on floor, walls and ceiling; installation of new louvers and roof vents for HVAC system; removal of existing raised computer flooring and infill of the same area. This project is located at 1074 Highway 90, Florida Department of Transportation, District Three Headquarters, Chipley, Florida 32428. Contract No.: E3997 – 211 days. Approved budget for this project is \$442,830.00.

**NOTE:** A Mandatory Pre-Bid Conference and Site Preview will be held for Financial Item No.: 2231671 52 01 on Monday, November 29, 1999, 9:30 a.m., Local Time, in the Design Conference Center, Room A, District Office, Florida Department of Transportation, Chipley, Florida.

**NOTICE:** Attendance at the Mandatory Pre-Bid Conference and Site Preview is required to bid on this project.

Drawings and specifications may be purchased by payment of printing and handing cost at the rate of \$50.00 per set. Florida sales tax of seven percent (7%) must be paid on the above purchased drawings, specifications and/or bid documents, except for those purchases mailed or shipped to an out of state address. Checks should be made payable to the Florida Department of Transportation. No Refunds will be made. Orders for drawings, specification, and/or bid documents should be directed to: Starsky Harrell, Professional Services Office, 1074 Highway 90, Chipley, Florida 32428, Telephone (850)638-0250, 4. 224. Proposal documents will not be issued after 1:30 p.m., Local Time, on Wednesday, December 8, 1999. Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained from the Professional Services Office.

**MINORITY PROGRAM:** In accordance with Florida Statute 287.042 (4)(f), the Department requires that at least twenty five percent (25%) of the project’s contracted amount be expended with Minority Business Assistance and Advocacy Office (MBAAO) Certified Minority Business Enterprises. Each bid should contain evidence that the MBE goal for the project has been met or if the MBE goal is not met, sufficient information to show that good faith efforts were used to meet the goal must be provided.

Requirements for the projects noted above:

1. **PREQUALIFICATION:** Each bidder shall submit a current applicable State Contractor’s license issued by State of Florida and, if a Corporation, a copy of the Corporate Charter as prequalification of their eligibility to submit bids prior to the Department releasing the Bid Proposal package. After the bid opening, the lowest responsible bidder must qualify in accordance with Rule 60D-5.004. A copy of the rule requirements is included in the Bid Proposal package.
2. **BID BOND:** If the bid on a project exceeds \$100,000, the bidder must provide with the bid, a good faith deposit in the amount of 5% of the bid. This may be accomplished by way of

a bid bond from a surety insurer authorized to do business in this State as surety, a certified check made payable to the Florida Department of Transportation, a cashier's check, treasurer's check or bank draft of any national or state bank. A bid bond, check or draft in an amount less than five per cent (5%) of the actual bid will invalidate the bid. Bid bonds shall conform to the furnished proposal forms.

3. **PERFORMANCE AND LABOR AND MATERIAL PAYMENT BOND:** If the contract award amount exceeds \$100,000, a Performance Bond and Labor and Material Payment Bond for the full amount of the contract is required.

4. **BID POSTING:** Unless otherwise notified in writing, the Summary of Bids and Notices of Intent will be posted at the Professional Services Office, Florida Department of Transportation, Room 250, 1074 Highway 90, Chipley, Florida 32428 on December 23, 1999. In the event that the Summary of Bids and Notice of Intent cannot be posted on this date, then all bidders will be notified by certified United States mail or express delivery, return receipt requested. Information concerning the posted project can be obtained by calling the Professional Services Office, (850)638-0250, Ext. 224, during the posting period. The right is reserved to reject any or all bids.

5. **BID SOLICITATION/AWARD/NON-AWARD PROTEST RIGHTS:** Any person adversely affected by this Bid Solicitation shall file a notice of protest within 72 hours of receipt of the bid documents. Any person adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file a notice of protest within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely affected person must file the notice of protest within 72 hours after receipt of the notice of intent.

A formal written protest must be filed within ten days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. All protests must be submitted in accordance with Sections 120.57(3), Florida Statutes, and DOT rule 14-25 (FAC). The required notice of protest and formal protest must each be timely filed with: Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0458, Telephone (850)414-5393. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

**METROPOLITAN PLANNING ORGANIZATIONS**

THIS REPLACES THE OCTOBER 29, 1999  
ADVERTISEMENT

NOTICE OF CONSULTANT SHORTLISTING  
HERNANDO COUNTY

METROPOLITAN PLANNING ORGANIZATION  
AND

FLORIDA DEPARTMENT OF TRANSPORTATION  
DISTRICT 7

PLEASE BE ADVISED THAT THE FOLLOWING  
SHORTLIST CONSULTANTS WERE MADE:

FPN NUMBER: 25920811401

STATE PROJECT'S NUMBER: 99087-7532

PROJECT: GENERAL PLANNING SERVICE

SHORT LISTED CONSULTANTS:

Dames & Moore, Inc.

Tindale-Oliver & Associates, Inc.

Tampa Bay Engineering, Inc.

**DEPARTMENT OF MANAGEMENT SERVICES**

LEGAL PUBLIC ANNOUNCEMENT FOR  
CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: SFWMD-98052000

SFWMD NO.: C-10435

PROJECT NAME: B-50 Replacement Building, South Florida  
Water Management District

PROJECT LOCATION: 3301 Gun Club Road, West Palm  
Beach, Florida 33416-4680

DMS PROJECT MANAGER: Douglas M. Mann,  
(813)744-6286

CLIENT AGENCY REPRESENTATIVE: Michael Hiscock, P.  
E., (561)687-6184

ARCHITECT/ENGINEER: Steve Knight, Hanson Engineers,  
(561)471-9370

The Department of Management Services, Building Construction, announces the schedule of presentations by the short listed Construction Management firms for the evaluation and selection of a construction management firm to provide construction management at risk services for the B-50 Replacement Building, South Florida Water Management District. The presentations, evaluations and selection will take place in Conference Room 3-B, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, 1:00 p.m., Tuesday, November 30, 1999.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction. The results of this selection shall be posted at the offices of The Department of Management Services, Division of Building Construction, South Central Office, 4508 Oak Fair Blvd., Suite 200, Tampa, Florida 33610, during regular business hours starting December 1, 1999.



Any protest on the selection must be made within 72 hours of posting notice of the selected firm. If no protest is received within 72 hours, contract award and negotiation will proceed with the selected firm. The selection results shall also be published in the Florida Administrative Weekly.

**DEPARTMENT OF HEALTH**

**INVITATION TO BID**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: 96209400

SAMAS CODE: 64-30-1-00314-64200000-00-084009-97

PROJECT NAME AND LOCATION: Duval County Health Department, West Jacksonville Facility, 120 King Street, Jacksonville, Florida

FOR: State of Florida, Department of Health

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity.
5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: This project consists of a new one-story health clinic building located at 120 King Street, Jacksonville, Florida. The building construction consists of ground face concrete block walls, and interior metal stud

partitions. There is a gabled roof truss system with standing seam metal roof, aluminum windows, aluminum storefront design, site parking and other site development. The building size is approximately 12,119 gross square feet, which shall comply with the construction drawings and specifications as prepared by the Architect/Engineer. The project includes the construction of the building and all related site work. The general contractor shall be licensed in the State of Florida, and bonded for bid, performance, and labor and material payment bonds.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond is not required. If the construction contract award amount is more than \$100,000.00, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: In accordance with Florida Statutes, Chapter 287.042(4)(f)1., the Department of Health is encouraged to spend, as a "goal," twenty-one (21) percent of the monies actually expended for construction contractors with certified minority business enterprises. In the department's effort to see that this is accomplished, the Department of Health encourages minority businesses to participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy and Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, Telephone (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, December 7, 1999, 2:00 p.m., local time.

PLACE: Duval County Health Department, Smith Auditorium, 515 West 6th Street, Jacksonville, Florida 32206

Duval County Health Department, Main Facility, Telephone: (904)630-3220

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following:

ARCHITECT-ENGINEER: Elliott Marshall Innes, P. A., 251 East 7th Avenue, Tallahassee, Florida 32303

Telephone: (850)222-7442 Facsimile: (850)222-7446

The above bidding documents will be available on or about November 12, 1999.

DEPOSITS: The cost per set of bid documents is \$200.00. The General Contractor can receive two (2) sets refundable. The Mechanical, Plumbing, and Electrical sub-contractors can

receive one (1) set refundable. All other sub-contractors, vendors, manufacturers, etc. must purchase all documents requested.

**CONTRACT AWARD:** The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m., local time, on Tuesday, December 7, 1999, at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES  
FOR ARCHITECTURE-ENGINEERING**

The State of Florida, Department of Children and Family Services, Office of General Services, announces that professional services are required for the project listed below. Applications are to be sent to: Mrs. Margaret Nicolosi, Senior Architect, Design and Construction, Department of Children and Family Services, Building 3, Room 205-I, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, Telephone (850)413-6776.

**PROJECT NUMBER:** DCF 99241130

**PROJECT:** Reroofing of South Florida Evaluation and Treatment Center, Miami, Florida

**SERVICES TO BE PROVIDED:** Architectural/Engineering Services to reroof the referenced 60,000 square foot building.

**ESTIMATED CONSTRUCTION BUDGET:** \$720,000.00

**RESPONSE DUE DATE:** By close-of-business, December 1, 1999.

**INSTRUCTIONS:** Submit three (3) copies of the following bound in loose-leaf three-ring binders:

1. Letter of Interest specifying the project and location for which the firm wishes to be considered.
2. A current Professional Qualifications Supplement (PQS) from the Department of Management Services, modifying section 5a. to reflect current contracts with any and all state agencies.
3. A copy of the firm's Florida Professional Registration License Renewal. (Proper registration at the time of application is required.)
4. Corporations only: Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.

5. Completed Standard Form 254.

6. Completed Standard Form 255.

7. A stamped self-addressed envelope for notice of selection results.

For applicant to receive credit as State Certified Minority Business Enterprise either the Prime Consultant or Sub-consultant shall include copy of the State of Florida Minority Rectification or Certification Letter in the proposal. All proposal information submitted becomes the property of DCF, will be placed on file, and shall not be returned. Applications not complying with the instructions set forth above and/or do not include the qualifications data required shall not be considered. Selections will be made in accordance with Chapter 60-2, Florida Administrative Code and Section 287.055, Florida Statutes.

**SELECTION PROCESS:** From the proposals received, the Department shall shortlist a minimum of three (3) firms.

**SELECTION RESULTS:** All applicants will be notified by the department of the three firms shortlisted by December 9, 1999, by close-of-business. Those shortlisted firms will be advised of the interview date and any further requirements. Any protests of the selection must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in s. 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

**FLORIDA HOUSING FINANCE CORPORATION**

Request for Proposals  
99-10  
Servicer

The Florida Housing Finance Corporation invites all qualified and interested firms wishing to serve as Servicers to submit proposals for consideration. Written, sealed proposals shall be accepted until 5:00 p.m., November 15, 1999, to the attention: Linda Hawthorne, Deputy Operations Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or Additional information, please contact: Wayne Conner, Multifamily Bonds Financial Administrator, (850)488-4197. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention: Linda Hawthorne, Deputy Operations Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 or fax your request to same at (850)414-6545.

Section XII  
Miscellaneous

DEVELOPMENT TYPE: 28-24.023, FAC.  
COUNTY LOCATION: Osceola  
LOCAL GOVERNMENT: Osceola County

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 application. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 26, 1999):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, Miami, FL 33152-0622  
Expansion Includes: Selection Employees Groups: Copy Depot, 8200 Northwest 27 Street, Suite 116, Miami, FL 33122; and USA Floral Products, Inc., 1500 Northwest 95 Avenue, Miami, FL 33122.

Received: October 21, 1999

Correspondent and Telephone Number: Sandra L. Switzer, Business Development Assistant, (305)592-7733.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-600-004  
DATE RECEIVED: October 25, 1999  
DEVELOPMENT NAME: POINCIANA TOWN CENTER NORTH  
DEVELOPER/AGENT: Avatar Properties Inc.  
DEVELOPMENT TYPE: 28-24.023, 28-24.031, FAC.  
COUNTY LOCATION: Osceola  
LOCAL GOVERNMENT: Osceola County  
FILE NO.: BLIM-600-005  
DATE RECEIVED: October 25, 1999  
DEVELOPMENT NAME: POINCIANA (CRESCENT LAKES)  
DEVELOPER/AGENT: Avatar Properties, Inc.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Harley-Davidson Motor Company, Inc., intends to allow the relocation of Harley-Davidson of Palm Beach, Inc., from its present location at 420 Park Place, West Palm Beach (Palm Beach County), Florida 33401, to a proposed location at 6831 North Military Trail, West Palm Beach (Palm Beach County), Florida 33407, on or after July 31, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Harley-Davidson of Palm Beach, Inc. are: Michael Lehman, 270 Ridgewood Road, Key Biscayne, Florida 33419 and James Dowdle, 1040 Romona Road, Wilmette, IL 60091.

The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Carolyn Mijokovic, Regional Dealer Relations Representative, Harley-Davidson Motor Company, 3700 West Juneau Avenue, P. O. Box 653, Milwaukee, WI 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, General Motors Corporation, intends to allow the establishment of King Motor Company of Ft. Lauderdale d/b/a King Pontiac-GMC, as a dealership for the sale of Pontiac, at 700-900 E. Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33304, on or after December 6, 1999.

The name and address of the dealer operator(s) and principal investor(s) of King Motor Company of Ft. Lauderdale d/b/a King Pontiac-GMC is W. Clay King, 700 E. Sunrise Boulevard, Ft. Lauderdale, Florida 33304.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jody L. Huey, Dealer Contractual Manager, General Motors Corporation, 100 Renaissance Center, Detroit, MI 48265-1000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**DEPARTMENT OF LABOR AND EMPLOYMENT SERVICES**

The Department of Labor and Employment Services and the Division of Vocational Rehabilitation is seeking concept Papers for Innovation and Expansion projects. The intent and purpose is to seek innovative approaches to increase employment and independence for people with disabilities. Concepts will be considered according to four categories. Projects for Public/Private Partnerships to deliver Vocational Rehabilitation services to people with disabilities; Unserved/Underserved projects to reach disabilities and ethnic populations that are consistently under represented. Projects for Employment Services providing innovative partnerships for employment of Vocational Rehabilitation customers in

integrated settings; Projects for Streamlining to provide more efficient services through process improvement. Requirements for the Concept Paper are a brief description of the proposed project, or process to be undertaken, the mission or the purpose, the identification of Vocational Rehabilitation customers who will benefit and an estimate of funds required for the project. Concept papers and suggestions must be received by December 31, 1999 to be considered. Please send to: Innovation and Expansion Coordinator, Division of Vocational Rehabilitation, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399-0696

For more information contact: Roland Edwards, (850)488-5363 or Fax (850)921-7216.

