

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

Table with 2 columns: RULE TITLES and RULE NOS.:
Special Programs for Students who are Homebound or Hospitalized 6A-6.03020
Special Programs for Students with Disabilities Who are Served in Homebound or Hospitalized Settings 6A-6.030201
Development of Individual Educational Plans for Exceptional Students 6A-6.03028
Development of Family Support Plans for Children with Disabilities Ages Birth Through Five Years 6A-6.03029
Procedural Safeguards for Children Ages Birth Through Two Years with Disabilities 6A-6.03032
Identification and Assignment of Exceptional Students to Special Programs 6A-6.0331
Procedural Safeguards for Exceptional Students Discipline Procedures for Students with Disabilities 6A-6.03312
Procedural Safeguards for Students who are Gifted 6A-6.03313
Special Programs and Procedures for Exceptional Students 6A-6.03411

PURPOSE AND EFFECT: The purpose of the proposed rule developments is to propose changes to the State Board of Education rules to align them with the Individuals with Disabilities Education Act, 1997, to meet federal requirements.

SUBJECT AREA TO BE ADDRESSED: Provisions for exceptional students.

SPECIFIC AUTHORITY: 229.053(1), 230.23(4)(m), 236.081(1)(c) FS.

LAW IMPLEMENTED: 228.041(18)(19), 229.053(2)(c), 230.23(4)(m) FS.

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

TIME AND DATE: 9:00 a.m. - 12:30 p.m., January 5, 2000

PLACE: The workshops will be held simultaneously at the following locations:

- Doubletree Hotel, 4500 West Cypress Street, Tampa, Florida
Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida
Room 1703, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shan Goff, Bureau Chief, Bureau of Instructional Support and

Community Services, Department of Education, 325 West Gaines Street, Room 614, Tallahassee, Florida 32399-0400, (850)488-1570

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

DEPARTMENT OF EDUCATION

Board of Regents

Table with 2 columns: RULE TITLE and RULE NO.:
Admissions 6C-6.001

PURPOSE AND EFFECT: The Board proposes amendments relating to the criteria for admission of students to the State University System and to enrollment policies in the State University System.

SUBJECT AREA TO BE ADDRESSED: Admission of Students; State University System Enrollment Policies.

SPECIFIC AUTHORITY: 240.209(1) FS.

LAW IMPLEMENTED: 240.209(1),(3)(s), 240.227(8), 240.233, 240.2097, 240.529 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary-Anne Bestebeurtje, Corporate Secretary, Florida Board of Regents, 1522 Florida Education Center, Tallahassee, Florida 32399-1950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE, IN HARD COPY OR ELECTRONIC FORMAT, AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF EDUCATION

Board of Regents

Table with 2 columns: RULE TITLE and RULE NO.:
Entering or Transferring Graduate Students and Post-Baccalaureate Professional Students 6C-6.003

PURPOSE AND EFFECT: The Board proposes amendments relating to the criteria for admission of Graduate and Professional students to the State University System.

SUBJECT AREA TO BE ADDRESSED: Admission of Graduate and Professional Students.

SPECIFIC AUTHORITY: 240.209(1) FS.

LAW IMPLEMENTED: 240.209(1), 240.227(8), 240.233 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1522 Florida Education Center, Tallahassee, Florida 32399-1950

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE, IN HARD COPY OR ELECTRONIC FORMAT, AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Toll Enforcement
 RULE CHAPTER NO.: 14-100
 RULE TITLES: Training and Qualification Standards for Toll Enforcement Officers
 RULE NOS.: 14-100.001
 Prosecution of Unpaid Toll Violations 14-100.002

PURPOSE AND EFFECT: The rule chapter is being expanded in scope from "Training and Qualification Standards for Toll Enforcement Officers" to "Toll Enforcement" to include a new rule on the prosecution of unpaid toll violations.

SUBJECT AREA TO BE ADDRESSED: This is an amendment of Rule Chapter 14-100, which includes expanding the scope of the chapter, amending the chapter title, and adding a new rule on the prosecution of unpaid toll violations.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 316.1001, 334.044(28), 334.187, 338.155, 338.165, 338.231 FS.

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

TIME AND DATE: 11:00 a.m., December 28, 1999

PLACE: Florida's Turnpike Operations Center, Conference Room A, Mile Post 65, Pompano Service Plaza, Pompano Beach, Florida 33069

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:

14-100.001 Training and Qualification Standards for Toll Enforcement Officers.

(1) Application and Scope. The purpose of this rule is to establish minimum training and qualification standards for toll enforcement officers. These standards shall be the minimum requirements necessary for eligibility to be a toll enforcement officer, who is authorized to issue uniform traffic citations for a failure to pay tolls on a toll facility owned or operated by a

governmental entity, as defined in Section 334.03(12), Florida Statutes. The governmental entity operating a toll facility may establish more stringent requirements ~~in addition to these requirements~~, for its toll enforcement officers. These rules also establish the procedures for the use of toll cards on toll facilities operated by the Department.

(2) Compliance. Compliance with the rule standards shall be the responsibility of the respective governmental entity which operates the toll facility.

(3) Minimum Training. Toll enforcement officers shall successfully complete the following:

(a) A training course with the Department of Highway Safety and Motor Vehicles on the procedures for issuance of uniform traffic citations.

(b) A minimum of 40 hours of technical instruction on how to access, operate, and maintain the violation enforcement system. The components of the training shall include, at a minimum, equipment configuration and operation.

(4) Minimum Qualifications. The following minimum qualifications shall be applicable to toll enforcement officers:

(a) Applicants for positions as Toll enforcement officers shall, through their education and work experience record, demonstrate to the satisfaction of the hiring governmental entity that ~~they the applicant~~ possesses the following abilities:

1. The ability to collect and evaluate data related to a violation enforcement system; and

2. The ability to understand and apply applicable agency, evidentiary, and violation enforcement system rules, regulations, policies, and procedures.

(b) Toll enforcement officers shall have visual acuity correctable to 20/20.

(c) Toll enforcement officers must:

1. Be certified pursuant to Section 943.13, Florida Statutes, and Chapter 11B-27, ~~F.A.C. Florida Administrative Code~~; or

2. Meet the requirements of Sections 943.13(1)-(4), Florida Statutes; and

3. Have a good moral character, as described in ~~under~~ Section 943.13(7), Florida Statutes, and Rule 11B-27.0011(2), (4)(a), (b), and (c)1.-6., and (d), ~~F.A.C. Florida Administrative Code~~ (Amended 1-2-97), as determined by a background investigation meeting the requirements of Rule 11B-27.0022(1) and (2), ~~F.A.C. Florida Administrative Code~~ (Amended 1-2-97). The foregoing rules are incorporated herein by reference.

Specific Authority 334.044 (2) FS. Law Implemented 316.1001, 316.640(1)(b) FS. History--New 10-21-97, Amended _____.

14-100.002 Prosecution of Unpaid Toll Violations.

(1) Application and Scope. The purpose of this rule is to deter violations of Section 316.1001, Florida Statutes, and to provide guidance to the Department for the issuance of a Toll Violation Warning (TVW) and Uniform Traffic Citation (UTC).

(a) It is in the public interest, fair to users who pay posted tolls, and necessary for toll collection and bond accountability, to enforce the payment of tolls and reduce the number of toll violations which occur when prescribed tolls are not paid by users of toll facilities. Failure to pay a prescribed toll is a violation of Section 316.1001, Florida Statutes. Violators are subject to issuance of a UTC by the Department. However, the Department shall attempt to deter violations by issuing a TVW prior to the issuance of the first UTC.

(b) The Department shall attempt to deter violations of Section 316.1001, Florida Statutes, and collect tolls for all toll facilities which the Department owns or operates. However, the Department reserves the right to suspend enforcement at one or more facilities without impact on the remaining facilities for reasons which may include, but are not limited to, a new facility becoming a part of the system.

(c) Violations of Section 316.1001, Florida Statutes, are punishable as a noncriminal moving traffic infraction under Section 318.18, Florida Statutes.

(d) After exhausting all internal Department Sunpass™ database records, the license plate number of the motor vehicle alleged to have committed a toll violation shall be forwarded to the Florida Department of Law Enforcement or the Department of Highway Safety and Motor Vehicles to obtain the name and address of the registered owner for use in prosecution of toll violations. In the case of joint ownership of the motor vehicle, the TVW or UTC shall be mailed to the first name appearing on the motor vehicle registration.

(2) Issuance of a TVW.