**LAND AND WATER ADJUDICATORY COMMISSION**

**NOTICE OF RECEIPT OF PETITION  
SOUTHWOOD COMMUNITY DEVELOPMENT  
DISTRICT**

On September 23, 1999, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Southwood Community Development District (the "District"). The Commission will follow the requirements of Rule Chapter 42-1, Florida Administrative Code (FAC.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

**SUMMARY OF CONTENTS OF PETITION:** The petition filed by The St. Joe Company requests that the Commission establish a community development district located in the City of Tallahassee and unincorporated Leon County, Florida. The land area proposed to be served by the District comprises approximately 3,241 acres. The proposed District is generally located south of Apalachee Parkway, on both sides of Capital Circle, Southeast, to a point south of Tram Road. There are four out-parcels located within the external boundaries of the parcels of land to be included within the District. The out-parcels include two parcels of land comprising the Capital Circle Office Center, an existing cemetery site, and an existing residence. The future general distribution, location and extent of the public and private land uses under the Mixed Use B designation (Tallahassee-Leon County Comprehensive Plan) currently include residential, recreation, office, community service, commercial, and light industrial. The proposed land uses within the District are subject to the approved Southwood Development of Regional Impact. The Petitioner either owns or has written consent to establish the District from the owners of 100% of the non-governmental real property located within the proposed District. The District, if established, intends to participate in the construction of certain road and entranceway improvements and to provide certain stormwater and recreation improvements for the lands within the District.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the

SERC is contained as Exhibit 9 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated affect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the District, the State of Florida, the City of Tallahassee and Leon County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), the FLWAC and State of Florida will incur minimal one-time administrative costs. The City of Tallahassee and Leon County will also incur one-time administrative costs which are offset by the required filing fee paid each to the City of Tallahassee and Leon County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Also, various financing reserves must be provided for, such as a Debt Service and capitalized interest in addition to estimated costs of bond issuance. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a positive impact on small businesses and will not have any impact on small counties and cities. The City of Tallahassee and Leon County are not a small city and small county as defined. Under section (e), the analysis was based on an application of economic theory with input received from the developers engineer and other professionals associated with the developer. A hearing will be held at the time, date and place shown below:  
**DATE AND TIME:** Wednesday, November 17, 1999, 9:30 a.m.

**PLACE:** Dept. of Business and Professional Regulation, Northwood Centre, Room 526, 1940 North Monroe Street, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan Johnson, (850)222-7500, at least 5 business days in advance to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Jonathan Johnson, Hopping Green Sams & Smith, Post Office Box 6526, Tallahassee, Florida 32314 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, Telephone (850)488-7793.

**EXPRESSWAY AUTHORITIES**

**NOTICE TO CONSTRUCTION ENGINEERING & INSPECTION FIRMS**

**REQUEST FOR LETTERS OF INTEREST**

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Construction Engineering and Inspection (CEI) services during the construction of MDX Project 836-001, reconstruction of eastbound SR 836 between N. W. 27 Avenue and N. W. 17 Avenue (the "Project"). The Project's construction period is expected to be 34 months, beginning in February 2000. The selected firm will be responsible for overseeing the Project's construction contract, which has an estimated construction cost of \$30 million.

**FEDERAL AND STATE DEBARMENT:** By signing and submitting a Letter of Interest, the Firm certifies that no principal (which includes officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal or state or local department or agency.

**SYSTEM:** The Miami-Dade Expressway System is comprised of State Road 112, State Road 836, State Road 874, State Road 878 and State Road 924.

**WORK DESCRIPTION:** The Firm will provide construction engineering and inspection and contact administration services for MDX Project 836-001. The Project includes roadway reconstruction, one mainline and one ramp toll plaza, new bridge construction and bridge widening, along with building renovation work. Individual disciplines required include: civil, architectural, structural, mechanical and electrical. Coordination with the Office of Toll Operation's electronic toll collection contractor will also be required.

MDX has contracted for geotechnical, survey and laboratory materials testing services for the Project. CEI firms will not be required to provide these services.

**SELECTION PROCEDURE:** At least three firms will be shortlisted and requested to provide written technical proposals based on the Scope of Services contained in the Request For Proposals to be issued by MDX. An oral presentation may be required. After ranking of the firms and selection of a firm, the contract and contract fee will be negotiated.

**RESPONSE PROCEDURE:** Qualified firms are encouraged to submit a Letter of Interest to MDX. Two original Letters of Interest (one unbounded) MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn.: Sam Gonzalez, P. E., Chief Engineer, by November 4, 1999, by 12:00 Noon, Eastern Time (the "Deadline Date").

After reviewing the documentation submitted, MDX will notify all firms in writing by November 12, 1999, if they have been shortlisted and will mail one (1) copy of the Request For Proposal to each shortlisted firm.

**NOTE:** In order to be shortlisted and invited to submit a proposal, a firm submitting a Letter of Interest must satisfy all of the following specific requirements/criteria.

**SUBMITTAL OF LETTER OF INTEREST:** The Letter of Interest shall be in writing, submitted on the letterhead of the Firm and shall not exceed three (3) pages in length exclusive of attachments. Two originals shall be submitted. The Letter of Interest MUST include at a minimum the information set out in the Criteria.

**CRITERIA:** The Letter of Interest shall contain the following information:

1. Project name.
2. Firm's name and address.
3. Documentation acceptable to MDX that the Firm involved in this professional service, as identified in Section 287.055, Florida Statutes, is prequalified by the Florida Department of Transportation Group 10, Construction Engineering & Inspection. and Group 14, Architect.
4. Proposed responsible officer for the Firm.
5. Contact person, phone number, fax number and Internet Email address. The contact person shall be a single person who can be contacted to discuss contents or questions regarding references, listed projects, or other matters contained in the Letter of Interest.
6. Proposed key personnel and their proposed roles (do not include resumes).
7. Sub-consultant(s) that may be used for the Project.
8. Indication as to whether the primary firm and/or sub-consultants are disadvantaged business enterprises (DBE).
9. An estimate of the Firm's current workload and available resources.
10. A list of similar projects completed NOT EARLIER THAN January 1, 1994, with references and phone numbers.

**COMMUNICATION:** Communications between any respondent and any member of MDX or its staff is strictly prohibited from the date of publication of the Request for Letter of Interest through the date of final MDX action with respect to the selection of the Firm or Joint Venture. The only exception to this is any communication at a publicly noticed meeting of MDX or its Operations Committee. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

**DISADVANTAGED BUSINESS ENTERPRISES PROGRAM:** MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX encourages small, minority and woman owned business to have full opportunity to submit bids in response to Solicitation Documents issued by MDX, and bidders will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain and M/WMBE participation of twenty-five percent (25%) for the aggregate of its projects.

**MDX RESERVES THE RIGHT TO REJECT ANY OR ALL LETTERS OF INTEREST RECEIVED.**

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

On October 19, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lionel Resnick, M.D., license number ME 0037412. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 19, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Samuel M. Clawser, M.D., license number ME 0034906. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 19, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jack W. Kensinger, M.D., license number ME 0016094. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

CERTIFICATE OF NEED  
RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

- County: St. Lucie                      Service District: 9  
Facility/Project: St. Lucie Medical Center  
Applicant: HCA Health Services of Florida, Inc.  
Project Description: cost overrun CON # 8767
- County: Palm Beach                      Service District: 9  
Facility/Project: IHS of Florida at West Palm Beach  
Applicant: Central Park Lodges of West Palm Beach  
Project Description: Cost overrun on CON #6140
- County: Martin                      Service District: 9  
Facility/Project: Water's Edge Extended Care  
Applicant: Sandhill Cover Properties, Inc.  
Project Description: Add 7 sheltered nursing home beds at Water's Edge Extended Care  
AHCA Purchase Order Number S5900H0396.

CERTIFICATE OF NEED  
NOTICE OF WITHDRAWAL

The Agency For Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

- County: Volusia                      Service District: 4  
CON #: 9238    Decision Date: 10/21/99    Decision: W  
Facility/Project: HC America, Inc.  
Applicant: HC America, Inc.  
Project Description: Establish a Medicare certified home health agency
- County: Broward                      Service District: 10  
CON #: 9260    Decision Date: 10/21/99    Decision: W  
Facility/Project: Oasis Home Care, Inc.  
Applicant: Oasis Home Care, Inc.

Project Description: Establish a Medicare certified home health agency

County: Broward                      Service District: 10  
CON #: 9261    Decision Date: 10/21/99    Decision: W  
Facility/Project: United Home Care Services of Broward, Inc.  
Applicant: United Home Care Services of Broward, Inc.

Project Description: Establish a Medicare certified home health agency

County: Broward                      Service District: 10  
CON #: 9264    Decision Date: 10/19/99    Decision: W  
Facility/Project: Memorial Hospital West  
Applicant: South Broward Hospital District

Project Description: Establish an adult open heart surgery program

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 S5900H0396.

CERTIFICATE OF NEED  
DECISIONS ON EXPEDITED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

- County: Dade                      Service District: 11  
CON #: 9190    Decision Date: 7/7/99    Decision: D  
Facility/Project: Victoria Nursing & Rehabilitation Center  
Applicant: Victoria Nursing and Rehabilitation Center, Inc.  
Project Description: Transfer 25 beds under CON 8162 from FL Conval.Assoc. to Victoria N & R Ctr.  
Approved Cost: \$0

- County: Hernando                      Service District: 3  
CON #: 9218    Decision Date: 10/14/99    Decision: A  
Facility/Project: Spring Hill Regional Hospital  
Applicant: Hernando HMA, Inc.  
Project Description: Transfer CON # 8896 to Hernanto HMA, Inc.  
Approved Cost: \$50,502

CERTIFICATE OF NEED  
EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- County: Palm Beach                      District: 9  
ID #: 9700313C                      Issue Date: 10/19/99  
Facility/Project: St. Mary's Medical Center  
Applicant: Intracoastal Health Systems, Inc.

Project Description: Construct a new children's hospital wing  
 Proposed Project Cost: \$13,100,000      Equipment Cost:  
 County: Dade      District: 11  
 ID #: 9900115A      Issue Date: 10/12/99  
 Facility/Project: Miami Heart Institute  
 Applicant: Miami Beach Healthcare Group, Ltd.  
 Project Description: Renovations due to purchase and replacement of equipment  
 Proposed Project Cost: \$1,300,000      Equipment Cost:  
 County: Dade      District: 11  
 ID #: 9900119A      Issue Date: 10/12/99  
 Facility/Project: Miami Heart Institute  
 Applicant: Miami Beach Healthcare Group, Ltd.  
 Project Description: Add a spiral CT canner and necessary renovation  
 Proposed Project Cost: \$1,000,000      Equipment Cost:  
 County: Dade      District: 11  
 ID #: 9900366A      Issue Date: 10/12/99  
 Facility/Project: Pan American Hospital  
 Applicant: Pan American Hospital Corporation  
 Project Description: Add 11 observation beds and support spaces in the emergency room  
 Proposed Project Cost: \$500,000      Equipment Cost:  
 County: Orange      District: 7  
 ID #: 9900374      Issue Date: 10/4/99  
 Facility/Project: Orlando Regional Medical Center  
 Applicant: Orlando Regional Healthcare System, Inc.  
 Project Description: Establish an adult inpatient diagnostic cardiac cath lab  
 Proposed Project Cost: \$597,500      Equipment Cost:  
 County: Desoto      District: 8  
 ID #: 9900381A      Issue Date: 10/15/99  
 Facility/Project: G. Pierce Wood Memorial Hospital  
 Applicant: The State of Florida  
 Project Description: Renovate one bedroom in Bldg. 81 and one bedroom in Bldg. 96  
 Proposed Project Cost: \$40,000      Equipment Cost:  
 County: Hillsborough      District: 6  
 ID #: 9900387      Issue Date: 10/5/99  
 Facility/Project: H. Lee Moffitt Cancer Center and Research Institute Hospital

Applicant: H. Lee Moffitt Cancer Center and Research Institute Hospital, Inc.  
 Project Description: Renovate the existing clinical pathology departments  
 Proposed Project Cost: \$516,000      Equipment Cost:  
 County: Hillsborough      District: 6  
 ID #: 9900388      Issue Date: 10/4/99  
 Facility/Project: H. Lee Moffitt Cancer Center and Research Institute Hospital  
 Applicant: H. Lee Moffitt Cancer Center and Research Institute Hospital  
 Project Description: Addition of a fourth CT scanner and a new full body MRI and related renovations  
 Proposed Project Cost: \$3,800,000      Equipment Cost:  
 County: Pinellas      District: 5  
 ID #: 9900389      Issue Date: 10/5/99  
 Facility/Project: Mease Hospital – Countryside  
 Applicant: Trustees of Mease Hospital, Inc.  
 Project Description: Relocate mammography suites at Mease Hospital Countryside's Am/Surg. Center  
 Proposed Project Cost: \$45,000      Equipment Cost:  
 County: Orange      District: 7  
 ID #: 9900390      Issue Date: 10/6/99  
 Facility/Project: Florida Hospital Orlando Campus  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Upgrade fire alarm system at the Central for Behavioral Health  
 Proposed Project Cost: \$60,000      Equipment Cost:  
 County: Volusia      District: 4  
 ID #: 9900391      Issue Date: 10/6/99  
 Facility/Project: Florida Hospital – Fish Memorial  
 Applicant: Southwest Volusia Healthcare Corporation  
 Project Description: Expand and renovate the radiology and surgery departments  
 Proposed Project Cost: \$4,189,812      Equipment Cost:  
 County: Pinellas      District: 5  
 ID #: 9900392      Issue Date: 10/6/99  
 Facility/Project: Huber Gardens  
 Applicant: Lenox Healthcare of Pinellas, LLC  
 Project Description: Install a lay-in acoustic panel ceiling and a new heating and cooling unit  
 Proposed Project Cost: \$8,420      Equipment Cost:



County: Escambia ID #: 9900393 Facility/Project: Baptist Hospital Applicant: Baptist Hospital, Inc. Project Description: To operate four off-site outpatient facilities as departments of the hospital Proposed Project Cost: County: Collier ID #: 9900394 Facility/Project: Naples Cardiovascular Institute, LLC Applicant: Project Description: Convert space into an outpatient cardiac catheterization lab Proposed Project Cost: \$1,500,000 County: Polk ID #: 9900395 Facility/Project: Lake Wales Medical Center Applicant: Winter Haven Hospital, Inc. Project Description: The termination of obstetrical and pediatric services Proposed Project Cost: County: Volusia ID #: 9900396 Facility/Project: Manor on the Green Applicant: Delta Health Group, Inc. Project Description: Renovations which encompass replacement of emergency generator Proposed Project Cost: \$240,000 County: St. Lucie ID #: 9900397 Facility/Project: Integrated Health Services at Fort Pierce Applicant: Integrated Health Services at Central Florida Project Description: Facility upgrade Proposed Project Cost: \$73,000 County: Indian River ID #: 9900398	District: 1 Issue Date: 10/13/99  Equipment Cost: District: 8 Issue Date: 10/12/99  Equipment Cost: District: 6 Issue Date: 10/12/99  Equipment Cost: District: 4 Issue Date: 10/12/99  Equipment Cost: District: 9 Issue Date: 10/12/99  Equipment Cost: District: 9 Issue Date: 10/12/99	Facility/Project: Integrated Health Services of Vero Beach Applicant: Integrated Health Services of Central Florida Project Description: Facility upgrade Proposed Project Cost: \$107,000 County: Palm Beach ID #: 9900399 Facility/Project: Integrated Health Services of FL at West Palm Beach Applicant: Central Park Lodges of West Palm Beach Project Description: Replace the existing fire alarm system Proposed Project Cost: \$68,000 County: Highlands ID #: 9900400 Facility/Project: Florida Hospital Lake Placid Applicant: Adventist Health System/Sunbelt, Inc. Project Description: Expand and modernize portions of the facility Proposed Project Cost: \$7,800,000 County: Leon ID #: 9900401 Facility/Project: HealthSouth Rehabilitation Hospital of Tallahassee Applicant: HealthSouth of Tallahassee, Limited Partnership Project Description: To operate a separate off-site outpatient clinic Proposed Project Cost: \$35,149 County: Dade ID #: 9900402 Facility/Project: The Floridean Nursing Home Applicant: The Floridean Nursing Home, Inc. Project Description: Replace the existing dining room Proposed Project Cost: \$100,000 County: Escambia ID #: 9900403 Facility/Project: Baptist Hospital Applicant: Baptist Hospital, Inc.	Equipment Cost: District: 9 Issue Date: 10/12/99  Equipment Cost: District: 6 Issue Date: 10/12/99  Equipment Cost: District: 2 Issue Date: 10/12/99  Equipment Cost: District: 11 Issue Date: 10/12/99  Equipment Cost: District: 1 Issue Date: 10/13/99
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Project Description: Incorporate a chest pain observation area  
 Proposed Project Cost: \$550,000      Equipment Cost:  
 County: Dade      District: 11  
 ID #: 9900408      Issue Date: 10/13/99  
 Facility/Project: Mount Sinai Medical Center  
 Applicant: Moun Sinai Medical Center of Florida, Inc.  
 Project Description: Renovate the outpatient department  
 Proposed Project Cost: \$950,000      Equipment Cost:  
 County: Palm Beach      District: 9  
 ID #: 9900409      Issue Date: 10/13/99  
 Facility/Project: Good Samaritan Hospital  
 Applicant: Good Samaritan Hospital, Inc.  
 Project Description: Convert an existing cast room to a four  
 bed observation unit  
 Proposed Project Cost: \$82,000      Equipment Cost:  
 County: Palm Beach      District: 9  
 ID #: 9900413      Issue Date: 10/13/99  
 Facility/Project: JFK Medical Center  
 Applicant: Columbia/JFK Medical Center Limited Partnership  
 Project Description: Build a vascular lab in an off-campus  
 one-story medical office bldg.  
 Proposed Project Cost: \$600,000      Equipment Cost:  
 County: Duval      District: 4  
 ID #: 9900414      Issue Date: 10/13/99  
 Facility/Project: Baptist Medical Center  
 Applicant: Southern Baptist Hospital of Florida, Inc.  
 Project Description: Develop an outpatient center to be known  
 as "Pavilion Center for Women-BMC"  
 Proposed Project Cost: \$450,000      Equipment Cost:  
 County: Dade      District: 11

ID #: 9900415      Issue Date: 10/13/99  
 Facility/Project: Coral Gables Hospital  
 Applicant: CGH Hospital, Ltd.  
 Project Description: Install an MRI unit in the radiology  
 department  
 Proposed Project Cost: \$1,700,000      Equipment Cost:  
 County: Indian River      District: 9  
 ID #: 9900418      Issue Date: 10/13/99  
 Facility/Project: Indian River Memorial Hospital  
 Applicant: Indian River Memorial Hospital, Inc.  
 Project Description: Renovate and expand the existing Surgery  
 Department  
 Proposed Project Cost: \$7,195,700      Equipment Cost:  
 County: Indian River      District: 9  
 ID #: 9900419      Issue Date: 10/13/99  
 Facility/Project: Indian River Memorial Hospital  
 Applicant: Indian River Memorial Hospital, Inc.  
 Project Description: Expand existing card. cath lab, relocate  
 recovery and expand from 5 to 8 beds  
 Proposed Project Cost: \$2,310,000      Equipment Cost:  
 County: Hillsborough      District: 6  
 ID #: 9900420      Issue Date: 10/13/99  
 Facility/Project: St. Joseph's Hospital  
 Applicant: St. Joseph's Hospital, Inc.  
 Project Description: Add a cardiac cath lab  
 Proposed Project Cost: \$650,000      Equipment Cost:  
 County: Escambia      District: 1  
 ID #: 9900422      Issue Date: 10/15/99  
 Facility/Project: Baptist Hospital  
 Applicant: Baptist Hospital, Inc.

Project Description: Operate an off-site outpatient facility, Baptist Medical Park

Proposed Project Cost: \$1,000                      Equipment Cost:  
County: Citrus    District: 3  
ID #: 9900423    Issue Date: 10/15/99

Facility/Project: Citrus Memorial Hospital  
Applicant: Citrus Memorial Health Foundation, Inc.

Project Description: The construction of an additional floor

Proposed Project Cost: \$4,839,250                      Equipment Cost:  
County: Brevard    District: 7  
ID #: 9900424    Issue Date: 10/15/99

Facility/Project: Holmes Regional Medical Center  
Applicant: Holmes Regional Medical Center, Inc.

Project Description: Create a six bed holding unit

Proposed Project Cost: \$150,000                      Equipment Cost:  
County: Broward    District: 10  
ID #: 9900427    Issue Date: 10/15/99

Facility/Project: North Ridge Medical Center  
Applicant: AMISUB (North Ridge Medical Center), Inc.

Project Description: Replace the existing A/C system

Proposed Project Cost: \$650,000                      Equipment Cost:  
County: Brevard    District: 7  
ID #: 9900430    Issue Date: 10/15/99

Facility/Project: Holmes Regional Medical Center  
Applicant: Holmes Regional Medical Center, Inc.

Project Description: Renovations to include converting 2 med/surg beds to SICU beds

Proposed Project Cost: \$140,000                      Equipment Cost:  
AHCA Purchase Order Number S5900H00396.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF FLORIDA CATEGORICAL EXCLUSION NOTIFICATION**

The Florida Department of Environmental Protection has determined that the proposed work for the improvements to the existing Okaloosa County water system (DWFP4600-Water Resources Facilities Plan for Okaloosa County) will not adversely affect the environment. The total cost of the proposed facilities is estimated at \$15,440,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Jun Tabanguil, Bureau of Water Facilities Funding, Department of Environmental Protection, Mail Station 3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**DEPARTMENT OF HEALTH**

On, October 19, 1999, James T. Howell, Secretary, Department of Health, issued an Order of Emergency SUSPENSION ORDER with regard to the license of Iliana M. Cabeza, license

number LIC #DN9561. Iliana M. Cabeza last known address is 12825 S. W. 6th Street, Miami, FL 33184. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On October 19, 1999, James T. Howell, Secretary, Department of Health, issued an Order of emergency SUSPENSION ORDER with regard to the license of Robert Francis Haas, license number LIC #1999-03579. Robert Francis Haas last known address is 208 Pavonia Road. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**FISH AND WILDLIFE CONSERVATION  
COMMISSION**

**NOTICE OF FORUM**

The Fish and Wildlife Conservation Commission, Divisions of Marine Fisheries and Freshwater Fisheries announce that they are sponsoring a forum entitled, "Catch and Release, Possession, and Size limit Exemptions: A Forum on the Application of Saltwater and Freshwater Regulations to Fishing Tournaments", to be held November 17-18, 1999, in Sebring, Florida. The forum will bring together knowledgeable and experienced anglers, guides, and scientists in a coordinated effort to exchange information and suggestions for improving how catch and release fishing tournaments should be managed. The information developed will be collected for review by the Commission and the public, in public workshops and meetings to be scheduled in the coming year.

For further information, please contact: Dr. Russell Nelson, Director, Division of Marine Fisheries, FWCC, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554, or Edwin J. Moyer, Director, Division of Freshwater Fisheries, FWCC, 620 South Meridian Street, Room 302, Tallahassee, Florida 32399-1600, (850)488-0381.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN October 19, 1999  
 and October 25, 1999**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF LEGAL AFFAIRS**

2-40.003	10/20/99	11/9/99	25/36	
2-40.004	10/20/99	11/9/99	25/36	

**DEPARTMENT OF INSURANCE**

**Division of State Fire Marshal**

4A-2.015	10/25/99	11/14/99	25/30	
4A-2.018	10/25/99	11/14/99	25/30	

**PUBLIC SERVICE COMMISSION**

25-4.0161	10/22/99	11/11/99	25/37	
25-6.0142	10/19/99	11/8/99	25/28	25/38

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

40E-1.607	10/19/99	11/8/99	25/28	25/38
40E-3.101	10/19/99	11/8/99	25/28	
40E-3.201	10/19/99	11/8/99	25/28	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Medicaid Program Office**

59G-6.020	10/21/99	11/10/99	25/20	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Board of Funeral Directors and Embalmers**

61G8-14.009	10/22/99	11/11/99	25/37	
61G8-14.011	10/22/99	11/11/99	25/37	
61G8-17.001	10/22/99	11/11/99	25/37	
61G8-17.002	10/22/99	11/11/99	25/37	
61G8-17.0026	10/22/99	11/11/99	25/37	
61G8-17.0027	10/22/99	11/11/99	25/37	
61G8-17.003	10/22/99	11/11/99	25/37	
61G8-17.0034	10/22/99	11/11/99	25/37	
61G8-17.007	10/22/99	11/11/99	25/37	
61G8-18.005	10/22/99	11/11/99	25/37	
61G8-19.001	10/22/99	11/11/99	25/37	
61G8-19.002	10/22/99	11/11/99	25/37	
61G8-19.003	10/22/99	11/11/99	25/37	
61G8-24.023	10/22/99	11/11/99	25/37	
61G8-24.033	10/22/99	11/11/99	25/37	
61G8-25.003	10/22/99	11/11/99	25/37	
61G8-29.001	10/22/99	11/11/99	25/37	
61G8-32.001	10/22/99	11/11/99	25/37	

**Board of Professional Engineers**

61G15-21.002	10/21/99	11/10/99	25/37	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>DEPARTMENT OF HEALTH</b>					<b>DEPARTMENT OF CHILDREN AND FAMILY SERVICES</b>				
<b>Council of Licensed Midwifery</b>					<b>Economic Self Sufficiency Program</b>				
64B24-3.004	10/21/99	11/10/99	25/34		67-21.010	10/25/99	11/14/99	25/27	
64B24-3.005	10/21/99	11/10/99	25/34		67-21.011	10/25/99	11/14/99	25/27	25/35
64B24-3.007	10/21/99	11/10/99	25/34		67-21.012	10/25/99	11/14/99	25/27	
64B24-3.016	10/21/99	11/10/99	25/34		67-21.013	10/25/99	11/14/99	25/27	25/35
<b>FLORIDA HOUSING FINANCE CORPORATION</b>					67-21.014	10/25/99	11/14/99	25/27	25/35
67-21.002	10/25/99	11/14/99	25/27	25/35	67-21.015	10/25/99	11/14/99	25/27	25/35
67-21.003	10/25/99	11/14/99	25/27	25/35	67-21.016	10/25/99	11/14/99	25/27	25/35
67-21.0035	10/25/99	11/14/99	25/27	25/35	67-21.017	10/25/99	11/14/99	25/27	25/35
67-21.004	10/25/99	11/14/99	25/27	25/35	67-21.018	10/25/99	11/14/99	25/27	
67-21.0045	10/25/99	11/14/99	25/27		67-21.019	10/25/99	11/14/99	25/27	25/35
67-21.005	10/25/99	11/14/99	25/27		<b>FISH AND WILDLIFE CONSERVATION COMMISSION</b>				
67-21.006	10/25/99	11/14/99	25/27	25/35	<b>Marine Fisheries</b>				
67-21.007	10/25/99	11/14/99	25/27	25/35	68B-12.0035	10/22/99	10/22/99	25/36	
67-21.008	10/25/99	11/14/99	25/27		68B-14.0036	10/22/99	10/22/99	25/38	
67-21.009	10/25/99	11/14/99	25/27		68B-30.0025	10/22/99	10/22/99	25/36	
					<b>DEPARTMENT OF INSURANCE</b>				
					(NOTE: THE FOLLOWING RULES WERE INADVERTENTLY OMITTED FROM VOL. 25, NO. 43, OCTOBER 29, 1999 FAW.)				
					4-150.114	10/18/99	11/7/99	25/31	
					4-150.117	10/18/99	11/7/99	25/31	

Section XIV  
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1B-6.001  
1C-3.144  
1P-1.009

LEGAL AFFAIRS

2-11.001  
2-11.002  
2-11.003  
2-11.004  
2-11.006  
2-11.007  
2-34.001  
2-34.004  
2-34.005  
2-34.006  
2-34.007  
2-34.008  
2-40.003  
2-40.004

BANKING AND FINANCE

3A-3.001  
3A-68.005  
3C-1.022  
3C-105.402  
3C-560.106  
3C-560.607  
3D-20.0021  
  
3D-30.0051  
3D-30.0052  
3D-30.0053  
3D-30.0054

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3D-30.0055	22/48c		23/20c
	24/53		25/12
3D-30.025	25/12		25/12
3D-30.026	25/12		25/37
3D-40.001	25/37		25/37
3D-40.020	25/37		25/37
3D-40.031	25/37		25/37
3D-40.043	25/37		25/37
3D-40.051	25/37		25/37
3D-40.053	25/37		25/37
3D-40.058	25/37		25/37
3D-40.077	25/37		22/29c
3D-40.099	22/29c		25/37
3D-40.100	22/29c		25/37
3D-40.101	22/29c		22/29c
3D-40.105	22/29c		25/37
3D-40.106	22/29c		25/37
3D-40.156	25/37		25/37
3D-40.160	25/37		25/37
3D-40.165	25/37		25/37
3D-40.170	25/37		25/37
3D-40.177	25/37		25/37
3D-40.200	25/37		22/29c
3D-40.201	22/29c		22/29c
3D-40.202	22/29c		25/37
3D-40.205	25/37		22/29c
3D-40.210	22/29c		25/37
3D-40.220	25/37		25/37
3D-40.225	25/37		25/37
3D-40.240	25/37		25/37
3D-40.245	25/37		25/37
3D-40.265	25/37		25/37
3D-40.270	25/37		25/37
3D-40.280	25/37		25/37
3D-40.285	25/37		22/29c
3D-40.290	22/29c		25/37
3D-50.001	25/37		25/37
3D-50.055	25/37		25/37
3D-50.058	25/37		25/37
3D-50.070	25/37		25/39
3D-50.085	25/39		25/37
3D-60.060	25/37		25/37
3D-60.065	25/37		25/37
3D-60.070	25/37		25/37
3D-70.050	25/37		25/37
3D-70.055	25/37		25/37
3D-70.060	25/37		25/37
3D-80.015	25/37		25/37
3D-80.050	25/37		25/37
3D-80.060	25/37		25/37

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3D-160.030	25/37			4-149.008	23/45		
3D-160.031	25/37				24/46		
3E-200.001(7)(a)(b)	20/8c			4-149.009	23/45		
3F-5.0015	21/2c				24/46		
3F-5.0016	21/2c			4-149.010	23/45		
	25/31		25/41		24/46		
3F-6.002	25/35			4-149.020	23/45		
3F-6.005	25/35				24/46		
3F-6.0053	25/35			4-149.021	20/49c		
3F-6.0055	25/35				23/45		
3F-8.005		21/41			24/46		
	21/39c			4-149.022	23/45		
	22/51	23/9			24/46		
3F-8.007	25/31			4-149.023	23/45		
3F-10.002	25/31		25/41		24/46		
3F-13.001	25/32			4-149.024	23/45		
3F-13.002	25/32				24/46		
3F-13.003	25/32			4-149.030	23/45		
3F-13.004	25/32				24/46		
	INSURANCE			4-149.031	23/45		
					24/46		
4-121.035	21/5c			4-149.032	23/45		
4-123.002	25/33				24/46		
4-127.001	25/15	25/30	25/42w	4-149.033	23/45		
	25/42				24/46		
4-127.002	25/15		25/42w	4-149.034	23/45		
	25/42				24/46		
4-127.003	25/15		25/42w	4-149.035	23/45		
	25/42				24/46		
4-137.001	25/35			4-149.037	23/45		
4-138.001	25/35				24/46		
4-138.044	25/35			4-149.038	23/45		
4-141.020	20/11c				24/46		
	20/11c			4-149.039	23/45		
4-141.021	20/11c				24/46		
	20/11c			4-149.040	23/45		
4-149	24/3c				24/46		
	24/3c			4-149.041	23/45		
	24/28c				24/46		
4-149.001	23/45			4-149.043	23/45		
	24/46				24/46		
4-149.002	23/45			4-149.051	23/45		
	24/46				24/46		
4-149.003	23/45			4-149.052	23/45		
	24/46				24/46		
4-149.004	23/45			4-149.053	23/45		
	24/46				24/46		
4-149.005	23/45			4-149.101	23/45	24/31	
	24/46				24/3c		
4-149.006	23/45				24/3c		
	24/46			4-149.102	23/45	24/31	
4-149.007	23/45				24/3c		
	24/46				24/46		