(a) In accordance with the *Violation Enforcement Procedures Manual*, (11/99), the first registered owner of a vehicle failing to pay a prescribed toll shall be issued a TVW, Form SP050-A-001, Rev. 11/99. The *Violation Enforcement Procedures Manual*, (11/99), is incorporated herein by reference. Copies of the manual may be obtained, at no more than cost, from the Department of Transportation, Toll Violation Enforcement, Post Office Box 880069, Boca Raton, Florida 33488-0069.

(b) A TVW for failure to pay a prescribed toll shall be issued based upon either:

1. The photographic image of the motor vehicle; or
2. A written report by a Toll Enforcement Officer of the facts and circumstances of the observed violation;

(c) A Department Toll Enforcement Officer shall issue a TVW by first class mail to the address of the registered owner of the motor vehicle alleged to be involved in the violation.

(d) Unless the TVW is based upon a written report of a visually observed occurrence, the TVW shall contain the photographic image of the violating vehicle captured by the Department's Violation Enforcement System's (VES) camera at the toll lane, and shall include the date and location of the violation, and any other pertinent information.

(3) Issuance of a UTC.

(a) In accordance with the *Violation Enforcement Procedures Manual*, (11/99), except when issued a TVW, as provided in Rule 14-100.002(2), the registered owner of a vehicle failing to pay a prescribed toll shall be subject to issuance of a UTC for a violation of Section 316.1001, Florida Statutes. The UTC shall be sent by certified U.S. mail to the address of the registered owner of the motor vehicle involved in the violation. The UTC shall be issued within 14 days of the alleged violation, in accordance with the *Florida Uniform Traffic Citation Procedures Manual* and Section 316.1001(1)(b), Florida Statutes. The *Florida Uniform Traffic Citation Procedures Manual* is hereby incorporated by reference. Copies of the manual are available at no more than cost from the Department of Highway Safety and Motor Vehicles, Room A325, Crash Records, 2900 Apalachee Parkway, Tallahassee, Florida 32399.

(b) A photographic image of a vehicle using a toll facility in violation of Section 316.1001, Florida Statutes, captured by the VES camera at the toll lane, shall be grounds for issuance of a UTC to the registered owner of the motor vehicle alleged to be involved in the violation.

(c) An Observed Violation Form, Form SP050-A-004, Rev. 11/99, from a Toll Enforcement Officer consisting of the written account of the Toll Enforcement Officer's observed facts and circumstances indicating that a prescribed toll was not paid shall be grounds for issuance of a UTC.

(d) The registered owner of the motor vehicle involved in the violation is responsible for payment of the amount provided for in Section 318.18, Florida Statutes, in addition to any amount that may be imposed as a result of pleading guilty or which may be otherwise imposed by the court, unless the owner establishes, to the court's satisfaction, that the motor vehicle was not in his or her care, custody, or control. Such fact must be established in accordance with Rule 14-100.002(5)(c).

(4) Validation of Digital Photographic Evidence.

(a) In accordance with the *Violation Enforcement Procedures Manual*, (11/99), the Department's Toll Enforcement Officer(s), or his or her designee, shall review captured photographic images of vehicle license plates to ensure accuracy and data integrity. The Toll Enforcement Officer(s), or designee, shall also verify that the toll collection and VES were performing properly, was functional, and was in operation at the time of the alleged toll violation. The Toll Enforcement Officer(s), or designee, shall review the transaction data to ensure that those transactions immediately prior and subsequent to the alleged toll violation transaction

were processed correctly. Such information shall be recorded on a Toll Transaction Report, Form SP050-A-005, Rev. 11/99, and shall be used in the processing of the UTC and in any judicial proceeding. The final decision of validation and the issuance of a UTC shall be made by the Toll Enforcement Officer (s).

(5) Response to a TVW or UTC.

(a) The TVW shall inform the registered owner that the vehicle registered in his or her name was observed failing to pay a required toll, and warn the registered owner that failure to pay prescribed tolls may result in the issuance of a Uniform Traffic Citation. There is no required response by the registered owner to a TVW.

(b) The UTC shall inform the registered owner that the vehicle registered in his or her name was observed failing to pay a required toll, and provide the registered owner of the options to pay a fine, in the event of noncontest of the UTC, and instruction on how to contest the UTC.

(c) Upon receipt of a UTC, the registered owner of the motor vehicle involved in the violation is responsible for payment of the amount provided for in Section 318.18, Florida Statutes, in addition to any amount that may be imposed as a result of pleading guilty or which may be otherwise imposed by the court, unless the owner can establish the motor vehicle was, at the time of violation, in the care, custody, or control of another person. In order to establish such facts, the registered owner of the motor vehicle is required to appear before the court and complete a sworn affidavit.

1. The Department will make the affidavit, Form SP050-A-03, Rev. 11/99, available to the court. Should the court choose not to use the affidavit, Form SP050-A-03, Rev. 11/99, the court will provide an appropriate affidavit form.

2. Should the court accept the affidavit, the UTC will be dismissed against the owner. In accordance with the court's policies and procedures, as appropriate, the UTC may be amended for issuance to the individual who was in the care, custody, or control of the vehicle.

(6) Forms. The following forms are incorporated by reference and made a part of this rule:

Form Number	Date	Title
SP050-A-001	11/99	Toll Violation Warning
SP050-A-002	11/99	Uniform Traffic Citation
SP050-A-003	11/99	Affidavit
SP050-A-004	11/99	Toll Enforcement Officer Observed Violation Form
SP050-A-005	11/99	Toll Transaction Report

Copies of these forms may be obtained from the Florida Department of Transportation, Toll Violation Enforcement, Post Office Box 880069, Boca Raton, Florida 33488-0069.

Specific Authority 334.044(2) FS. Law Implemented 316.1001, 334.044(28), 338.155, 338.165, 338.231 FS. History--New.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

RULE TITLES:	RULE NOS.:
Definitions	14B-1.001
Port Project Funding Application Procedures and Requirements	14B-1.002
Measuring Economic Benefits	14B-1.003
Determination of Funding;	
Council/Agency Review	14B-1.004
Council Procedures	14B-1.005
Eligible Port Funding Requirements	14B-1.006
Reporting Requirements	14B-1.007

PURPOSE AND EFFECT: The purpose of the proposed amendments to the rule is to update the application procedures and Council operating procedures due to the amendments to Chapter 311, Florida Statutes, and sections 320.20(3) and (4), Florida Statutes. The effect of the proposed rule is to change the procedures for seaport funding applications.

SUBJECT AREA TO BE ADDRESSED: Florida Seaport Transportation and Economic Development (FSTED) Council project funding application procedures and requirements, and FSTED Council operating procedures.

SPECIFIC AUTHORITY: 311.09(4), 120.536 FS.

LAW IMPLEMENTED: 311.07, 311.09, 315.02, 320.20(3), 320.20(4) 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., January 7, 2000

PLACE: 315 South Calhoun Street, Suite 712, Tallahassee, FL 32301

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise Jim Massie, (850)222-8021, at least 5 calendar days before the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Massie, General Counsel, Florida Seaport Transportation and Economic Development Council, Massie & Scott, P. O. Box 10371, Tallahassee, FL 32302, (850)222-8021

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14B-1.001 Definitions.

(1) "Council" means the Florida Seaport Transportation and Economic Development Council as provided in s. 311.09(1), F.S.

(2) "Program Funds" are those funds identified in s. 311.07(2), F.S., derived from the State Transportation Trust Fund and funds derived from the provisions of ss. 320.20(3)

~~and (4), F.S. "Trust Fund" means the Florida Seaport Transportation and Economic Development Trust Fund as provided in s. 311.07(2), F.S.~~

(3) "Eligible Port" means deepwater ports listed in s. 403.021(9)(b), F.S., which are governed by a public body, or any other deepwater port which is governed by a public body which complies with the water quality provisions of s. 403.061, F.S., the comprehensive master plan requirements of s. 163.3178(2)(k), F.S., the local financial management and reporting provisions of Part III of Chapter 218, F.S., and the auditing provisions of s. 11.45(3)(a)(4), F.S.

(4) "Port Transportation Project" means:

(a) Transportation facilities within the jurisdiction of the port; or

(b) The dredging or deepening of channels, turning basins, or harbors; or

(c) The construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing; or

(d) The acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in international commerce; or

(e) The acquisition of land to be used for port purposes; or

(f) The acquisition, improvement, enlargement, or extension of existing port facilities; or

(g) Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; defined in s. 376.22, F.S.; or which result from the funding of eligible projects listed herein; or

(h) Transportation facilities as defined in s. 334.03(27), F.S., which are not otherwise part of the Department of Transportation's adopted work program; ~~or -~~

(i) Seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3), F.S.

(5) "Port Master Plan" means a comprehensive master plan prepared by each eligible deepwater port ~~listed in s. 403.021(9), F.S.~~, which addresses existing port facilities and any proposed expansions and which adequately addresses the applicable requirements of s. 163.3178(2)(k), F.S., or other provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163.

(6) "Florida Seaport Mission Plan" means the mission statement developed by the Council which defines the goals and objectives of the Council concerning the development of port facilities and an intermodal transportation system. The five year plan shall be updated annually and shall include

specific recommendations for the construction of intermodal transportation projects which connect a port to another transportation mode and port transportation projects which enhance international commerce and provide economic benefits to the state.

(7) "Matching Funds" for an approved port transportation project other than seaport intermodal access projects are those funds provided by the eligible port from any source other than the Florida Department of Transportation which shall, at a minimum, be an amount equal to the program funds ~~each~~ contribution provided by the Trust Fund to fund the approved project. "Matching Funds" for seaport intermodal access projects as described in s. 341.053(5), F.S., that are identified in the Seaport Mission Plan shall be as mutually determined by the Council and the Department of Transportation, provided a minimum of 25 percent of total project funds shall come from any port funds, local funds, private funds, or specifically earmarked federal funds. "Matching Funds" for seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors; or the rehabilitation of wharves, docks, or similar structures shall be 25 percent of the total project funds coming from any port funds, federal funds, local funds, or private funds.

(8) "Approved Project" means a port transportation project which has been determined by the Department of Community Affairs to be consistent, to the maximum extent feasible, with an approved local government comprehensive plan and with the port master plan; determined by the Department of Transportation to be consistent with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program; and determined by the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ to be consistent with the Florida Seaport Mission Plan and to have an economic benefit to the state.

(9) "Eligible Costs" means costs that may be incurred and paid by program funds ~~funds from the Trust Fund~~. Eligible costs include: design and engineering, permitting costs, environmental mitigation, construction of the port transportation project, security, right-of-way acquisition, relocation of electrical utilities, drainage, railroad spurs, water lines, sewer lines, ~~and~~ other infrastructure costs associated with construction of the port transportation project; ~~and the acquisition of trade data information products.~~ Eligible costs may include improvements or fixtures constructed or placed on leased property so long as the useful life of the improvements or fixtures is equal to or less than the length of the lease, or so long as the improvements or fixtures remain under the control and use of the port after the termination of the lease. Costs associated with preparation of the application or administration of the project fund are not eligible costs.

(10) “Acquisition” means the legal acquisition of real or personal property and may be by purchase, lease, gift, devise, grant, bequest, or eminent domain.

(11) “Existing Port Facilities” shall mean facilities, and improvements of every kind, nature, and description to property or facilities as defined in s. 311.07, F.S.

(12) “Trade Data Information Products” are products related to the purchase of information related to any or all of the following:

- (a) Market intelligence;
- (b) Economic activity;
- (c) Economic and natural resources;
- (d) Transportation infrastructure;
- (e) Navigational and shipping issues;
- (f) Environmental issues.

(13) “Material Project Modification” shall mean a modification to the facility or project that is reasonably expected to have the following impact:

- (a) Increases the cost of the facility or project by more than 10 percent of its original estimated cost;
- (b) Increases the capacity of heavy truck traffic, railcar, passenger car or changes in the configuration of internal roadways or rail lines by more than 5% of the capacity in the original estimate;
- (c) Leads to a new or substantially different type of facility or project, including any operational change or other changes that impact the reported level of service on any affected roadway; or
- (d) Any land acquisition.

Specific Authority 120.536, 311.09(4) FS. Law Implemented 311.07, 311.09, 315.02, 320.20 FS. History—New 12-19-90, Amended _____.

14B-1.002 Port Project Funding Application Procedures and Requirements.

(1) An application shall be accepted only from an eligible port. The port shall apply for the grant by submitting to the Council an application entitled "Florida Seaport Transportation and Economic Development Project Application", Form FSTED-1, hereby incorporated by reference, which contains five separate elements as described in (7) below. Applications shall be submitted by the appropriate duly authorized official of such port. ~~Beginning in 1991, The period for submitting applications for the applicable fiscal year funding shall be from January 1 to August 1 February 15 in each calendar year.~~ Application forms may be obtained from and completed applications submitted in five (5) copies to: Florida Seaport Transportation and Economic Development Council, P. O. Box 10137, Tallahassee, FL 32302; or, 315 South Calhoun Street, Suite 712, Tallahassee, FL 32301.

(2) The applicant must provide information in application format so that it may be determined whether the proposed port transportation project is consistent, to the maximum extent feasible, with an approved local government comprehensive

plan and port master plan. The applicant must provide its current updated port master plan both to the Council and to the Department of Community Affairs.

(3) The application must be accompanied by a drawing or map which depicts the port transportation project in relation to the port and the local community.

(4) The applicant must provide information in application format so that it may be determined whether the project provides an economic benefit and is consistent with the Florida Seaport Mission Plan.

(5) The applicant must provide information in application format so that it may be determined whether the project is consistent with the policies and needs contained in the Florida Transportation Plan.

(6) The Council will have fifteen (15) days from receipt of an application to examine the application and notify the applicant ~~in writing~~ of any apparent errors or omissions and to request any needed additional information. The applicant shall then have fifteen (15) days from receipt of the request to provide the additional information. The application shall not be considered to be properly completed if the additional information is not provided. If technical changes are necessary, the Council or Administrative Staff can make those changes with approval of the applicant port.

(7) The project information required to be submitted by the applicant port is contained in the application Form FSTED-1, consisting of the following five units or forms:

(a) Form A. The cover sheet summary of the Council's application contains the summary information: name of applicant, authorized representative, brief project description (project number, amount requested/fiscal year), plan information, economic benefit analysis, map/drawing, and signature of authorized official of the applicant port. Attached to Form A is a description of "Project Eligibility Requirements."

(b) Form B – Means of Financing. Incorporated herein by reference is a copy of Form B which requires a detailed description of the project, estimated number of years for project completion, phase or year of request, state funds requested, and source of port matching funds.

(c) Form C – Port Development Candidate File. Incorporated herein by reference is Form C which is a five year forecast of funding requests for capital improvements at the applicant port. If the port's total capital improvement program for the five year period is different than the five year forecast of funding requests, a description of the total five year capital improvement program should also be provided. This latter information will be used for the reporting requirements of the Florida Seaport Mission Plan.

(d) Form D – Plan Information. Incorporated herein by reference is Form D which requires information from the applicant port about its port master plan and local government comprehensive plan so that the Department of Community

Affairs may review the project to determine whether it is consistent to the maximum extent feasible with the local government comprehensive plan and the port master plan. The applicant must certify that both the Department of Community Affairs and the FSTED Council have a provide two (2) copies of its current updated port master plan of the port, when submitting the applications and, if not, include a copy with the application.

(e) Form E – Economic Benefit Analysis. Incorporated herein by reference is Form E which requires economic benefit information related to the project so that the Office of Tourism, Trade, and Economic Development Department of Commerce may determine whether the project provides an economic benefit to the state and is consistent with the Florida Seaport Mission Plan.

(f) Form F – Transportation Impact Information. Incorporated herein by reference is Form F which requires transportation impact information related to the project so that the Department of Transportation may determine the transportation impact to the state. Prior to submitting Form F to the Council, the port applicant is encouraged to submit the project description and Form F to the local government of jurisdiction upon whose transportation facility the proposed project would impact in order to highlight any possible transportation problems relating to level of service requirements.

(g) Form G – Status Report and Resubmittal of Previously Submitted Projects. Incorporated herein by reference is Form G which requires information related to the status of projects and resubmission of previously submitted project applications to the Council. Previously submitted projects that have a material project modification shall require new or additional project information to be submitted on forms A through F.

(8) All forms and form instructions are incorporated herein by reference and are available by writing to the address provided in subsection (1) above.

(9) The Council may will consider the submittal by an eligible port of an application for funding of an emergency project at any time during the calendar year. An emergency project is defined as a project which requires the maintenance or reconstruction of an eligible project which contributes to or enables the port to continue to perform an essential service at the same level of service which it has previously provided in the movement of cargo or passengers; or is a project which, because of changing circumstances, new opportunities, or a material project modification is considered by the Council to be an eligible project which can not wait until the next application period without causing harmful effects to the port or the citizens of the state.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History–New 12-19-90, Amended _____.