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4-149.103	23/45 24/3c 24/3c 24/46	24/31		4-149.121	23/45 24/3c 24/3c 24/46	24/31	
4-149.104	23/45 24/3c 24/3c 24/46	24/31		4-149.122	23/45 24/3c 24/3c 24/46	24/31	
4-149.105	23/45 24/3c 24/3c 24/46	24/31		4-149.123	23/45 24/3c 24/3c 24/46	24/31	
4-149.106	23/45 24/3c 24/3c 24/46	24/31		4-149.124	24/3c		
4-149.107	23/45 24/3c 24/3c 24/46	24/31		4-149.125	24/3c		
4-149.108	23/45 24/3c 24/3c 24/46	24/31		4-149.126	24/3c		
4-149.109	23/45 24/3c 24/3c 24/46	24/31		4-149.127	24/3c		
4-149.110	23/45 24/3c 24/3c 24/46	24/31		4-149.128	24/3c		
4-149.1105	23/45 24/3c	24/31		4-149.129	24/3c		
4-149.111	23/45 24/3c 24/3c 24/46	24/31		4-149.130	23/45 24/3c 24/3c 24/46	24/31	
4-149.112	23/45 24/3c 24/3c 24/46	24/31		4-149.131	23/45 24/3c 24/3c 24/46	24/31	
4-149.113	24/3c 24/3c			4-149.132	23/45 24/3c 24/46	24/31	
4-149.114	24/3c			4-149.1325	23/45	24/20	
4-149.115	24/3c			4-149.133	24/3c 24/3c 24/46	24/31	
4-149.116	24/3c			4-149.150	23/45	24/31	
4-149.117	24/3c			4-149.151	23/45 24/46	24/31	
4-149.118	24/3c			4-149.152	23/45	24/20 24/31	
4-149.119	24/3c			4-149.190	24/46 23/45 24/3c 24/46		
4-149.120	23/45 24/3c 24/3c 24/46	24/31		4-149.200	25/36		
				4-149.201	25/36		
				4-149.202	25/36		
				4-149.203	25/36		
				4-149.204	25/36		
				4-149.205	25/36		
				4-149.206	25/36		
				4-149.207	25/36		
				4-150.002	24/30	25/8	
				4-150.003	24/30	25/8	
					25/28	25/41	
				4-150.005	24/30	25/8	

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4-150.006	24/30			4-154.520	24/3c		
4-150.013	24/30	25/8			24/49	25/8	
4-150.016	24/30	25/8			25/5c		
4-150.016(4)	24/40c				25/5c		
4-150.017	24/30				25/5c		
4-150.018	24/30			4-157.001	23/10	23/42	
4-150.019	24/30			4-157.002	23/10	23/42	
4-150.102	24/30	25/8		4-157.002(2)	23/19c		
4-150.102(2)(a)	24/40c			4-157.004	23/10	23/42	
4-150.103		22/10		4-157.004(2)(b)	23/19c		
	24/30	25/8		4-157.004(4)	23/19c		
	25/28	25/41		4-157.017	23/10	23/42	
4-150.105		22/10		4-157.022	23/10	23/42	
	24/30	25/8		4-157.022(1)(b)	23/19c		
4-150.106		22/10		4-157.022(1),(2)(c),(4)	23/52c		
	24/30	25/8		4-157.022(2)	23/19c		
4-150.107		22/10		4-157.022(3)	23/19c		
4-150.114		22/10	25/43	4-157.022(4)	23/19c		
	24/30	25/8		4-157.022(5)	23/19c		
	25/31		25/43	4-157.023	23/10	23/42	
4-150.114(1)	24/40c			4-157.023(1)(b)	23/52c		
4-150.117		22/10	25/43	4-166.031	25/33		
	25/31		25/43	4-170.016	22/36c		
4-150.118	24/30			4-170.0165	22/36c		
4-150.119	20/43	21/38		4-175.011	20/8c		
		22/10			20/20c		
	24/30			4-175.013	21/5c		
4-150.120	24/30			4-176.022	25/33		
4-150.202	24/30	25/8		4-190.030	24/44	24/51	
4-150.203	24/30	25/8		4-190.031	24/44		
	25/28	25/41		4-190.035	24/44		
4-150.205	24/30			4-190.036	24/44		
4-150.213	24/30	25/8		4-190.037	24/44		
4-150.215	24/30			4-190.038	24/44		
4-150.216	24/30			4-190.039	24/44		
4-150.217	24/30			4-190.056	24/44		
4-150.218	24/30			4-190.057	24/44		
4-154.101	24/45			4-190.058	24/44		
4-154.102	24/45			4-190.059	24/44		
4-154.104	24/45			4-190.0591	24/44		
4-154.108	24/45			4-190.060	24/44		
4-154.109	24/45			4-190.061	24/44		
4-154.110	24/45			4-190.062	24/44		
4-154.111	24/45			4-190.063	24/44		
4-154.112	24/45			4-190.064	24/44		
4-154.113	24/45			4-190.065	24/44		
4-154.114	23/52c			4-190.066	24/44	24/51	
4-154.115	24/45			4-190.067	24/44		
4-154.116	24/45			4-190.068	24/44		
4-154.410	23/52c			4-190.069	24/44		
4-154.512	23/52c			4-190.071	24/44		

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4-190.072	24/44			4-196.030	20/43c		
4-190.073	24/44				20/43c		
4-190.074	24/44				20/49c		
4-192.023	18/17c			4-196.030(5),(8)			
4-192.038	18/17c			(b)(d)(e)	20/43c		
4-192.053	18/17c			4-196.031	20/43c		
4-192.058	18/17c			4-196.032	20/43c		
4-196.001	20/43c			4-196.033	20/43c		
	20/43c			4-196.034	20/43c		
	20/49c			4-196.035	20/43c		
4-196.002	20/43c				20/49c		
	20/43c			4-196.036	20/43c		
	20/43c			4-196.037	20/43c		
	20/49c			4-196.038	20/43c		
4-196.003	20/43c			4-196.039	20/43c		
	20/43c			4-196.040	20/43c		
	20/49c				20/43c		
4-196.004	20/43c				20/49c		
4-196.005	20/43c			4-201.003	25/29		25/42
4-196.006	20/43c			4-211.031(21)(e),			
	20/49c			(24)-(27)	25/34c		
4-196.007	20/43c			4-213.050	19/30c		
	20/49c			4-213.080	19/30c		
4-196.008	20/43c			4-213.090	19/30c		
4-196.009	20/43c			4-213.100	19/30c		
	20/49c			4-213.120	19/30c		
4-196.009(2)	20/43c			4-220.051(4)(h)(6)	25/23c		
4-196.010	20/43c			4-220.201(4)(f)	25/23c		
	20/43c			4-220.2021(5)(a)	25/23c		
	20/49c			4-223.001	18/31c		
4-196.011	20/43c				18/31c		
4-196.012	20/43c				18/31c		
4-196.013	20/43c				18/31c		
4-196.014	20/43c				18/31c		
4-196.015	20/43c				18/31c		
4-196.016	20/43c				18/31c		
4-196.017	20/43c			4-223.002	18/31c		
4-196.018	20/43c				18/31c		
4-196.019	20/43c				18/31c		
4-196.020	20/43c				18/31c		
4-196.021	20/43c				18/31c		
4-196.022	20/43c				18/31c		
4-196.023	20/43c				18/31c		
4-196.024	20/43c			4-223.003	18/31c		
	20/43c				18/31c		
	20/43c				18/31c		
	20/43c				18/31c		
4-196.025	20/43c				18/31c		
4-196.026	20/43c				18/31c		
4-196.027	20/43c				18/31c		
4-196.028	20/43c			4-223.004	18/31c		
	20/43c				18/31c		
	20/43c				18/31c		
	20/49c				18/31c		
4-196.029	20/43c				18/31c		
					18/31c		
					18/31c		



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5C-4.001	25/33			6A-2.0111		20/41	25/36w
5C-4.002	25/33				25/34		25/36w
5C-4.003	25/33			6A-3.075	20/38		
5C-4.005	25/33			6A-4.0006(2)(b),			
5C-23.001	25/28	25/36	25/42	(3)(c)	23/4c		
5C-23.002	25/28	25/36	25/42	6A-4.0021	25/27		25/38
5C-23.003	25/28	25/36	25/42	6A-4.006(2)(b),			
		25/42	25/42	(3)(c)	24/28c		
5C-23.004	25/28	25/42	25/42w		25/5c		
5C-25.001	25/40			6A-4.00821	25/29		25/39
5C-25.002	25/40			6A-4.0161	24/17		
5C-25.003	25/40			6A-4.01761	24/28c		
5C-25.004	25/40				25/5c		
5D-1.003	21/38			6A-6.03012(5)(6)	25/5c		
5D-1.0061	21/13			6A-6.03030	19/40		
5F-11.047	25/29c			6A-6.03031	19/40		
5H-1.001	22/11c			6A-6.055	25/27		25/38
	22/11c			6A-6.080	16/30		
	22/11c			6A-7.0321	20/34		
	22/12c			6A-7.042	25/27	25/34	
	22/12c			6A-10.024	25/38		
	22/12c			6A-10.0243	19/36	19/42	
5H-12.001	21/10			6A-14.030	25/42		
5H-24.001	25/28			6A-16.006	19/36	19/42	
5H-24.002	25/28			6A-16.008	19/36	19/42	
5H-24.003	25/28			6A-16.009	19/36	19/42	
5H-24.004	25/28			6A-16.016	19/36	19/42	
5H-24.005	25/28	25/40		6A-20.099	25/27		25/38
5H-24.006	25/28	25/40		6C-8.007	21/33		
5H-24.007	25/28	25/40		6C-8.009	25/24	25/30	
5H-24.008	25/28	25/40			25/39		
5I-2.003	25/22	25/33	25/41	6C-10.013	25/24		25/39
5I-2.004	25/22	25/33	25/41	6C-14.005	24/43		
5I-2.006	25/22	25/33	25/41	6C1-1.012	Newspaper		25/39
5I-3.004	21/11			6C1-1.017	Newspaper		25/39
5I-4.008	20/47			6C1-2.001	Newspaper		25/36
5I-4.009	20/47			6C1-2.016	Newspaper		25/36
5I-4.010	20/47			6C1-2.0161	Newspaper		25/36
5J-3.005	19/48			6C1-3.0022	Newspaper		25/39
5J-3.006	19/48			6C1-3.003	Newspaper		25/39
5J-9.006	19/26			6C1-3.047	Newspaper		25/42
5K-4.002	25/35			6C1-3.051	Newspaper		25/42
				6C1-3.056	Newspaper		25/42
				6C1-3.059	Newspaper		25/42
				6C1-4.004	Newspaper		25/42
				6C1-4.006	Newspaper		25/42
				6C1-4.016	Newspaper		25/42
				6C1-4.0162	Newspaper		25/42
				6C1-4.021	Newspaper		25/42
				6C1-4.036	Newspaper		25/42
				6C2-2.015	Newspaper		25/41
				6C2-4.039	Newspaper		25/41
				6C2-5.0021	20/47c		
				6C2-5.056	Newspaper		25/41
				6C3-10.211	Newspaper		25/40
				6C4-10.017	Newspaper		25/36
EDUCATION							
6-1.0996	25/27	25/34	25/40				
6-2.001	25/38						
6-7.042	25/27	25/34	25/40				
6A-1.0011	20/34						
6A-1.0014	25/32		25/41				
	25/32						
6A-1.0761	24/17						
6A-1.09401	25/27		25/38				
6A-1.0941	25/27		25/38				
6A-1.09414	25/27		25/38				
6A-1.0996	25/27	25/34					