14B-1.003 Measuring Economic Benefits.

(1) The Council shall review each properly completed application to determine the economic benefit of the port transportation project measured by the potential for the proposed project to increase or maintain cargo flow, cruise passenger movement, international commerce, port revenues, and the number of jobs for the port's local community.

(2) The minimum criteria to be utilized by the Council in specifying and identifying a port transportation project as facilitating the economic benefit of Florida shall consist of satisfaction of the following:

(a) Each application must indicate the amount of the port's capital investment in the port transportation project and the source of port matching funds.

(b) Each application must provide a separate port analysis of how the port transportation project will support international commerce, increase or maintain cargo flow through the port or improve cruise passenger movements. The analysis must provide specific assumptions about demand for additional service or capacity on which the project is based; type of employment to include the average hourly wage that will be created by the project or reasons the port project is needed to support existing employment; expected life of the project; expected port revenue stream resulting from the project; and a description of how the port project will affect and enhance the local, regional and state economies. The applicant shall, upon request by the Council, provide any other economic impact information which would assist the Council and the Office of Tourism, Trade, and Economic Development Department of Commerce to determine the economic benefit of the port transportation project.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History–New 12-19-90, Amended _____.

14B-1.004 Determination of Funding; Council/Agency Review.

(1) The Council shall review and take action on approve or disapprove each project eligible for funding from the Trust Fund within one hundred twenty (120) days of the application deadline. After such determination, the Council shall annually submit to the Secretary of Transportation, the Office of Tourism, Trade, and Economic Development Secretary of Commerce, and the Secretary of Community Affairs a list of projects which have been approved by the Council. The list shall specify the recommended funding level for each project; and, if staged implementation of the project is appropriate, the funding requirements for each stage shall be specified. The decision to fund a project at any funding level is within the sole discretion of the Council.

(2) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Department of Community Affairs shall review the projects to determine consistency, to the maximum extent feasible, with approved local government comprehensive plans of the units

of local government in which the port is located and with the port master plan. Within forty-five (45) days from receipt of the list of projects and supporting applications, the Department of Community Affairs shall notify the Council of those projects which are not consistent, to the maximum extent feasible, with such comprehensive plans and port master plans. Should additional information be requested from one or more applicants by the Department of Community Affairs to permit the Department of Community Affairs to evaluate project consistency, the time limit for the Department's review and notice to the Council shall be extended fifteen (15) days following receipt of the requested information.

(3) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Department of Transportation shall review the list of projects for consistency with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program. In evaluating the consistency of a project, the Department shall determine whether the transportation impact of the proposed project is adequately handled by existing state highway facilities or by the construction of additional state highway facilities as identified in the Department's adopted work program. In reviewing for consistency a transportation facility project as defined in s. 334.03(27), F.S., which is not otherwise part of the Department's work program, the Department shall evaluate whether the project is needed to provide for projected movement of cargo or passengers from the port to the State Highway System or local road. If the project is needed to provide for projected movement of cargo or passengers, the project shall be approved for consistency as a consideration to facilitate the economic development and growth of the state in a timely manner. Within forty-five (45) days from receipt of the list of projects, the Department of Transportation shall identify those projects which are not consistent with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program and shall notify the Council of projects found to be inconsistent. Should additional information be requested from one or more applicants by the Department of Transportation to permit the Department of Transportation to evaluate project consistency, the time limit for the Department's review and notice to the Council shall be extended fifteen (15) days following receipt of the requested information.

(4) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall review the list of projects to evaluate the economic benefit of the project and to determine whether the project is consistent with the Florida Seaport Mission Plan. The Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall evaluate the economic benefits of each project based upon the information required by the Council Rule No. 14B-1.003 and, in so doing,

may conduct any appropriate investigation to determine the accuracy of the information. Within forty-five (45) days from receipt of the list of projects, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall identify those projects which it has determined do not offer an economic benefit to the state or are not consistent with the Florida Seaport Mission Plan and shall notify the Council of its findings. Should additional economic impact information be requested from the applicant by the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~, the time limit for the Department's review of the project shall be extended fifteen (15) days following receipt of the requested information.

(5) The Council shall review the findings of the Department of Community Affairs, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~, and the Department of Transportation. Projects found to be inconsistent pursuant to subsections (2), (3), and (4) above and projects which have been determined not to offer an economic benefit to the state pursuant to subsection (4) shall not be included in the list of projects to be funded. However, the list of proposed projects may include projects which have been determined inconsistent, where such inconsistency determination was wholly unrelated to the proposed project itself, but was made on the basis that the local government comprehensive plan was not in compliance with the requirements of Chapter 163, F.S. Such projects are eligible for funding at the time the local government comprehensive plan is determined by the Department of Community Affairs or the Administration Commission to be in compliance with Chapter 163, F.S.; provided, however, that no amendments to the local comprehensive plan which brought it into compliance altered or modified the plan in relation to the impacts of the project itself.

(6) The Council shall submit to the Department of Transportation a list of approved projects for funding ~~from the Trust Fund~~. The Department of Transportation shall include in its annual legislative budget request a Florida Seaport Transportation and Economic Development grant program ~~for expenditure of funds in the Trust Fund~~. Such budget request shall request funding for the list of approved projects submitted by the Council based upon the funds expected to be available ~~in the Trust Fund~~ during the ensuing budget year. Additionally, the Council may submit to the department a list of unfunded approved projects that could be made production-ready within the biennium and for which program trust funds are not available in that budget year. The list of unfunded approved projects shall be submitted by the Department of Transportation as part of the project list prepared pursuant to s. 339.135(4)(j), F.S., and the needs list prepared pursuant to s. 339.155(5)(b), F.S.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History--New 12-19-90, Amended.

14B-1.005 Council Procedures.

(1) The Council shall meet at the call of its chairperson, at the request of a majority of its membership, or at such times as may be prescribed in its bylaws. However, the Council must meet at least semiannually. A majority of voting members of the Council constitutes a quorum for the purpose of transacting the business of the Council. All members of the Council are voting members except for members representing the Department of Transportation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~. A majority vote of the voting members present is sufficient for any action of the Council, unless the bylaws of the Council require a greater vote for a particular action.

(2) The Council shall allocate ~~prioritize~~ funding for approved projects. A majority vote of the voting Council members present is sufficient to approve funding for a specific port transportation project and is sufficient for the Council to allocate ~~prioritize~~ funding for all approved projects. ~~A Certification of Project Acceptance which certifies that the Council has reviewed the port projects pursuant to the requirements of applicable Florida law must be executed by the Chairman of the Council, witnessed, and attested to by the Assistant Secretary prior to submission of the approved project candidate list to the Department of Transportation. Said certification in the form approved by the Department of Transportation shall accompany the project list submittal.~~ A majority vote of the voting Council members present is sufficient to disapprove funding for a specific port transportation project.

(3) The Council shall submit a summary of port transportation projects with pertinent information to the Council members no less than five (5) ~~seven (7)~~ working days prior to the date of the meeting at which such projects will be considered for funding approval.

(4) Applicants whose port transportation projects are not recommended for funding in any given year may reapply for subsequent funding consideration by the Council.

(5) The Council shall publish in the Florida Administrative Weekly, at least seven (7) days prior to Council meetings or workshops, notification of the time and place the Council will meet. Such meetings or workshops shall be open to the public. At least seven (7) days prior to a meeting, the Council shall prepare and make available an agenda for distribution on request of any interested person. The Council also shall provide seven (7) days prior notification of Council meetings or workshops by mailing a notice to each eligible port applicant whose port transportation project is to be considered.

(6) Special meetings of the Council may be held at the call of the Chairman or shall be called by the Chairman at the written request of a majority of the voting members. Upon seven (7) days public notice, a special meeting may be

conducted by a telephone conference call with members of the Council in accordance with the provisions of Chapter 28-8, F.A.C., Model Rules of Procedure.

(7) Emergency meetings of the Council may be held at the call of the Chairman in accordance with the provisions of Chapter 28-2.007, F.A.C., Model Rules of Procedure.