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9J-14.027	21/13	22/42		10D-5.113	19/22		
9J-24.004	25/32		25/40	10D-5.114	19/22		
9J-24.005	25/32		25/40	10D-5.115	19/22		
9J-24.006	25/32		25/40	10D-5.116	19/22		
9J-24.008	25/32		25/40	10D-5.117	19/22		
9J-40.001	25/32		25/40	10D-5.118	19/22		
9J-40.002	25/32		25/40	10D-5.119	19/22		
9J-40.003	25/32		25/40	10D-5.120	19/22		
9J-41.003	20/47			10D-6	20/39c		
<b>HEALTH AND REHABILITATIVE SERVICES</b>					22/12c		
					20/11c		
10-5.011(1)(o)	16/4			10D-6.041(11)	20/11c		
10-5.011(1)(p)	16/4			10D-6.046(7)			
10-5.011(1)(v)	15/46c			(a)(b)(e)	20/11c		
10-23.006	22/2			10D-6.046(7)(f)2.	20/11c		
10-23.010	22/2			10D-6.0471(1)(a)	20/11c		
10-23.011	22/2			10D-6.048(5)	20/11c		
10-24.001	22/2			10D-13.0293	19/4		
10-24.002	22/2			10D-41.072	15/14		
10A-5	21/5c			10D-41.076	15/14		
10CER92-4		19/13		10D-42.023	19/19		
		19/25		10D-42.024	19/19		
		19/38		10D-42.025	19/19		
		19/52		10D-42.026	19/19		
10C-1.113	18/6			10D-42.027	19/19		
10C-1.601	20/26			10D-42.028	19/19		
10C-7.042	18/21	20/2		10D-42.029	19/19		
10C-7.0529	19/18			10D-42.030	19/19		
10C-7.069	19/18			10D-42.031	19/19		
10C-8.011-.304	23/7c			10D-42.032	19/19		
10C-8.303	22/35			10D-42.033	19/19		
10C-25.016	20/20			10D-45	22/12c		
10C-32.002	20/48			10D-45.049	22/6		
10C-32.200	20/48			10D-72.016	15/12	15/12	
10D-5.092	19/22			10D-105.001	16/50	17/7	
10D-5.093	19/22			10D-105.002	17/3c		
10D-5.094	19/22				17/3c		
10D-5.095	19/22			10D-105.003	17/3c		
10D-5.096	19/22				17/3c		
10D-5.097	19/22			10D-105.004	17/3c		
10D-5.098	19/22			10D-105.007	17/3c		
10D-5.099	19/22			10D-111.002	17/18		
10D-5.100	19/22			10D-112.007	20/49		
10D-5.101	19/22			10D-115.001	22/8		
10D-5.102	19/22			10D-125.005	20/13	20/34	
10D-5.103	19/22			10J-8.014	20/26c		
10D-5.104	19/22				20/29c		
10D-5.105	19/22			10L-12.002	23/7		
10D-5.106	19/22			10M-1.003	18/12		
10D-5.107	19/22			10M-9.001	22/1		
10D-5.108	19/22			10M-9.026	22/1		
10D-5.109	19/22			10M-9.045	22/1		
10D-5.110	19/22			10M-29.001	19/27		
10D-5.111	19/22			10P-4.250	19/31c		
10D-5.112	19/22			10P-4.250(10)	19/28c		
				10P-4.250(11)	19/28c		
				10P-4.250(4)	19/28c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
10Q-5.022	19/41			12C-1.0154	25/38		
LAW ENFORCEMENT				12C-1.0222	25/38		
11B-18.004	18/40			12C-1.034	25/38		
11B-18.0051	18/40			12C-1.042	25/38		
11B-27.004	19/22			12C-1.051	25/38		
11B-30.014	19/40			12D-7.0143	25/40		
11B-34.007	25/14			12D-7.015	25/40		
11D-6.001	25/14			12D-7.0155	25/40		
11D-8.005	22/40			12D-7.017	25/40		
REVENUE				12D-7.018	25/40		
12-18.001	24/50	25/32	25/41	12D-8.005	25/40		
12-18.002	24/50	25/32	25/41	12D-8.0062	21/14c		
12-18.003	24/50	25/32	25/41	12D-13.002	25/40		
12-18.004	24/50		25/41	12D-13.006	22/36	22/43	
12-18.005	24/50		25/41	12D-13.009	25/40		
12-18.006	24/50		25/41	12D-13.064	25/40		
12-18.008	24/50	25/32	25/41	12D-16.002	25/40		
12-26.009	21/6c			12D-16.010	25/40		
12AER99-1			25/27	12D-16.030	25/40		
12A-1.001	20/43c			12D-16.040	25/40		
12A-1.001(3)	20/43c			12D-16.050	25/40		
12A-1.001(3)(g)	20/43c			12D-16.060	25/40		
12A-1.048	25/40			12D-16.080	25/40		
12A-1.049	25/40			12D-16.090	25/40		
12A-1.050	25/40			12E-1.007	25/17		25/38
12A-1.051	25/43			12E-1.010	25/17		25/38
12A-1.055	19/43			TRANSPORTATION			
12A-1.070	20/17c			14-14.004	19/40		
12A-1.087	25/40			14-15.0081	21/43		
12A-1.0911	25/24	25/30	25/38	14-17.011	17/49	17/50	
12B-5.013	22/36			14-26.009	24/29	24/32	
12B-5.014	22/36			14-40	24/19c		
12B-7.001	25/24		25/38	14-46.001	22/25c		
12B-7.002	25/24		25/38		22/39c		
12B-7.007	25/24		25/38	14-51.004	24/49	25/32	25/38
12B-7.009	25/24		25/38	14-60.011	20/12		
12B-7.023	25/24		25/38	14-66.001	25/29		
12B-8	23/8c			14-66.002	25/29		
12B-8.001	19/39c			14-66.003	25/29		
	19/39c			14-66.004	25/29		
	19/39c			14-66.005	25/29		
	19/39c			14-66.006	25/29		
	21/41			14-66.007	25/29	25/40	
12B-8.003	23/7c			14-66.008	25/29		
12B-8.016	23/7c			14-66.009	25/29		
12B-8.016(3)(a)6.f.	23/8c			14-66.010	25/29		
12B-12.0031	25/38			14-66.011	25/29		
12C-1.001	25/38			14-66.012	25/29		
12C-1.011	25/38			14-78	25/21c		
12C-1.011(1)(v)	19/50c			14-96	21/2c		
	19/50c			14-101.001	25/42		
12C-1.0152	25/38			14-101.002	25/42		
				14-101.003	25/42		
				14-101.004	25/42		



Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
<b>HIGHWAY SAFETY AND MOTOR VEHICLES</b>				17-660.300	15/50	16/8	
15-3.001	21/47c			17-671.100	15/32		
15A-8.0081	21/43	22/7		17-671.200	15/32		
		22/11			19/47		
15A-10	22/2c			17-671.300	15/32		
	22/2c			17-671.310	15/32		
15A-10.005(1)	22/2c			17-701	20/13c		
15A-10.017	19/43				20/15c		
15A-10.027(8)	22/2c			17-701.200	19/33	19/37	
15A-10.034(4)	22/2c			17-701.210	19/33	19/37	
15C-7.005	20/40c			17-701.220	19/33	19/37	
	20/40c			17-701.300	19/33	19/37	
15C-15.001	22/52	23/11		17-701.320	19/33	19/37	
				17-701.330	19/33	19/37	
<b>NATURAL RESOURCES</b>				17-701.340	19/33	19/37	
16B-33.0052	19/41c			17-701.400	19/33	19/37	
	19/41c			17-701.420	19/33	19/37	
				17-701.500	19/33	19/37	
<b>ENVIRONMENTAL REGULATION</b>				17-701.510	19/33	19/37	
17-2.100	18/26			17-701.520	19/33	19/37	
17-3	15/14c			17-701.600	19/33	19/37	
17-4	15/14c			17-701.610	19/33	19/37	
17-4.246	15/14c			17-701.620	19/33	19/37	
17-17.701	20/15c			17-701.630	19/33	19/37	
17-29.080	20/21	21/22		17-701.640	19/33	19/37	
17-40	19/49c			17-703.300	20/17		
17-111.060	15/34			17-703.500	16/33		
17-213.420	19/33	19/41		17-703.510	20/17		
17-257	19/50c			17-703.600	20/17		
17-296.200(97)	20/24c			17-703.610	20/17		
17-296.600	20/24c			17-710.300	15/42		
17-296.601	20/24c			17-710.420	15/42		
17-296.604	20/16	20/23		17-710.440	15/42		
	20/24c			17-773.200	17/39	17/46	
17-312	20/26c			17-773.900	17/39	17/46	
	20/26c			<b>BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST</b>			
17-330	20/26c			18-4.001	22/1		
	20/26c			18-21.019	24/15		
17-330.100(1), (2),(3)	20/24c			18-23.001	20/14	20/27	
17-330.200(3)	20/24c			18-23.004	20/14	20/27	
(a)(b)(c)(e)	20/24c			18-23.005	20/14	20/27	
17-331	20/26c			18-23.006	20/14	20/27	
17-341	20/26c			<b>STATE BOARD OF ADMINISTRATION</b>			
	20/26c			19-7.013	25/29		25/43
17-343.050	20/29c			19-8.010	20/13c		
17-503.420	16/15				25/24	25/30	25/36
17-503.430	16/15			19-8.014	25/34		25/42w
17-503.500	16/15			19-8.028	25/24	25/31	25/37
17-503.850	17/33			19B-6.001	22/13		
17-525.900	18/35			<b>CITRUS</b>			
17-604.550	18/8			20-34.007	21/24		
17-620.810	20/28	20/38		20-35.005	21/24		
17-625.700	20/28	20/45					

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20-39.014	22/20			25-6.043	24/53		
20-42.001	18/20			25-6.0438	24/53		
20-48.001	25/35			25-6.049	25/7		25/42w
20-48.002	25/35				25/42		
20-48.003	25/35			25-14.003	15/52		
20-48.004	25/35			25-17.087	24/53		
20-48.005	25/35			25-21.022	18/24		
20-48.006	25/35			25-24.555	24/53		
20-48.007	25/35			25-30.010	24/53		
20-48.008	25/35			25-30.011	24/53		
20-48.009	25/35			25-30.060	22/38		
20-48.010	25/35			25-30.110	25/41		
20-64.024	20/29c			25-30.431	22/31	23/27	
20-94.006	15/41	15/48				25/43	
20-104.001	21/32			25-30.436	24/53		
20-104.002	21/32			25-30.450	24/53		
20-114.001	25/30			25-30.455	24/53		
20-114.002	25/30			25-30.456	24/53		
20-114.003	25/30			25-30.570	24/53		
20-114.004	25/30			25-30.580	24/53		
20-114.005	25/30			25-160.031	25/37		
20-114.006	25/30						

EXECUTIVE OFFICE OF THE GOVERNOR

PROFESSIONAL REGULATION

21-6.017	17/45			27E-4.001	20/11		
21-12.025	21/31			27E-4.002	20/11		
21-15.009	12/45			27E-4.003	20/11		
21-17.001	15/47			27E-4.004	20/11		
21B-11.0017	19/31c			27E-4.005	20/11		
	19/31c			27E-4.006	20/11		
21G-17.011	18/43c			27E-4.007	20/11		
21M-49.002	19/6c			27E-4.008	20/11		
21M-50.002	19/6c						
21M-50.003	19/6c						
21M-50.007	18/53	20/24					
	19/6c						
21M-50.009	19/6c						
21P-16.003	18/14						

ADMINISTRATION COMMISSION

				28-5.201	22/2c		
				28-22.101	25/41		
				28-22.102	25/41		
				28-22.103	25/41		
				28-22.104	25/41		
				28-22.105	25/41		
				28-22.106	25/41		
23-15.050	25/39			28-22.107	25/41		
23-23.011	20/8			28-22.108	25/41		
				28-22.109	25/41		
				28-22.110	25/41		
				28-22.111	25/41		
				28-22.112	25/41		
				28-22.113	25/41		
				28-22.114	25/41		
				28-22.115	25/41		
				28-22.116	25/41		
				28-22.117	25/41		
				28-22.121	25/41		
				28-22.122	25/41		
				28-22.123	25/41		

FLORIDA PAROLE COMMISSION

PUBLIC SERVICE COMMISSION

25-4.005	25/12		25/36				
25-4.0161	25/37		25/44				
25-4.141	24/53						
25-4.202	24/53						
25-4.300	25/13						
25-4.301	25/13						
25-4.302	25/13						
25-6.002	24/53						
25-6.0142	25/28	25/38	25/44				



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29F-3.115	25/31			CORRECTIONS			
29F-4.001	25/22		25/37	33-2.001	23/25		
29F-4.002	25/22		25/37	33-3.004(3)(d)	24/8c		
29F-4.003	25/22		25/37		24/8c		
29F-4.004	25/22		25/37		24/8c		
29F-5.001	25/22		25/37	33-3.004(3)(d),(15)	24/7c		
29F-5.002	25/22		25/37	33-3.005(8)(b)	24/7c		
29F-5.003	25/22		25/37	33-3.0051	24/18		
29F-6.001	25/22		25/37	33-3.0063	25/20	25/27	25/36w
29F-6.002	25/22		25/37	33-3.0065	25/20		25/36w
29F-6.003	25/22		25/37	33-3.0066	25/24	25/29	25/39
29F-6.004	25/22		25/37	33-3.0081	25/35	25/43	
29F-6.005	25/22		25/37	33-3.0082	25/35	25/43	
29F-7.001	25/22		25/37	33-3.0084	25/35	25/43	
29F-7.002	25/22		25/37	33-3.0085	25/35	25/43	
29F-7.003	25/22		25/37	33-3.015	21/43		
29F-7.004	25/22		25/37	33-3.018	17/14		
29F-7.005	25/22		25/37	33-4.007	25/21	25/31	25/39
29F-7.006	25/22		25/37	33-5.001	22/23c		
29F-9.001	25/22		25/37		22/23c		
29F-9.002	25/22		25/37	33-5.002	22/23c		
29F-9.003	25/22		25/37	33-5.003	22/23c		
29F-9.004	25/22		25/37	33-5.004	22/23c		
29F-10.001	25/22		25/37	33-5.005	22/23c		
29F-10.002	25/22		25/37	33-5.006	22/23c		
29F-10.003	25/22		25/37	33-5.007	22/23c		
29F-10.004	25/22		25/37	33-5.008	22/23c		
29F-10.005	25/22		25/37		24/18		
29F-10.006	25/22		25/37	33-5.009	22/23c		
29F-11.001	25/22		25/37	33-5.010	22/23c		
29F-11.002	25/22		25/37	33-5.011	22/23c		
29F-19.001	25/22		25/37		22/23c		
29F-20.001	25/22		25/37	33-5.012	22/23c		
29F-20.002	25/22		25/37	33-5.013	22/23c		
29F-20.003	25/22		25/37	33-5.014	22/23c		
29F-20.004	25/22		25/37		22/23c		
29F-20.005	25/22		25/37	33-6.005	23/34		
29F-20.006	25/22		25/37	33-6.006	24/18		
29F-20.007	25/22		25/37	33-8.0142	19/43		
29F-20.008	25/22		25/37	33-11.0065	24/18		
29F-20.009	25/22		25/37	33-15.001	22/23c		
29F-20.010	25/22		25/37	33-15.002	22/23c		
29F-20.011	25/22		25/37	33-15.003	22/23c		
29F-20.012	25/22		25/37	33-15.004	22/23c		
29F-20.013	25/22		25/37	33-19.013	25/36		25/43
29F-20.014	25/22		25/37	33-22.003	17/12		
29F-20.015	25/22		25/37	33-22.009	17/12		
29F-20.016	25/22		25/37	33-22.011	17/12		
				33-22.012	25/21	25/30	25/38
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT							
31-16	20/8c						
	20/8c						
	20/8c						

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33-25.031	20/11c			38J-1.003	23/46		25/43w
33-32.021	19/5				23/46c		
33-32.022	19/5			38J-1.003(2)	24/10c		
33-38.001	25/35	25/43		38J-1.004	23/46		25/43w
33-38.003	25/35	25/43			23/46c		
33-38.005	25/35	25/43		38J-1.004(1)	24/10c		
33-38.006	25/35	25/43		38J-1.005	23/46		25/43w
33-38.009	25/35	25/43			23/46c		
33-38.010	25/35	25/43		38J-1.005(1)(b),			
33-38.011	25/35	25/43		(3)(a)(d)	24/10c		
33-38.012	25/35	25/43		38J-1.005(5)	24/10c		
33-208.101	25/21	25/31	25/39	38J-1.006	23/46		25/43w
33-501.401	25/43				23/46c		
33-504.201	25/36			38J-1.006(2)	24/10c		
33-601.602	25/44			38J-1.007	23/46		25/43w
33-601.801	25/35	25/43			23/46c		
33-601.803	25/35	25/43		38J-1.007(1)	24/10c		
33-601.805	25/35	25/43		38K-1.0045	23/27		
33-601.806	25/35	25/43					
33-601.809	25/35	25/43		GAME AND FRESH WATER FISH COMMISSION			
33-601.810	25/35	25/43		39-25.0031	19/48c		
33-601.811	25/35	25/43		39-25.004	19/48c		
33-601.812	25/35	25/43		39-25.031	20/11c		
33-602.204	25/43			39-27.005	19/33c		
33-602.2045	25/43				19/33c		
33-602.210	25/24	25/29	25/39	39-27.005(26)(27)	19/33c		
	25/44						
33-602.220	25/35	25/43		WATER MANAGEMENT DISTRICTS			
33-602.221	25/35	25/43		40B-1	20/26c		
33-602.222	25/35	25/43			20/26c		
33-602.223	25/35	25/43		40B-4	20/26c		
33-602.401	25/40				20/26c		
33-602.402	25/40			40B-400	20/26c		
33-602.403	25/40				20/26c		
COMMISSION ON ETHICS				40C-1	20/26c		
34-5.001	24/18				20/26c		
34-5.026	24/19				20/26c		
34-7.010	25/38	25/44			21/47c		
	25/40			40C-1.004	25/44		
LABOR AND EMPLOYMENT SECURITY				40C-1.181	20/18		
				40C-2	21/47c		
38E-106.401	24/1			40C-2.101	25/5c		
38F-6.007	24/47	25/4		40C-3.035	25/42		
38F-6.008	24/47	25/4		40C-4	20/26c		
38F-6.009	24/47	25/4			20/26c		
38F-6.012	24/47	25/4		40C-4.051	24/52		
38F-6.014	24/47	25/4		40C-4.051(12)(b)	25/12c		
38F-6.015	24/47	25/4		40C-4.091	24/52	25/8	
38F-7.501	25/9	25/35	25/42		25/12c		
38F-8.055	22/4			40C-6	20/26c		
38I-60.200	20/7				20/26c		
38J-1.002	23/46		25/43w	40C-20	21/47c		
	23/46c			40C-22	21/47c		
38J-1.002(7),(8),(9)	24/10c			40C-40	20/26c		
					20/26c		