(8) Members of the Council shall serve without compensation but are entitled to receive reimbursement for per diem and traveling expenses as provided in s. 112.061, F.S. The Council may elect to provide an administrative staff, by contract or otherwise, to provide services to the Council on matters relating to the program ~~Trust Fund~~ and the Council. The cost for such administrative services shall be paid by all ports that receive program funds ~~funding from the Trust Fund~~, based upon a pro rata formula measured by each recipient's share of the funds as compared to the total program ~~trust~~ funds disbursed to all recipients during the year. The share of costs for administrative services shall be paid in full by the recipient port upon execution by the port and the Department of Transportation of a Joint Participation Agreement or as otherwise directed by the FSTED Council, ~~at the time the first payment of trust funds are disbursed to it~~. Such administrative services payment is in addition to the matching funds required to be paid by the recipient port.

Specific Authority 120.53, 311.09(2),(11) FS. Law Implemented 311.09 FS. History--New 12-19-90, Amended _____.

14B-1.006 Eligible Port Funding Requirements.

(1) Except for projects funded pursuant to ss. 320.20(3) and (4), F.S., a ~~A~~ port eligible for matching funds ~~from the Trust Fund~~ may receive a grant of program funds ~~from the Trust Fund~~ of not more than \$7 million during any one calendar year and grants of not more than \$30 million during any five calendar year period.

(2) Any port which receives funding from the Council ~~Trust Fund~~ shall institute procedures to ensure that jobs created as a result of the state funding shall be subject to equal opportunity hiring practices in the manner provided in s. 110.112, F.S.

(3) The Department of Transportation shall subject any project that receives funds pursuant to this section to a final audit. The Department may adopt rules and perform such other acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

(4) Funds received by eligible ports from the Council ~~Trust Fund~~ shall be expended on eligible costs only. If program funds are not expended on eligible costs, then the port shall immediately reimburse the Council for its share of the ineligible expenditures.

(5) Except for seaport intermodal access projects and projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., u~~U~~pon legislative approval of the Department of Transportation's budget request as provided in

Rule 14B-1.004 and upon entering into a written grant agreement with an eligible port, the Department of Transportation will reimburse the eligible port an amount equal to 50 percent of eligible costs incurred on an approved project. This reimbursement will be made upon receipt of an invoice showing total eligible costs incurred to date, less the port's 50 percent share, less reimbursements received to date. These reimbursements will be made in compliance with the payment requirements set forth in s. 215.422, F.S. The final reimbursement to the port will be released upon the satisfactory completion of a final audit conducted by the Florida Department of Transportation.

(6) For projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., the reimbursement procedures will be as set forth in the Master Agreement, the Indenture of Trust, the Loan Agreement, and any other agreement with another applicable governmental entity.

Specific Authority 120.53, 311.07(4) FS. Law Implemented 311.07, 320.20(3),(4) FS. History—New 12-19-90, Amended _____.

14B-1.007 Reporting Requirements.

(1) If the port transportation project, except for seaport intermodal access projects and projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., is to be funded in annual phases, the Council may shall require the port to submit an annual written report which describes the work completed per the project schedule, the status of the project, a description of any change orders which change the nature of the project and a budget summary detailing the amount of financial contribution to the project by the port. A phased project shall be considered by the Council as one project and shall be annually prioritized accordingly. An approved phased project shall be awarded separate annual grants until complete; provided, however, that no change order has been requested by the recipient port. Change orders requested for previously approved projects will require resubmission of a revised project application for Council and agency consistency review.

(2) Except for seaport intermodal access projects and projects pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., the eligible port shall enter into a joint participation agreement (JPA) with the Department of Transportation which sets forth the duties and obligations of the parties thereto regarding the expenditure and receipt of funds prior to any expenditure of state funds. The recipient port also shall provide a signed letter stating that the port accepts total responsibility and ownership of the port transportation project.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.07 FS. History—New 12-19-90, Amended _____.

DEPARTMENT OF THE LOTTERY

RULE TITLE: Confidential Information
 RULE NO.: 53-1.005

PURPOSE AND EFFECT: The purpose of the rule amendment is to delete the information in subparagraph 53-1.005(2)(b)10., which classifies information identifying the selling location of top tier winning tickets as confidential. The effect of this deletion will make said information public record. New language is added in subparagraph 53-1.005(2)(b)10., which provides that the information concerning pre-drawing and post-drawing test data for all on-line games shall be confidential.

SUBJECT AREA TO BE ADDRESSED: Confidential Information.

SPECIFIC AUTHORITY: 24.105(2)(a), 24.105(10)(j), 24.105(13)(a) FS.

LAW IMPLEMENTED: 24.105(10)(j), 24.105(13)(a) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-1.005 Confidential Information.

(1) No change.

(2) Confidential Information. The following items are determined to be confidential, and therefore exempt from the provisions of Section 119.07, F.S.:

(a) No change.

(b) On-Line Lottery Tickets. The following information concerning on-line tickets shall be confidential, whether presented or contained in a bid or proposal submitted to the Lottery, negotiation discussions, or in a contract with the Lottery:

1. through 9. No change.

10. All pre-drawing and post-drawing test data for all on-line games; Information identifying the selling location of top tier winning tickets (i.e., 5 of 5 matches in NEW FANTASY 5 or 6 of 6 matches in LOTTO) until such tickets have been validated and the prizes claimed

11. No change.

(c) through (k) No change.

Specific Authority 24.105(2)(a), 24.105(10)(j), 24.105(13)(a)(44) FS. Law Implemented 24.105(13)(a)(44) FS. History—New 2-25-93, Amended 8-15-93, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES: RULE NOS.:
Cosmetologist and Compensation Defined 61G5-18.00015
Initial Licensure or Registration Requirement
for Instruction on Human Immunodeficiency
Virus and Acquired Immune Deficiency
Syndrome; Course Content and
Approval Requirements 61G5-18.011

PURPOSE AND EFFECT: The Board proposes to update the existing rule texts.

SUBJECT AREA TO BE ADDRESSED: Cosmetologist and Compensation Defined; Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; Course Content and Approval Requirements.

SPECIFIC AUTHORITY: 455.2228(5), 477.016, 477.025(2) FS.

LAW IMPLEMENTED: 455.2228, 477.013, 477.025(2) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-18.00015 Cosmetologist and Compensation Defined.

A cosmetologist is a person who is licensed to perform the mechanical or chemical treatment of the head, face, and scalp for aesthetic rather than medical purposes, including, but not limited to, hair shampooing, hair cutting, hair arranging, hair braiding, hair coloring, permanent waving, and hair relaxing, ~~or non-invasive hair removal~~, for compensation ~~in a licensed cosmetology salon~~. A cosmetologist may also perform non-invasive hair removals, including wax treatments but not including electrolysis as that term is defined in Chapter 478, Florida Statutes, manicures, pedicures, and skin care services. For the purposes of this act "compensation" is defined as the payment of money or its equivalent, the receipt or delivery of property, or the performance of a service, or the receipt or delivery of anything of value in exchange for cosmetology services. For the purposes of this act "medical purposes" is defined as any form of bodily intrusion into the orifices, skin, muscles, or any other tissues of the body.

Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.013, 477.025(2) FS. History—New 10-10-82, Amended 6-28-84, Formerly 21F-18.001, Amended 7-4-90, Formerly 21F-18.00015, Amended 11-11-96, _____.

61G5-18.011 Initial Licensure or Registration Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; Course Content and Approval Requirements.

(1) through (5) No change.

(6) Home study or video courses ~~shall may~~ be approved by the Board, provided they meet the requirements set forth in subsection (3). Home study courses must require a 75% passing score on a post course test to be graded by the course provider.

(7) No change.

Specific Authority 455.2228(5), 477.016 FS. Law Implemented 455.2228 FS. History—New 9-2-90, Amended 4-9-91, 10-27-91, 6-14-93, Formerly 21F-18.011, Amended 2-1-95, 12-21-97, 1-31-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: RULE NO.:
Definitions 61G5-29.001

PURPOSE AND EFFECT: The Board proposes the development to amend the rule to conform with statutory changes.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 477.016 FS.

LAW IMPLEMENTED: 477.013, 477.0135, 477.0201 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: Ed Broyles, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-29.001 Definitions.

(1) through (2) No change.

(3) "Facials" means the massaging or treating of the face, skin or scalp with or without the use of mechanical devices using oils, creams, lotions or other cosmetic products which are used to cleanse and condition the skin, to prevent or correct problems or conditions of the face and neck, and to color and beautify the face and neck or enhance their features; and, skin care services for the body. Facials shall be performed only by

individuals licensed pursuant to sections 477.019 and 477.0201, F.S., and performed in schools licensed pursuant to Chapter 246, F.S., or salons licensed pursuant to Section 477.025, F.S.

(4) through (6) No change.