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40C-41.011	23/12c				21/5c		
	23/12c				21/5c		
40C-41.023	23/12c				21/5c		
	23/12c				21/5c		
40C-41.033	23/12c				21/26c		
	23/12c			40D-2.031	20/48		
40C-41.043	23/12c			40D-2.041	20/48		
	23/12c			40D-2.091	20/44c		
40C-41.051	23/12c				20/48	20/52	
	23/12c				22/48		
40C-41.063	23/12c				24/48		
	23/12c				25/40		
40C-42	20/26c			40D-2.101	20/48		
	20/26c			40D-2.301	22/48		
40C-43	20/26c				24/48		
	20/26c			40D-2.321	20/48		
40C-44	20/26c			40D-2.331	20/48		
	20/26c			40D-2.381	20/48		
40C-400	20/26c			40D-2.501	20/48		
	20/26c			40D-2.601	20/44c		
40C-400.201	21/48	21/48			20/48		
40D-0.201	20/3			40D-2.621	20/44c		
40D-1.002	25/40				20/48		
40D-1.202	19/36	19/42		40D-2.628	20/44c		
40D-1.602	20/29c			40D-2.801	20/44c		
40D-1.659	25/40				20/48	21/44	
40D-2	20/44c					24/7	
	20/44c			40D-4.041	20/24c		
	20/44c			40D-4.042	20/24c		
	20/44c			40D-4.051	20/24c		
	20/44c			40D-4.091	20/24c		
	20/44c				20/24c		
	20/44c				22/48		
	20/44c				24/36	24/53	
	20/44c				24/48		
	20/47c				25/3		
	20/47c			40D-4.201	21/22		
	20/47c			40D-4.301	20/24c		
	20/47c				20/24c		
	20/47c			40D-4.381	20/24c		
	20/47c			40D-6.521	24/50		
	20/47c			40D-8	20/44c		
	20/47c				20/44c		
	20/47c				20/44c		
	20/47c				21/5c		
	20/47c				21/5c		
	20/47c				21/5c		
	21/5c			40D-8.011	24/48		
	21/5c			40D-8.021	24/48		
	21/5c			40D-8.031	24/48		
	21/5c			40D-8.041	21/5c		
	21/5c				25/10		
	21/5c			40D-8.0410	24/48		25/40w
	21/5c			40D-8.603	24/48		

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40D-8.605	24/48			40E-4	20/24c		
40D-8.611	24/48				20/26c		
40D-8.613	24/48				20/26c		
40D-8.616	24/48				20/26c		
40D-8.621	24/48				20/26c		
40D-8.623	24/48			40E-4.091	25/18		
40D-8.624	23/38	24/48		40E-6	20/26c		
	24/48			40E-6.011	25/21	25/30	25/36
40D-8.6240	23/38	24/48		40E-6.021	25/21	25/30	25/36
40D-8.626	24/48			40E-6.031	25/21	25/30	25/36
40D-8.628	20/47c			40E-6.041	25/21	25/30	25/36
	20/47c			40E-6.051	25/21	25/30	25/36
	20/47c			40E-6.091	25/21	25/30	25/36
	20/47c			40E-6.101	25/21	25/30	25/36
	20/47c			40E-6.121	25/21	25/30	25/36
	20/47c			40E-6.201	25/21	25/30	25/36
	20/47c			40E-6.221	25/21	25/30	25/36
	20/47c			40E-6.301	25/21		25/36
	20/47c			40E-6.311	25/21	25/30	25/36
	20/47c			40E-6.321	25/21	25/30	25/36
	20/47c			40E-6.331	25/21	25/30	25/36
	20/47c			40E-6.341	25/21	25/30	25/36
	20/47c			40E-6.351	25/21	25/30	25/36
	21/5c			40E-6.361	25/21	25/30	25/36
	21/5c			40E-6.381	25/21	25/30	25/36
	21/21c			40E-6.451	25/21	25/30	25/36
	21/21c			40E-6.481	25/21	25/30	25/36
	21/21c			40E-6.491	25/21		25/36
	21/21c			40E-6.501	25/21	25/30	25/36
40D-8.628(1)	21/12c			40E-6.521	25/21	25/30	25/36
40D-45.341	19/42	20/3		40E-6.601	25/21	25/30	25/36
40D-80.011	24/48			40E-7.639	22/23	22/37	
40D-80.073	24/48			40E-40	20/26c		
	25/10	25/15			20/26c		
40E-1	20/24c				20/26c		
	20/26c			40E-41	20/24c		
	20/26c				20/26c		
	20/26c				20/26c		
	20/26c				20/26c		
40E-1.510	20/18	21/36		40E-63.145	25/31		25/42
40E-1.603	19/4c			40E-400	20/24c		
40E-1.606	19/4c				20/24c		
40E-1.607	19/43				20/26c		
		21/36	25/44		20/26c		
	25/28	25/38	25/44		20/26c		
40E-1.6105	19/4c			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40E-1.612	20/18	21/36		42AA-1.001	25/35		25/43
40E-1.614	20/18	21/36		42AA-1.002	25/35		25/43
40E-1.659	19/4c			42AA-1.003	25/35		25/43
	25/18			42U-1.002	25/22	25/31	25/36
40E-3.101	25/28		25/44	42Z-1.001	25/39		
40E-3.201	25/28		25/44	42Z-1.002	25/39		
				42Z-1.003	25/39		

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EXPRESSWAY AUTHORITIES				46-37.003	20/18		
45A-2.001	21/49			46-37.004	20/18	21/42	
MARINE FISHERIES COMMISSION				46-37.005	20/18	20/25	
46ER96-3		22/39	22/28	46-37.006	20/18	20/25	
46-3.002	21/6c				21/6c		
46-3.008	21/6c			46-39.002	21/6c		
46-3.025	21/6c			46-39.0035	21/6c		
46-3.027	21/6c			46-39.0047	22/39c		
46-3.028	21/6c			46-39.005	21/6c		
46-3.029	21/6c			46-39.006	21/6c		
46-3.031	21/6c			46-39.007	21/6c		
46-3.032	21/6c			46-39.008	21/6c		
46-3.034	21/6c			46-39.009	21/6c		
46-3.035	21/6c			46-39.010	21/6c		
46-3.037	21/6c			46-39.011	21/6c		
46-3.038	21/6c			46-39.012	21/6c		
46-4.001	21/6c			46-42.003	20/35		
46-4.002	16/48c			46-42.007	21/6c		
	21/6c			46-43.005	21/6c		
46-4.0025	21/6c			46-47.007	22/27		
46-4.003(1)				THE CONSOLIDATED TAXICAB COMMISSION			
(e)(o)4.7.	19/44c			51U-8.021	23/24		
46-4.0031	19/50c			LOTTERY			
46-4.004	21/6c			53ER99-29			25/27
46-4.005	21/6c			53ER99-30			25/27
46-4.006	21/6c			53ER99-31			25/28
46-4.007	21/6c			53ER99-32			25/27
46-4.008	21/6c			53ER99-33			25/32
46-4.0081	21/6c			53ER99-34			25/37
46-4.0085	21/6c			53ER99-35			25/27
46-4.013	19/50c			53ER99-36			25/44
	21/6c			53ER99-37			25/39
46-4.014	21/6c			53ER99-38			25/33
46-4.015	21/6c			53ER99-39			25/44
46-4.016	21/6c			53ER99-41			25/37
46-4.017	21/6c			53ER99-42			25/44
46-15.002	21/35			53ER99-43			25/37
46-17.001	20/8c			53ER99-44			25/39
46-17.002	20/8c			53ER99-46			25/43
46-17.003	20/8c			53ER99-47			25/41
46-17.0031	20/8c			53ER99-48			25/40
46-17.005	20/8c			53ER99-49			25/42
46-17.007	20/8c			53ER99-50			25/44
46-21.007(1)	18/2			53ER99-51			25/44
46-23.001	21/6c			53-16.005	25/19	25/28	25/36
46-23.002	21/6c			53-16.009	25/21	25/33	25/41
46-23.003	21/6c			53-19.003	25/43		
46-24.003	21/27			53-19.0035	25/43		
46-24.007	21/6c			53-28.003	25/38		
46-29.0036	19/8c			53-29.003	25/38		
46-36.002	21/6c			53-32.001	25/39		
46-37.001	20/18						
46-37.002	20/18	20/25					



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53-32.002	25/39			59A-3.170	21/20		
53-32.003	25/39			59A-3.180	21/3		
53-32.004	25/39			59A-3.202	21/12c		
53-32.005	25/39			59A-3.2055	22/52	23/10	
53-32.006	25/39			59A-4.1295	20/1c		
VETERANS' AFFAIRS				59A-4.133	25/21	25/28	25/41
				59A-5.001	21/26c		
55-11.006	25/4		25/40w	59A-5.002	21/26c		
55-11.007	25/4		25/40w	59A-5.003	21/26c		
55-11.008	25/4		25/40w	59A-5.004	21/26c		
55-11.011	25/4		25/40w	59A-5.005	21/26c		
				59A-5.006	21/26c		
ELDER AFFAIRS				59A-5.007	21/26c		
				59A-5.008	21/26c		
58-14.001	20/1c				21/26c		
58-14.003	20/1c			59A-5.009	21/26c		
58-14.005	20/1c				21/26c		
58-14.007	20/1c			59A-5.010	21/26c		
58-14.009	20/1c			59A-5.011	21/26c		
58A-1	20/43c			59A-5.012	21/26c		
58A-5.0131	25/12	25/35	25/40	59A-5.013	21/26c		
58A-5.014	25/12	25/35	25/40	59A-5.014	21/26c		
58A-5.015	25/12	25/35	25/40	59A-5.015	21/26c		
58A-5.016	25/12	25/35	25/40	59A-5.016	21/26c		
58A-5.0161	25/12		25/40	59A-5.017	21/26c		
58A-5.0181	25/12	25/35	25/40	59A-5.018	21/26c		
58A-5.0182	25/12		25/40	59A-5.019	21/26c		
58A-5.0184	25/12		25/40	59A-7.020	20/25		
58A-5.0185	25/12	25/35	25/40	59A-7.034	21/45c		
58A-5.019	25/12	25/35	25/40	59A-7.035	21/45c		
58A-5.0191	25/12	25/35	25/40	59A-8.002	25/38		
58A-5.020	25/12	25/35	25/40	59A-8.0025	25/38		
58A-5.021	25/12	25/35	25/40	59A-8.003	25/38		
58A-5.022	25/12		25/40	59A-8.004	25/38		
58A-5.0221	25/12		25/40	59A-8.007	25/38		
58A-5.0223	25/12		25/40	59A-8.008	25/38		
58A-5.023	25/12	25/35	25/40	59A-8.0086	25/38		
58A-5.024	25/12	25/35	25/40	59A-8.0095	25/38		
58A-5.025	25/12		25/40	59A-8.0185	25/38		
58A-5.026	25/12	25/35	25/40	59A-8.020	25/38		
58A-5.030	25/12	25/35	25/40	59A-8.0215	25/38		
58A-5.031	25/12		25/40	59A-8.0218	25/38		
58A-5.033	25/12	25/35	25/40	59A-8.022	25/38		
				59A-8.024	25/38		
AGENCY FOR HEALTH CARE ADMINISTRATION				59A-8.0245	25/38		
				59A-20.002	25/26		25/39
59-1.021	22/2c			59A-20.003	25/26		25/39
59-1.045	25/38			59A-20.004	25/26		25/39
59-1.047	25/38			59A-20.014	25/26		25/39
59A-2.024	20/1			59AA-2.001	22/48c		
59A-3.078	20/47c			59AA-2.002	22/48c		
59A-3.081	25/20	25/29	25/38w	59AA-2.003	22/48c		
	25/21	25/39		59AA-3.001	22/48c		
	25/26c			59AA-10.001	22/48c		
	25/26c			59AA-17.004	21/46		
	25/38			59B-7.020	19/30		

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59B-7.021	19/30			59D-2.003(10)(b)	19/48c		
59B-7.022	19/30			59D-2.003(12)	19/48c		
59B-7.022(5)	19/36c			59D-2.003(15)	19/48c		
59B-7.023	19/30			59D-2.003(16)	19/48c		
59B-7.024	19/30			59D-2.011(1)(2)	19/48c		
59B-7.024(1)	19/36c			59E-1.001	20/27		
59B-7.025	19/30			59E-1.002	20/27		
59B-7.026	19/30			59E-1.003	20/27		
59B-7.027	19/30			59E-1.004	20/27		
	19/36c			59E-1.005	20/27		
59B-7.028	19/30			59E-1.006	20/27		
59B-7.029	19/30			59E-1.007	20/27		
59B-9.015	25/43			59E-7.012	25/43		
59B-9.021	25/43			59E-7.201	19/50c		
59B-10.050	21/45c			59E-7.202	19/50c		
59B-10.051	21/45c			59E-7.203	19/50c		
59B-10.052	21/45c			59E-7.204	19/50c		
59B-10.053	21/45c			59E-7.205	19/50c		
59B-10.054	21/45c			59E-7.206	19/50c		
59B-10.055	21/45c			59E-7.207	19/50c		
59B-10.056	21/45c			59E-7.208	19/50c		
59B-10.057	21/45c			59EE-1.001	22/29c		
59C-1.031	23/8c				22/29c		
	23/8c				22/39c		
	23/8c				22/39c		
59C-1.036	22/48c			59F-1.002	20/33		
	22/48c			59F-1.005(2),			
	22/48c			(3),(4)	20/43c		
	22/48c			59G-3.010	24/7		
	22/48c			59G-4.035	25/35		
	22/48c			59G-4.055	21/39	21/45	
	22/48c			59G-4.070	25/21c		
	22/48c			59G-4.101	25/25c		
	23/12c			59G-4.140	20/29c		
	23/12c				25/22		25/37
	23/12c			59G-4.150(4)(b)4.	22/2c		
	23/12c			59G-4.160	25/30		25/41
	23/12c				25/30		
	23/12c			59G-4.197	25/41		
	23/12c			59G-4.200	20/30c		
	23/12c			59G-4.250	25/26		25/36
	23/12c			59G-4.260	25/41		
	24/3c			59G-5.020	23/12c		
	24/3c				25/39		
	24/3c			59G-6.010	20/49c		
	24/3c				20/49c		
59C-1.036(2)(i)	22/48c				21/33c		
	23/12c				22/34c		
59C-1.044	19/44c				25/16	25/35	25/40
	19/44c			59G-6.020	22/2c		
	19/44c				25/20		25/44
	19/44c			59G-7.056	22/34c		
59D-1.004(4)	19/47c			59G-8.100	21/45c		
59D-1.004(5)	19/47c						
59D-1.007(1)(d)	19/47c						

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59M-3.001	22/11c			60A-1.007	25/40		
	22/11c			60A-1.008	25/40		
	22/11c			60A-1.009	25/40		
59M-3.005	21/25			60A-1.010	25/40		
59O-2	22/42c			60A-1.013	25/40		
59O-2.002	20/47c			60A-1.015	25/40		
	22/34	24/49		60A-1.016	25/40		
59O-2.002(7)	20/47c			60A-1.018	25/40		
59O-2.003	22/34	24/49		60D-5.003	25/24		25/37
59O-3	22/42c			60D-5.004	25/24		25/37
59O-3.002	22/34	24/49		60D-5.0082	25/24		25/37
59O-3.003	20/47c			60D-13.006	24/6c		
59O-5	22/42c			60K-3.004	25/44		
59O-5.001(1)(b),				60K-3.005	25/44		
(2)(a)2.(b)	20/47c			60K-3.006	25/44		
59O-5.002	22/42c			60K-3.007	25/44		
59O-5.003	22/42c			60K-3.0071	25/44		
59O-5.004	22/42c			60K-3.0072	25/44		
59O-5.006	20/47c			60K-3.009	25/44		
	20/47c			60K-3.0091	25/44		
59O-7	22/42c			60K-3.0092	25/44		
59O-9	22/42c			60K-3.0094	25/44		
59O-9.002	20/47c			60K-3.011	25/44		
59O-9.002(4)	20/47c			60K-4.001	25/44		
59O-9.003	22/34	24/48		60K-4.002	25/44		
59O-9.004	20/47c			60K-4.0021	25/44		
59O-9.004(7)	20/47c			60K-4.003	25/44		
59O-10	22/42c			60K-4.00311	25/44		
59O-10.004	20/47c			60K-4.0032	25/44		
59O-10.005	22/42c			60K-4.00321	25/44		
59O-13.006	20/47c			60K-4.0034	25/44		
	20/47c			60K-4.004	25/44		
59P-31.006	22/36c			60K-4.006	25/44		
	22/36c			60K-4.007	25/44		
59Q-9.002	20/39			60K-4.008	25/44		
59R-9.012	20/39c			60K-4.0081	25/44		
59R-62.010	21/5			60K-4.009	25/44		
59R-62.040	21/5			60K-4.010	25/44		
59T-11.013	23/22	23/35		60K-5.032	25/39		
59T-14.004	23/22	23/35		60K-9.005	25/21		25/38
59T-15.002	23/22	23/35		60L-14.001	25/23	25/31	25/43
59T-16.001	23/22	23/35				25/35	25/43
59T-16.002	23/22	23/35		60L-14.002	25/23		25/43
59U-11.019	20/51	21/7		60L-14.003	25/23	25/31	25/43
59U-14.002	23/24	23/35		60L-14.004	25/23	25/31	25/43
59U-16.002	23/14c			60L-14.005	25/23	25/31	25/43
59V-3.007	20/34	20/48		60L-14.006	25/23	25/31	25/43
	20/40c					25/35	25/43
59X-28.150	21/2c			60L-14.0061	25/23	25/31	25/43
59Y-5.001	23/11					25/35	25/43
				60L-14.007	25/23		25/43
				60Q-2.004	21/5c		
					22/25c		
					25/28c		
60A-1.001	25/40			60R-1.002	24/51		25/39
60A-1.002	25/40			60R-1.0021	24/51		25/39w
60A-1.006	25/40						

MANAGEMENT SERVICES

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60R-1.0022	24/51		25/39	61D-2.013	22/12c		
60R-1.0023	24/51		25/39	61D-2.014	22/12c		
60R-1.0024	24/51		25/39	61D-2.015	22/12c		
60R-1.0025	24/51		25/39	61D-2.020	22/12c		
60R-1.003	24/51	25/32	25/39	61D-3.001	22/12c		
60R-1.004	24/51		25/39	61D-3.002	22/12c		
60R-1.0041	24/51		25/39	61D-3.003	22/12c		
60R-1.0042	24/51		25/39		23/36	23/44	
60R-1.0043	24/51		25/39	61D-3.004	22/12c		
60R-1.0044	24/51		25/39		23/36	23/44	
60R-1.0046	24/51		25/39	61D-4.001	22/11c		
60R-1.0048	24/51		25/39	61D-4.002(1)	22/11c		
60R-1.00481	24/51	25/32	25/39	61D-5.001	22/12c		
60R-1.0052	24/51		25/39	61D-5.003	22/12c		
60T-25.001	18/41	18/44		61D-5.007	22/12c		
60T-25.002	18/41	18/44		61D-6	22/11c		
BUSINESS AND PROFESSIONAL REGULATION				61D-6.004	22/12c		
				61D-6.005	22/12c		
61-11.008	25/1		25/42w	61D-6.008	22/12c		
61-11.017		22/33	25/42w	61D-6.009	22/12c		
	25/4		25/42w	61D-7	22/11c		
			25/41		22/25c		
61-20.508	25/33			61D-7.001(1)	22/11c		
61-25.004	22/12c			61D-7.002	22/12c		
61A-4.0271	22/47			61D-7.020	22/12c		
61B-29	20/26c			61D-7.020(13)(a)(b)	22/11c		
61B-29.001	20/26c			61D-7.021	22/12c		
61B-29.001(5)	20/26c			61D-7.022	22/12c		
61B-30	20/26c			61D-7.022(5)(b)2.	22/11c		
61B-30.004	20/19			61D-7.023	22/12c		
	20/36c			61D-7.024	22/12c		
61B-30.006	22/45			61D-8	22/11c		
61B-31	20/26c				22/25c		
61B-31.001	23/2			61D-8.001	22/12c		
61B-31.001(3),(5)	20/36c			61D-8.001(1)	22/11c		
	20/44c			61D-8.002	22/12c		
61B-31.002	23/2			61D-8.003	22/11c		
61B-32	20/26c			61D-8.005	22/12c		
61B-32.001	21/30			61D-9	22/11c		
61B-32.002(1)	21/12c				22/25c		
61B-37.001		20/31		61D-9.001	22/12c		
61B-39.001	22/33			61D-9.001(1)	22/11c		
61B-39.002	22/33			61D-9.003	22/12c		
61B-50.114	22/46			61D-9.004	22/12c		
61B16-26.606	23/50			61D-9.005	22/12c		
61C-1.002	22/23	22/36		61D-11.010	24/3		
61C-3.002	22/23	22/36		61D-11.026	25/28		25/43
61C-76.0061	21/35			61E1-3.001	25/33		
61C-76.0062	21/35			61E8-2.004	19/46c		
61D-2.001	22/12c			61F3-8.002	20/27	20/32	
61D-2.002	22/11c			61F5-16.001	19/44c		
	22/12c			61F5-17.015	20/9c		
61D-2.003	22/12c			61F6-27.003(3)	19/41c		
61D-2.004	22/12c			61F6-34.001	20/7		
61D-2.005	22/12c			61F6-50.007	18/53	20/24	
61D-2.008	22/12c						

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61F8-3.001	20/3c			61G8-14.011	25/37		25/44
	20/3c			61G8-17.001	25/37		25/44
	20/3c			61G8-17.002	25/37		25/44
61F8-3.003	20/3c			61G8-17.0026	25/37		25/44
	20/3c			61G8-17.0027	25/37		25/44
61F8-3.008	20/3c			61G8-17.003	25/37		25/44
	20/3c			61G8-17.0034	25/37		25/44
	20/3c			61G8-17.0045	25/37		
61F9-6.0035	19/36			61G8-17.007	25/37		25/44
61F9-6.011	19/36			61G8-18.005	25/37		25/44
61F9-6.013	19/36			61G8-19.001	25/37		25/44
61F14-3.016	19/36			61G8-19.002	25/37		25/44
61G1-12.004	25/10	25/23	25/39	61G8-19.003	25/37		25/44
		25/33	25/39	61G8-21.001	25/37		
61G1-24.002	25/33			61G8-21.0015	25/37		
61G2-2.002	25/35		25/43	61G8-21.004	25/37		
61G2-3.005	21/33			61G8-22.001	25/37		
61G2-3.0055	23/38	24/6		61G8-22.003	25/37		
61G2-4.001	21/29			61G8-23.001	25/37		
61G3-19.011	25/31			61G8-23.003	25/37		
61G4-12.006	25/43			61G8-23.004	25/37		
61G4-12.009	25/43			61G8-24.023	25/37		25/44
61G4-12.010	25/39			61G8-24.033	25/37		25/44
61G4-12.011	25/24		25/39	61G8-25.003	25/37		25/44
61G4-15.027	25/30			61G8-29.001	25/37		25/44
61G4-15.028	25/30			61G8-31.001	25/37		
61G4-15.029	25/30			61G8-32.001	25/37		25/44
61G4-15.030	25/43			61G10-11.001	24/24	21/50	
61G4-16.0015	25/24		25/39	61G10-11.002	24/24	25/10	
61G4-16.002	25/1		25/44w	61G10-11.003	24/24	25/10	
61G4-16.009	25/1		25/36	61G10-11.004	24/24	25/10	
61G4-17.001	19/29			61G10-11.007	24/24		
61G4-18.001	25/43			61G10-11.009	24/24		
61G4-18.011	19/38			61G10-11.010	24/24		
61G4-18.012	19/38			61G10-14.003	24/24		
61G5ER99-8			25/29	61G11-25.001	20/22		
			25/29	61G14-11.001	25/31	25/44	
61G5-20.004	25/40			61G14-12.001	25/31		25/43
61G5-24.019	25/40			61G14-15.003	25/24		25/39
61G5-24.020	25/29		25/36	61G14-20.001	25/31	25/44	
61G5-31.004	25/40			61G14-20.002	25/31		
61G5-32.001	25/40			61G15-18.011	25/37	25/44	
61G6-5.0035	25/44			61G15-21.002	25/37		25/44
61G6-6.001	25/32		25/39	61G16-1.0071	25/42		
61G6-6.006	25/24		25/44w	61G16-2.001	23/12		
61G6-7.001	25/32		25/39	61G16-2.005	25/42		
61G6-7.006	22/51	23/6		61G16-3.001	25/22	25/38	
		23/19		61G16-5.003	21/43	21/50	
		23/31		61G17-1.006	21/6		
		23/49		61G17-7.001	25/38		
61G6-8.001	25/24	25/32	25/39	61G17-7.0025	25/38		
61G6-9.0105	25/24		25/37	61G19-9.001	25/42		
61G6-10.002	25/24	25/32	25/39	61H1-20.001	25/19	25/30	25/40w
61G7-5.001(4)	19/44c			61H1-38.001	25/27		25/37
61G8-14.009	25/37		25/44	61H1-38.002	25/27		25/37
61G8-14.010	25/37			61H1-38.003	25/27		25/37

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61H1-38.004	25/27		25/37	62-212.410	22/12c		
61H1-38.005	25/27		25/37	62-212.500	22/12c		
61H1-38.006	25/27		25/37	62-212.510	22/12c		
61H1-38.007	25/27		25/37	62-213.420(1)(b)2.	22/12c		
61H1-54.002	21/29			62-213.430	20/52	21/7	
61J1-2.001	25/33				21/6c		
61J1-4.001	25/24	25/33	25/39	62-213.430(6)	22/12c		
61J1-4.004	25/33			62-296.401	22/32	22/38	
61J1-4.008	25/33			62-302.600	21/2c		
61J1-6.001	25/33	25/43		62-302.600(3)(b)62.	21/2c		
61K1-1.001	25/1	25/34		62-302.700	21/17c		
61K1-1.002	25/1					22/8	
61K1-1.0023	25/1	25/34			25/34		
61K1-1.0024	25/1	25/34		62-302.700(9)(i)(38)	21/49c		
61K1-1.0025	25/1	25/34		62-312	21/34c		
61K1-1.0027	25/1	25/34		62-312.122	24/18		
61K1-1.0028	25/1	25/34			24/18		
61K1-1.003	25/1	25/34		62-341.602	21/22	21/22	
61K1-1.0035	25/1	25/34		62-342.100	24/36		
61K1-1.004	25/1	25/34		62-342.200	24/36		
61K1-1.0043	25/1			62-342.300	24/36		
61K1-1.005	25/1	25/34		62-342.400	24/36		
61K1-1.006	25/1	25/34		62-342.450	24/36	24/45	
61K1-1.007	25/1			62-342.470	24/36	24/45	
61K1-1.008	25/1			62-342.500	24/36		
61K1-1.009	25/1			62-342.550	24/36		
61K1-1.010	25/1			62-342.600	24/36		
61K1-1.011	25/1			62-342.650	24/36		
61K1-1.012	25/1	25/34		62-342.700	24/36	24/45	
61K1-1.013	25/1	25/34		62-342.750	24/36		
61K1-1.017	25/1			62-342.800	24/36		
61K1-1.018	25/1			62-342.850	24/36		
61K1-1.019	25/1	25/34		62-342.900	24/36		
61K1-1.023	25/1			62-343	21/34c		
61K1-1.030	25/1			62-343.010	21/22		
61K1-1.035	25/1			62-343.020	21/22		
61K1-1.037	25/1	25/34		62-343.030	21/22		
61K1-1.040	25/1			62-343.040	21/22		
61K1-1.042	25/1			62-343.050	21/22		
61K1-1.070	25/1	25/34		62-343.060	21/22		
61K1-1.080	25/1			62-343.070	21/22		
				62-343.080	21/22		
				62-343.090	21/22		
				62-343.100	21/22		
				62-343.110	21/22		
				62-343.120	21/22		
				62-343.130	21/22		
				62-343.140	21/22		
				62-343.900	21/22		
				62-520.100	22/11c		
			25/37	62-524.400	20/45		
				62-528	21/6c		
					21/6c		
				62-550.200	22/11c		
					25/30		25/37
62-4.050	20/21	21/22					
62-4.090	21/6c						
62-17.151	24/45	24/45					
62-17.161	24/45	24/45					
62-160	22/12c						
62-204.800	22/12c						
	25/31						
62-210.200	22/12c						
62-210.300	21/6c						
62-210.900(1),(5)	22/12c						
62-210.990	20/36						
62-212.400(6)	22/12c						

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62-550.310	20/47			62-620.100	22/11c		
62-550.730	20/19				22/12c		
62-550.824	25/30		25/37	62-620.325	22/11c		
62-551	22/12c				22/12c		
	22/42c			62-620.330	22/11c		
62-551.200	22/11c			62-620.335	22/11c		
62-555	22/12c			62-620.400	22/11c		
	22/42c			62-620.410	22/11c		
62-555.330	25/30		25/37	62-620.412	22/11c		
62-555.335	25/30		25/37	62-620.420	22/11c		
62-555.345	25/30		25/37	62-620.425	22/11c		
62-555.357	25/30		25/37	62-620.435	22/11c		
62-555.520	25/30		25/37	62-620.440	22/11c		
62-555.525	25/30		25/37	62-620.445	22/11c		
62-555.527	25/30		25/37	62-620.450	22/11c		
62-555.900	25/30		25/37	62-620.455	22/11c		
62-560	22/12c			62-620.460	22/11c		
	22/42c			62-620.510	22/11c		
62-561.100	24/52			62-620.511	22/11c		
62-600	22/12c			62-620.512	22/11c		
	22/42c			62-620.515	22/11c		
62-601	22/12c			62-620.550	22/11c		
	22/42c			62-620.610	22/11c		
62-602.200	25/37			62-620.620	22/11c		
62-602.250	25/37			62-620.800	22/11c		
62-602.300	25/37			62-620.810	22/11c		
62-602.350	25/37			62-620.820	22/11c		
62-602.400	25/37			62-621	22/12c		
62-602.450	25/37				22/42c		
62-602.500	25/37			62-621.200	21/52		
62-602.530	25/37			62-650	22/12c		
62-602.550	25/37				22/42c		
62-602.560	25/37			62-650.120	22/11c		
62-602.570	25/37			62-660	22/12c		
62-602.580	25/37				22/42c		
62-602.600	25/37			62-660.300	22/11c		
62-602.650	25/37			62-670	22/12c		
62-602.700	25/37				22/42c		
62-602.710	25/37			62-671	22/12c		
62-602.720	25/37				22/42c		
62-602.750	25/37			62-673	22/12c		
62-602.800	25/37				22/42c		
62-602.850	25/37				22/42c		
62-602.870	25/37			62-701	22/12c		
62-602.900	25/37				22/42c		
62-603	22/12c			62-701.720	22/11c		
	22/42c			62-702	22/12c		
62-604	22/12c				22/42c		
	22/42c			62-703	22/12c		
62-610	25/5c				22/42c		
62-610.814	24/52			62-704	22/12c		
62-611	22/12c				22/42c		
	22/42c			62-707	22/12c		
62-620	22/12c				22/42c		
	22/42c			62-707.500	22/30		