Specific Authority 477.016 FS. Law Implemented 477.013, 477.0135, 477.0201 FS. History--New 11-7-85, Amended 1-5-86, 6-18-86, 10-26-87, 1-10-90, 8-20-90, 5-11-92, Formerly 21F-29.001, Amended 9-15-98,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Continuing Education
 RULE NO.: 61G5-32.002

PURPOSE AND EFFECT: Propose rule will set forth the proration of Continuing Education for initial licensees.

SUBJECT AREA TO BE ADDRESSED: Proration of Continuing Education.

SPECIFIC AUTHORITY: 455.219(3), 455.2228, 477.016, 477.019 FS.

LAW IMPLEMENTED: 455.219(3), 455.228, 477.019(7) 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: Ed Broyles, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-27R

RULE CHAPTER TITLE: Wastewater Facility Permitting
 RULE CHAPTER NO.: 62-620

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) is seeking authorization from the United States Environmental Protection Agency to implement the remaining phase of the National Pollutant Discharge Elimination System (NPDES) permitting program as required by the Clean Water Act. The NPDES program consists primarily of five elements including Municipal, Industrial, Pretreatment, Stormwater and Federal Facilities. In a phased approach to delegation, the Department has previously been authorized to operate three of the elements, specifically the Municipal, Industrial, and Pretreatment programs. The proposed rule change will allow the Department to implement the NPDES program for stormwater associated with industrial activities.

SUBJECT AREA TO BE ADDRESSED: To establish by rule the Department's role in regulation of stormwater associated with industrial activities under the NPDES program. A Notice of Proposed Rule Development, published in the May 22, 1998, issue of the Florida Administrative Weekly, Vol. 24, No. 21, at page 2780, identified that the Department intended to amend rule sections 62-620.100 and 62-620.910, FAC. During the rule development process, the Department has decided that it may need to amend any or all of the rule sections contained in Chapter 62-620 of the Florida Administrative Code. 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>.

SPECIFIC AUTHORITY: 403.061(31), 403.087, 403.088, 403.0885 FS.

LAW IMPLEMENTED: 403.087, 403.088, 403.0885 FS.

RULE DEVELOPMENT WORKSHOPS HAVE BEEN SCHEDULED AND NOTICED IN THE NOVEMBER 5, 1999, ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY, VOL. 25, NO. 44.

THE PERSON TO BE CONTACTED REGARDING THE RULE UNDER DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Fred Noble, Division of Water Resource Management, Bureau of Water Facilities Regulation, Mail Station 3545, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-5330

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-29R

RULE CHAPTER TITLE: Generic Permits
 RULE CHAPTER NO.: 62-621

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) is seeking authorization from the United States Environmental Protection Agency to implement the remaining phase of the National Pollutant Discharge Elimination System (NPDES) permitting program as required by the Clean Water Act. The NPDES program consists primarily of five elements including Municipal, Industrial, Pretreatment, Stormwater and Federal Facilities. In a phased approach to delegation, the Department has previously been authorized to operate three of the elements, specifically the Municipal, Industrial, and Pretreatment programs. The proposed rule change will allow the Department to implement the NPDES program for stormwater associated with industrial activities.

SUBJECT AREA TO BE ADDRESSED: To establish generic permits for use in regulation of stormwater associated with industrial activities under the NPDES program. A Notice of

Proposed Rule Development, published in the May 22, 1998, issue of the Florida Administrative Weekly, Vol. 24, No. 21, at page 2780, identified that the Department intended to amend rule sections 62-621.100 and 62-621.300, FAC. During the rule development process, the Department has decided that it may need to amend any or all of the rule sections contained in Chapter 62-621 of the Florida Administrative Code. 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>.

SPECIFIC AUTHORITY: 403.061, 403.087, 403.088, 403.0885 FS.

LAW IMPLEMENTED: 403.087, 403.088, 403.0885 FS.

RULE DEVELOPMENT WORKSHOPS HAVE BEEN SCHEDULED AND NOTICED IN THE NOVEMBER 5, 1999, ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY, VOL. 25, NO. 44.

THE PERSON TO BE CONTACTED REGARDING THE RULE UNDER DEVELOPMENT IS: Fred Noble, Division of Water Resource Management, Bureau of Water Facilities Regulation, Mail Station 3545, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-5330

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 98-28R

RULE CHAPTER TITLE: Municipal Separate Storm Sewer Systems RULE CHAPTER NO.: 62-624

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) is seeking authorization from the United States Environmental Protection Agency to implement the remaining phase of the National Pollutant Discharge Elimination System (NPDES) permitting program as required by the Clean Water Act. The NPDES program consists primarily of five elements including Municipal, Industrial, Pretreatment, Stormwater and Federal Facilities. In a phased approach to delegation, the Department has previously been authorized to operate three of the elements, specifically the Municipal, Industrial, and Pretreatment programs. The proposed rule change will allow the Department to implement the NPDES program for stormwater associated with municipal separate storm sewer systems. (MS4).

SUBJECT AREA TO BE ADDRESSED: To establish permitting procedures for use in regulation of stormwater associated with the MS4 NPDES program. A Notice of Proposed Rule Development, published in the May 22, 1998, issue of the Florida Administrative Weekly, Vol. 24, No. 21, at pages 2780-81, identified that the Department intended to create rule sections 62-624.100, 62-624.200, 62-624.300, 62-624.310, 62-624.320, 62-624.400, 62-624.500, 62-624.600,

and 62-624.700, F.A.C. During the rule development process, the Department has decided that it may need to create additional rule sections to Chapter 62-624 of the Florida Administrative Code. 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>.

SPECIFIC AUTHORITY: 403.061(31), 403.087, 403.088, 403.0885 FS.

LAW IMPLEMENTED: 403.087, 403.088, 403.0885 FS.

RULE DEVELOPMENT WORKSHOPS HAVE BEEN SCHEDULED AND NOTICED IN THE NOVEMBER 5, 1999, ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY, VOL. 25, NO. 44.

THE PERSON TO BE CONTACTED REGARDING THE RULE UNDER DEVELOPMENT IS: Michael Bateman, Division of Water Resource Management, Bureau of Submerged Lands and Environmental Resources, Mail Station 2505, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-5330

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLES: Patient Records; Transfer or Death of

Licensed Practitioner 64B13-3.003

Minimum Procedures for Vision Analysis 64B13-3.007

Standard of Practice for Licensed Optometrists 64B13-3.010

PURPOSE AND EFFECT: The Board proposes the development of rule amendments in response to a recent review of its rules.

SUBJECT AREA TO BE ADDRESSED: Changes to the rules with regard to patient record retention and standards of practice.

SPECIFIC AUTHORITY: 455.677, 463.005 FS.

LAW IMPLEMENTED: 455.667, 455.677, 463.005, 463.0135, 463.016(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-3.003 Patient Records; Transfer or Death of Licensed Practitioner.

(1) through (4) No change.

(5) A licensed practitioner shall keep patient records for a period of at least ~~five two~~ years after the last entry. Upon the discontinuance of his or her practice, the licensed practitioner shall either transfer all patient records which are less than ~~five two~~ years old to an eye care practitioner licensed pursuant to Chapter 463, 458, or 459, Florida Statutes, where they may be obtained by patients, or he or she shall keep them in his or her possession for at least five years and make them available to be obtained by patients.

(6) No change.

(7)(a) The executor, administrator, personal representative, or survivor of a deceased licensed practitioner shall retain patient records concerning any patient of the deceased licensed practitioner for at least ~~five two~~ (2) years from the date of the death of the licensed practitioner.

(b) No change.

~~(c) At the conclusion of ten (10) months from the date of the licensed practitioner's death, the executor, administrator, personal representative, or survivor of the deceased licensed practitioner shall cause to be published in the newspaper of greatest general circulation in each county where the licensed practitioner practiced, a notice indicating to the patients of the deceased licensed practitioner that the deceased licensed practitioner's patient records will be disposed of or destroyed one (1) month or later from the last day of publication of the notice. The notice shall be published once during each week for four (4) consecutive weeks. A copy of the published notice shall be delivered to the Board office for filing.~~

Specific Authority 455.677, 463.005(1)(a),(d) FS. Law Implemented 455.667, 455.677, 463.005(1)(a),(d) FS. History--New 11-13-79, Amended 12-19-84, 4-8-85, Formerly 21Q-3.03, Amended 12-16-86, 7-11-88, Formerly 21Q-3.003, 61F8-3.003, Amended 2-14-96, Formerly 59V-3.003, Amended 3-29-98,_____.

64B13-3.007 Minimum Procedures for Vision Analysis.