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62-709	22/12c 22/42c			62-773.350(9),(10) 62-775	22/42c 22/12c 22/42c		
62-710	21/18c 22/12c 22/42c			62-775.100 62-775.400	22/23c 22/23c		
62-711	22/12c 22/42c			62-775.410 62-775.500	22/23c 21/52	22/15	
62-712.100	21/34			62-788.400	25/5		
62-712.200	21/34			62B-33.002	22/25c		
62-712.300	21/34			62B-33.005	22/25c		
62-712.400	21/34			62B-33.0051	22/25c		
62-712.410	21/34			62B-49	21/34c		
62-712.420	21/34			62D-2.013	25/37	25/43	
62-712.430	21/34			62D-2.014	21/52 25/37	22/13	
62-712.440	21/34						
62-712.450	21/34			62N-3.002	21/43		
62-712.460	21/34			62N-22.005	24/33 24/45c	25/15	
62-712.500	21/34						
62-712.800	21/34			62N-22.005(1), (2),(3),(5)	24/45c		
62-712.810	21/34			62N-22.023	23/2c		
62-712.900	21/34			62N-36.004	21/43		
62-722	22/12c 22/42c			62Q-16.001	25/44		
62-723	22/12c 22/42c			62Q-16.002	25/44		
62-728	22/11c			62Q-16.004	25/44		
62-730.020	25/36			62Q-16.005	25/44		
62-730.021	25/36			62Q-16.006	25/44		
62-730.030	25/36			62Q-16.007	25/44		
62-730.050	23/7			62Q-16.009	25/44		
62-730.160	25/36			62Q-16.010	25/44		
62-730.170	25/36			62Q-16.301	25/44		
62-730.180	25/36			62R-7.002	21/17		
62-730.181	25/36			62R-7.010	23/34		
62-730.183	25/36			62R-7.020	21/17		
62-730.184	25/36			62R-7.022	21/17		
62-730.185	25/36			62R-7.025	21/17		
62-730.220	25/36			62R-7.026	21/17		
62-737.400	25/41			62R-7.028	21/17 22/47		
62-737.840	25/41			62R-7.032	21/17		
62-740	21/45c			62S-1.100	25/36		
62-761	22/12c 22/42c 24/22c			62S-1.200	25/36		
62-761.891	24/14			62S-1.400	25/36		
62-762	22/12c 22/42c			62S-1.450	25/36		
62-767	22/12c 22/42c			62S-1.600	25/36		
62-769.800	25/36		25/43w	62S-1.620	25/36		
62-769.900	25/36		25/43w	62S-1.640	25/36		
62-770	22/12c 22/42c						
62-771	22/12c 22/42c			64B-1.009	25/39		
62-771.300	21/52			64B1-1.0035	25/36		25/43
				64B1-2.017	25/39		
				64B1-4.001	25/35		25/43
				64B1-5.003	25/39		
				64B1-6.100	25/39		

HEALTH



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64B2-17.0045	25/30		25/37	64B7-28.008	25/43		
64B3-2.001	23/51			64B7-28.009	25/29		25/37
64B3-2.002	22/34	24/49		64B7-28.010	25/29		25/37
64B3-2.003	22/34	24/49			25/36		25/43
	25/36			64B7-29.001	25/29		25/42
64B3-3.001	25/36			64B7-30.002	25/43		
64B3-3.002	25/36			64B7-30.007	25/43		
64B3-3.003	23/51			64B7-31.001	25/43		
64B3-3.004	23/51			64B8-3.001	25/33		
64B3-3.7001	24/22c			64B8-3.002	25/33	25/43	
64B3-4.001	25/36			64B8-3.003	25/33	25/43	
64B3-5.008	25/36			64B8-4.011	25/30		25/40
64B3-6.001	25/38			64B8-4.020	25/30		25/40
64B3-7.007	25/38			64B8-4.021	25/30		25/40
64B3-8.003	25/36			64B8-5.001	25/33		
64B3-8.004	25/36			64B8-5.002	25/33		
64B3-8.005	25/36			64B8-5.003	25/33		
64B3-9.001	25/36			64B8-5.004	25/33		
64B3-9.004	25/36			64B8-7.002	25/33	25/43	
64B3-9.006	25/36			64B8-8.001	25/43		
64B3-9.013	25/36			64B8-9.009	25/3	25/16	
64B3-10.005	25/38					25/24	
64B3-11.001	25/36					25/33	
64B3-11.002	25/36			64B8-9.009(1)-(6)	25/33c		
64B3-11.003	25/36			64B8-9.013	25/34	25/44	
64B3-11.004	25/36			64B8-11.0015	25/37		
64B3-13.004	25/38			64B8-13.006	25/33		25/42
64B4-3.001	25/22			64B8-30.008	25/43		
64B4-3.0035	25/32			64B9-3.002	25/40		
64B4-4.002	25/32		25/41	64B9-3.007	25/9		
	25/32			64B9-3.014	25/40		
64B4-4.017	25/32		25/41	64B9-4.009	25/29		
	25/32			64B9-6.001	25/29		
64B4-4.018	25/32		25/41	64B9-6.003	25/29		
	25/32			64B10-15.0021	25/11	25/35	
64B4-5.007	25/32		25/41			25/39	
	25/32			64B11-2.010	25/30		25/37
64B4-6.0013	25/32		25/41	64B11-4.003	25/26	25/43	
	25/32			64B11-5.001	25/30		25/37
64B4-6.0045	25/32		25/41	64B11-5.0065	25/25	25/43	
	25/32			64B14-3.001	25/34		25/41
64B4-7.002	24/7c			64B14-4.001	25/34		25/43
64B5-2.013	25/38			64B14-4.100	25/34		25/43
64B5-12.0175	25/31		25/38	64B14-4.110	25/34		25/43
64B5-17.002	25/36			64B15-14.0015	25/32		25/40
64B5-17.006	25/36			64B15-15.002	25/11		25/38w
64B6-5.001	25/20	25/31	25/37	64B16-27.220	25/38		
64B6-5.002	25/20	25/31	25/37	64B16-28.1035	25/22		25/37
64B7-25.0011	25/43			64B16-28.118	25/30		25/37
64B7-25.0012	25/43			64B16-28.140	24/38		
64B7-26.002	25/43			64B16-28.6021	25/22	25/31	25/37
64B7-26.003	25/36		25/43	64B16-28.850	25/22		25/37
64B7-26.005	25/43			64B18-23.001	25/27		
64B7-27.002	25/18	25/33	25/40	64B20-2.004	25/43		
64B7-27.004	25/36			64B20-3.011	25/43		
64B7-27.012	24/12			64B20-6.001	25/43		

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64B24-3.004	25/34		25/44	65A-2.032	25/41		
64B24-3.005	25/34		25/44	65A-2.033	25/41		
64B24-3.007	25/34		25/44	65A-2.034	25/41		
64B24-3.016	25/34		25/44	65A-2.035	25/41		
64B24-6.005	25/6		25/43w	65A-2.036	25/41		
64C-13.018	24/22			65A-4.201(3)	24/19c		
64D-3.006		24/33 24/38		65A-4.213	25/3	25/15	25/40
64E-1	25/5c			65A-4.216	25/6		25/40
64E-2.001	25/44				25/32		
64E-2.003	25/44			65A-4.301	24/48	25/5	25/44
64E-2.004	25/44					25/16	25/44
64E-2.013	25/44					25/24	25/44
64E-2.015	25/44					25/36	25/44
64E-2.017	25/44			65A-24.012	25/25		25/38
64E-2.0175	25/44			65A-24.013	25/25		25/38
64E-2.023	25/44			65A-24.014	25/25		25/38
64E-2.024	25/44			65A-24.015	25/25		25/38
64E-2.025	25/44			65A-24.016	25/25		25/38
64E-2.026	25/44			65A-24.017	25/25		25/38
64E-2.027	25/44			65A-24.018	25/25		25/38
64E-2.028	25/44			65A-24.019	25/25		25/38
64E-2.029	25/44			65A-24.020	25/25		25/38
64E-2.031	25/44			65A-24.023	25/25		25/38
64E-2.034	25/44			65A-24.024	25/25		25/38
64E-3.001	25/28	25/31	25/42	65A-33.001	25/43		
64E-3.008	25/28		25/42	65A-33.003	25/43		
64E-8.001	25/39			65A-33.004	25/43		
64E-8.002	25/39			65A-33.005	25/43		
64E-8.003	25/39			65A-33.006	25/43		
64E-8.004	25/39			65A-33.007	25/43		
64E-8.006	25/39			65A-33.008	25/43		
64E-8.009	25/39			65A-33.011	25/43		
64E-8.012	25/39			65B-5.003	25/24		25/38
64E-19.001	25/38			65C-1.001	25/32		25/39w
64E-19.002	25/38			65C-1.002	25/32		25/39w
64E-19.003	25/38			65C-1.003	25/32		25/39w
64E-19.004	25/38			65C-1.004	25/32		25/39w
64E-19.005	25/38			65C-1.005	25/32		25/39w
64E-19.006	25/38			65C-1.006	25/32		25/39w
64E-19.007	25/38			65C-1.014	25/32		25/39w
64E-19.008	25/38			65C-20.009	25/41		
64F-2.005	25/24	25/31	25/43w	65C-20.011	25/41		
CHILDREN AND FAMILY SERVICES				65C-20.013	25/41		
				65C-20.013	25/41		
				65C-21.001	23/20		
				65C-22.001	25/41		
65A-1.400	25/21c			65C-22.003	25/41		
65A-1.519	25/39			65C-22.005	25/41		
65A-1.705	25/31			65C-22.006	25/41		
65A-1.716	25/36			65C-25.001	25/41		
65A-1.720	25/30		25/44	65C-25.002	25/41		
65A-1.725	25/38			65C-25.003	25/41		
65A-1.900	25/19	25/37 25/44		65C-25.004	25/41		
65A-2.022	25/41			65C-25.005	25/41		
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				65C-25.007	25/41		

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FLORIDA HOUSING FINANCE CORPORATION				67-39.008	25/27		25/41
67-21.002	25/27	25/35	25/44	67-39.010	25/27	25/36	25/41
67-21.003	25/27	25/35	25/44	67-39.011	25/27		25/41
		25/39	25/44	67-39.012	25/27		25/41
67-21.0035	25/27	25/35	25/44	67-39.014	25/27		25/41
67-21.004	25/27	25/35	25/44	67-39.015	25/27		25/41
67-21.0045	25/27		25/44	67-45.001	25/38		
67-21.005	25/27		25/44	67-45.002	25/38		
67-21.006	25/27	25/35	25/44	67-45.003	25/38		
67-21.007	25/27	25/35	25/44	67-45.004	25/38		
67-21.008	25/27		25/44	67-45.006	25/38		
67-21.009	25/27		25/44	67-46.001	25/38		
67-21.010	25/27		25/44	67-46.002	25/38		
67-21.011	25/27	25/35	25/44	67-46.003	25/38		
67-21.012	25/27		25/44	67-46.006	25/38		
67-21.013	25/27	25/35	25/44	67-46.001	25/35		
67-21.014	25/27	25/35	25/44	67-48.002	25/35		
67-21.015	25/27	25/35	25/44	67-48.003	25/35		
67-21.016	25/27	25/35	25/44	67-48.004	25/35		
67-21.017	25/27	25/35	25/44	67-48.005	25/33c		
67-21.018	25/27		25/44		25/35		
67-21.019	24/46	24/46		67-48.006	25/35		
	25/27	25/35	25/44	67-48.007	25/35		
67-32.002	25/35			67-48.008	25/35		
67-32.003	25/35			67-48.009	25/35		
67-32.004	25/35			67-48.0095	25/35		
67-32.005	25/35			67-48.010	25/35		
67-32.006	25/35			67-48.0105	25/35		
67-32.007	25/35			67-48.012	25/35		
67-32.008	25/35			67-48.013	25/35		
67-32.009	24/28			67-48.014	25/35		
67-32.010	25/35			67-48.015	25/35		
67-32.011	25/35			67-48.017	25/35		
67-37.002	25/37			67-48.018	25/35		
67-37.003	25/37			67-48.019	25/35		
67-37.004	25/37			67-48.020	25/35		
67-37.005	25/37			67-48.0205	25/35		
67-37.006	25/37			67-48.021	25/35		
67-37.007	25/37			67-48.022	25/35		
67-37.008	25/37			67-48.023	25/35		
67-37.009	25/37			67-48.025	25/35		
67-37.010	25/37			67-48.026	25/35		
67-37.011	25/37			67-48.027	25/35		
67-37.013	25/37			67-48.028	25/35		
67-37.014	25/37			67-48.029	25/35		
67-37.015	25/37			67-48.030	25/35		
67-37.016	25/37			67-48.031	25/35		
67-37.017	25/37			67-48.032	25/35		
67-37.018	25/37			FISH AND WILDLIFE CONSERVATION COMMISSION			
67-39.002	25/27	25/36	25/41	68A-12.007	25/35	25/43	
67-39.003	25/27		25/41	68A-14.001	25/35	25/44	
67-39.004	25/27	25/36	25/41	68A-15.005	25/35	25/43	
67-39.005	25/27		25/41	68A-15.006	25/35	25/43	

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68A-15.0062	25/35	25/43		68B-16.003	25/35		25/42w
68A-15.0063	25/35			68B-30.0025	25/36		25/44
68A-15.0064	25/35			68B-31.005	25/35	25/42	
68A-15.0065	25/35	25/43		68B-31.006	25/35	25/42	
68A-25.006	25/35			68B-31.007	25/35	25/42	
68BER99-1			25/32	68B-31.008	25/35	25/42	
68B-4.002	25/35	25/42		68B-31.009	25/35	25/42	
68B-4.0081	25/35	25/42		68B-31.0135	25/35	25/42	
68B-5.004	25/35		25/42w	68B-33.002	25/30		25/36
68B-6.003	25/35	25/42		68B-33.003	25/30		25/36
68B-12.002	25/36		25/42w	68B-33.004	25/30		25/36
68B-12.0035	25/36		25/44	68B-39.0047	25/35	25/42	
68B-12.004	25/36		25/42w	68B-40.001	25/35	25/43	
68B-14.001	25/35	25/43		68B-40.002	25/35	25/43	
68B-14.002	25/35	25/43		68B-40.003	25/35	25/43	
68B-14.0035	25/35	25/43		68B-40.004	25/35	25/43	
68B-14.0036	25/35	25/43		68B-40.005	25/35	25/43	
	25/38		25/44				
68B-14.0038	25/44						