(1) through (5) No change.

(6) The minimum procedures set forth in paragraph (2) above shall not be required in the following circumstances:

(a) When a licensed practitioner or certified optometrist is providing specific optometric services on a secondary or tertiary basis in patient co-management with one or more health care practitioners skilled in the diagnosis and treatment of diseases of the human eye and licensed pursuant to Chapter 458, 459, ~~460~~ or 463, Florida Statutes;

(b) through (c) No change.

(7) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135, 463.016(1)(g),(k) FS. History--New 11-13-79, Amended 4-17-80, 7-29-85, Formerly 21Q-3.07, Amended 7-18-90, Formerly 21Q-3.007, 61F8-3.007, 59V-3.007, Amended_____.

64B13-3.010 Standard of Practice for Licensed Optometrists.

(1) through (3) No change.

~~(4) The pharmaceutical agents listed in 64B13-18.002(7) shall not be used to treat endogenous uveitis.~~

~~(5) If the pharmaceutical agents listed in 64B13-18.002(7) fail to obtain the desired medical result within a reasonable and prudent time frame consistent with Section 463.0135(1), Florida Statutes, the certified optometrist shall consult with a physician skilled in the treatment of diseases of the eye and licensed under Chapter 458 or Chapter 459, Florida Statutes.~~

~~(6) Certified optometrists shall in a manner consistent with Section 463.0135(1), Florida Statutes, exercise caution and reservation in the use of Norfloxacin, Ofloxacin 0.3% and Ciprofloxacin, reserving their use to that of third tier agents whenever appropriate.~~

(7) through (10) renumbered (4) through (7) No change.

~~(8)(11) Certified optometrists serving as adjunct professors to schools or colleges of optometry pursuant to section 463.0057, F.S., rule 64B13-4.004 may delegate to residents or interns of said school, educational functions or duties beyond the restrictions of section 463.009, F.S. Such delegated duties or functions shall be in accordance with section 463.002(6), F.S. For purposes of this rule, residents or interns of qualified schools or colleges of optometry are not defined as nonlicensed supportive personnel.~~

~~(12) Certified optometrists shall, in a manner consistent with Section 463.0135(1), Florida Statutes, use Iopidine .5% only as short-term adjunctive therapy.~~

~~(13) Certified optometrists shall use Trusopt in a manner consistent with Section 463.0135, Florida Statutes.~~

Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135(1), 463.016(1) FS. History--New 9-16-80, Amended 12-20-82, Formerly 21Q-3.10, Amended 7-11-88, 6-18-92, 1-28-93, Formerly 21Q-3.010, Amended 3-16-94, Formerly 61F8-3.010, Amended 8-24-94, 9-21-94, 2-13-95, 12-31-95, Formerly 59V-3.010, Amended_____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Notification and Evidence of Licensure

RULE NO.: 64B13-4.008

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address practice pending receipt of an active license upon notification of passage of the examinations for licensure.

SUBJECT AREA TO BE ADDRESSED: Clarification of practice following passage of examinations and prior to receipt of license.

SPECIFIC AUTHORITY: 455.574(1), 463.006(2) FS.
 LAW IMPLEMENTED: 455.564, 455.574(1), 463.006(2) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-4.008 Notification and Evidence of Licensure.

The Board shall submit written notification within five (5) working days to applicants who have successfully passed the state examination and the certification examination. An applicant who is notified in writing by the Board of successful passage of the examinations may lawfully practice optometry pending receipt of the active license, and the written notification shall act as evidence of licensure entitling the Optometrist to practice for a maximum period of forty-five (45) days ~~or until the initial licensing fee is received by the Department, whichever is sooner.~~

Specific Authority 455.574(1), 463.006(2) FS. Law Implemented 455.564, 455.574(1), 463.006(2) FS. History—New 6-18-92, Formerly 21Q-4.008, 61F8-4.008, Amended 11-21-94, Formerly 59V-4.008, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLES:	RULE NOS.:
Hours Requirement	64B13-5.001
Criteria for Approval	64B13-5.002

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address continuing education hours and transcript quality courses.

SUBJECT AREA TO BE ADDRESSED: Continuing education.

SPECIFIC AUTHORITY: 463.005(1), 463.007(3) FS.

LAW IMPLEMENTED: 463.007 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.001 Hours Requirement.

(1) As a condition to the renewal of a biennial license, each licensed practitioner shall be required to maintain professional competency by completing 30 clock hours of continuing education ~~by December 31 of every even year~~ in subjects relating to optometry that have been approved by the Board. Licensed practitioners shall not be required to complete the continuing education requirements during the biennium in which they receive initial licensure. Credit will be allowed on the basis of an hour for hour. To receive one hour credit, a licensed practitioner must attend not less than 50 minutes. There will be no fractional hour credits. At least 6 of those 30 hours must be of "transcript quality". For purpose of this rule, the phrase "transcript quality" refers to a course which is in conjunction with or sponsored by a school or college of optometry or equivalent educational entity as approved by the Board and which requires a test and passing grade. Attendance at a continuing education program must be certified by the lecturer or someone in charge of the program. An instructor of a course may credit the hours taught towards completion of the required continuing education; provided, however, that an instructor may only credit a course once, regardless of the number of times the course is taught. In addition, the instructor of a course may not credit the hours taught towards completion of the "transcript quality" portion of the continuing education requirement. However, for the biennium ending at the end of February 2001, each licensed practitioner may count hours of continuing education obtained between January 1, 1999, and the end of February, 2001.

- (a) through (e) No change.
- (2) through (7) No change.

Specific Authority 463.005(1), ~~463.007(3),(4)~~ FS. Law Implemented 463.007 FS. History—New 11-13-79, Amended 5-28-80, 9-16-80, 1-13-81, 2-14-82, Formerly 21Q-5.01, Amended 12-16-86, 12-11-88, 4-19-89, 12-20-89, 9-22-92, 10-28-92, Formerly 21Q-5.001, Amended 8-31-93, Formerly 61F8-5.001, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.001, Amended _____.

64B13-5.002 Criteria for Approval.

- (1) through (2) No change.
- (3) Transcript quality courses must meet the following requirements:

(a) through (f) No change.

(g) In order for a course to be considered transcript quality, it must be approved by the Board as transcript quality prior to the time it is taken.

(4) All courses approved by the American Board of Optometric Practitioners are approved by the Board.

Specific Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History—New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Fees
 RULE NO.: 64B13-6.001

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the fee for obtaining a duplicate wall certificate.

SUBJECT AREA TO BE ADDRESSED: Fee for a duplicate wall certificate.

SPECIFIC AUTHORITY: 455.564(2), 455.711, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 455.564(2), 455.711, 463.0057, 463.006, 463.007, 463.008 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-6.001 Fees.

The following fees are prescribed by the Board:

(1) through (18) No change.

(19) The fee for obtaining a duplicate wall certificate shall be \$25.00.

Specific Authority 455.564(2), 455.711, 463.005, 463.0057, ~~463.006, 463.007,~~ 463.008 FS. Law Implemented 455.564(2), 455.711, 463.0057, 463.006, 463.007, 463.008 FS. History-New 12-13-79, Amended 2-14-82, 8-18-82, 12-2-82, 5-6-84, 7-29-85, Formerly 21Q-6.01, Amended 11-20-86, 7-21-88, 2-5-90, 5-29-90, 7-10-91, 4-14-92, 7-1-93, Formerly 21Q-6.001, Amended 1-24-94, Formerly 61F8-6.001, Amended 12-22-94, 2-13-95, 4-5-95, 5-29-95, 12-31-95, Formerly 59V-6.001, Amended 12-24-97, _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Certified Optometrist Examination
 RULE NO.: 64B13-10.0015

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address examination security and monitoring.

SUBJECT AREA TO BE ADDRESSED: Examination security and monitoring.

SPECIFIC AUTHORITY: 463.005(1), 455.574(1),(2) FS.

LAW IMPLEMENTED: 463.0055, 455.574(1), (2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-10.0015 Certified Optometrist Examination.

The Certified Optometrist Examination shall be the Board approved examination developed and administered by the Department of Health Office of Examination Services.

(1) through (3) No change.

~~(4) Certified Optometrist Examination review shall be conducted in accordance with the following procedure:~~

~~(a) An applicant or licensed practitioner is entitled to review his examination questions, answers, papers, grades and certification grading key used in the examination; however, no applicant or licensed practitioner may copy any materials provided for his review. Such review shall be conducted during regular business hours, in the presence of a representative of the Board at the Board's official headquarters.~~

~~(b) If, following the review of his examination an applicant or licensed practitioner believes that an error was made in the grading of his examination or in the evaluation of his answers, he may request the Board to review his examination. Requests for review must be in writing, state with specificity the reasons why review is requested, and be submitted to the Board within sixty (60) days after the applicant or licensed practitioner received notice that he failed the Certified Optometrist Examination.~~

~~(c) Upon the receipt of a request for review, the Board shall review the applicant's or licensed practitioner's examination at the next regularly scheduled Board meeting. If it is found that an error was made, the grade received by the applicant or licensed practitioner may be adjusted to reflected the correction. The applicant or licensed practitioner shall be notified of the final decision.~~

~~(4)(5) The Board adopts by reference Rule 64B-1.010 61-11.014,~~ Florida Administrative Code, of the Department of Health as its rule governing examination security and monitoring for the Certified Optometrist Examination.

Specific Authority 463.005(1), 455.574(1),(2) FS. Law Implemented 463.0055, 455.574(1),(2) FS. History-New 3-16-89, Amended 5-29-90, 7-10-91, Formerly 21Q-10.0015, 61F8-10.0015, Amended 10-4-94, Formerly 59V-10.0015, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Citations
RULE NO.: 64B13-15.009

PURPOSE AND EFFECT: The Board proposes the development of an amendment to address the citation violation for failure to document continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Failure to document continuing education hours.

SPECIFIC AUTHORITY: 463.005, 455.617 FS.

LAW IMPLEMENTED: 455.621 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS :

64B13-15.009 Citations.

(1) through (3) No change.

(4) Pursuant to Section 455.617, Florida Statutes, the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. The Board hereby designates the following as citation violations which shall result in a penalty of two hundred fifty dollars (\$250.00).

(a) through (c) No change.

(d) Failure to document having obtained the continuing education required by Section 463.007, and Rule Chapter 64B13-5, F.A.C. In addition to paying the fine, the licensee must complete continuing education hours not documented, plus an additional hour for each hour missed.

(5) through (7) No change.

Specific Authority 463.005, 455.617 FS. Law Implemented 455.621 FS. History--New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Formulary of Topical Ocular
RULE NO.: 64B13-18.002

Pharmaceutical Agents
PURPOSE AND EFFECT: The Board proposes the development of a rule to address the topical ocular pharmaceutical formulary.

SUBJECT AREA TO BE ADDRESSED: Clarification of the topical ocular pharmaceutical formulary.

SPECIFIC AUTHORITY: 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), Florida Statutes. The topical ocular pharmaceutical agents in the formulary include ~~only commercially available over-the-counter preparations and non-scheduled commercially available preparations~~ of the following legend drugs alone or in combination:

(1) through (10) No change.

Specific Authority 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History--New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended _____.

**Section II
Proposed Rules**

DEPARTMENT OF STATE

RULE TITLE: Licensure of Certification Authorities
RULE NO.: 1-10.001

PURPOSE AND EFFECT: The proposed repeal of Rule 1-10.001 is made necessary by the repeal of sections 282.74 and 282.745, F.S.

SUMMARY: The repealed rules established standards and procedures for the voluntary licensure of digital signature certification authorities, as provided for in former section 282.745, Florida Statutes. The rules provided for the qualifications, duties and requirements of certification authorities licensed under the rules, as well as audit and record-keeping practices by such licensed certification authorities and procedures upon cessation of certification

authority activity. The rule also provided for the form of on-line certificates issued by the certification authority, as well as minimum requirements for the issuance, suspension, and revocation of certificates.

SPECIFIC AUTHORITY: 282.745 FS.

LAW IMPLEMENTED: 282.745 FS.

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

TIME AND DATE: 9:00 a.m., January 5, 2000

PLACE: R. A. Gray Building, Third Floor, Conference Room, 500 South Bronough Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in the hearing are asked to advise the agency at least 48 hours before the workshop by contacting: Gerard York, (850)414-5536. If you are hearing or speech impaired, please contact the agency by calling (850)922-9606 or sending an e-mail message to gyork@mail.dos.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

1-10.001 Licensure of Certification Authorities.

Specific Authority 282.745 FS. Law Implemented 282.745 FS. History--New 6-15-98, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Deborah Kearney, General Counsel, PL-02, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 23, 1999

DEPARTMENT OF STATE

Division of Corporations

RULE TITLES:

Name Assignments	1N-1.001
Distinguishability	1N-1.002
Prohibited Filings	1N-1.003
Name Reservations	1N-1.004
Limited Partnerships, Partnerships and Fictitious Names	1N-1.005

PURPOSE AND EFFECT: The purpose and effect of this rule repeal is to reflect the repeal of various name reservation statutes and to repeal rules that have been determined to be redundant of the applicable statutes.

SUMMARY: The repealed rules restated statutory standards for the filing, registration, or assignment of the name of entities on file with the Division of Corporations. The repealed rules also provided examples of the distinguishability of names of entities, examples of prohibitions under federal or state law, and procedures for name reservations. Statutes providing for name reservations for entities on file with the Division of Corporations have been repealed.

SPECIFIC AUTHORITY: 607.0130(4), 617.01301(4), 620.1835(4), 620.81055(2), 620.78(7), 865.09(10) FS.

LAWS IMPLEMENTED: 425.05, 607.0401, 607.0402, 607.0403, 607.1401, 607.1405(4), 607.1422(4), 608.406, 608.4061, 608.4431(3), 608.4482(4), 617.0401, 617.0402, 620.103, 620.104, 620.178(6), 620.8105, 621.13, 628.111, 629.091(1), 865.09 FS.

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

TIME AND DATE: 2:00 p.m., January 5, 2000

PLACE: R. A. Gray Building, Third Floor, Conference Room, 500 South Bronough Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in the hearing are asked to advise the agency at least 48 hours before the workshop by contacting: Gerard York, (850)414-5536. If you are hearing or speech impaired, please contact the agency by calling (850)922-9606 or sending an e-mail message to gyork@mail.dos.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

1N-1.001 Name Assignments.

Specific Authority 607.0130(4), 617.01301(4), 620.1835(4) FS. Law Implemented 607.0401, 608.406, 617.0401, 620.103, 621.13 FS. History--New 6-29-80, Formerly 1N-1.01, Amended 6-4-96, Repealed _____.

1N-1.002 Distinguishability.

Specific Authority 607.0130(4), 617.01301(4), 620.1835(4) FS. Law Implemented 607.0401, 607.0402, 608.406, 608.4061, 617.0401, 617.0402, 620.103, 620.104, 620.8105, 621.13 FS. History--New 6-29-80, Formerly 1N-1.02, Amended 6-4-96, Repealed _____.

1N-1.003 Prohibited Filings.

Specific Authority 607.0130(4), 617.01301(4), 620.1835(4) FS. Law Implemented 425.05, 607.0401, 607.0402, 608.406, 608.4061, 617.0401, 617.0402, 620.103, 620.104, 621.13, 629.091(1), 628.111 FS. History--New 6-29-80, Formerly 1N-1.03, Amended 6-4-96, Repealed _____.

1N-1.004 Name Reservations.

Specific Authority 607.0130(4), 617.01301(4), 620.1835(4) FS. Law Implemented 607.0401, 607.0402, 607.0403, 607.1405(4), 607.1422(4), 608.406, 608.4061, 608.4431(3), 608.4482(4), 617.0401, 617.0402, 620.103, 620.104, 621.13 FS. History--New 6-29-80, Amended 12-16-80, Formerly 1N-1.04, Amended 6-4-96, Repealed _____.

1N-1.005 Limited Partnerships, Partnerships and Fictitious Names.

Specific Authority 620.1835, 620.81055(2), 620.78(7), 865.09(10) FS. Law Implemented 620.103, Parts II and III, 620.178(6), 620.8105, 620, 865.09 FS. History--New 6-29-80, Amended 12-16-80, Formerly 1N-1.05, Amended 6-4-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Deborah Kearney, General Counsel, PL-02, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 1999

DEPARTMENT OF STATE

Division of Corporations

RULE TITLE: Electronic Filing

RULE NO.: 1N-2.001

PURPOSE AND EFFECT: The purpose and effect of this rule repeal is to repeal a rule that has been determined to be redundant of the applicable statutes.

SUMMARY: The repealed rules restated statutory standards for the electronic filings with the Division of Corporations.

SPECIFIC AUTHORITY: 15.16 FS.

LAWS IMPLEMENTED: 15.091, 15.16, 608.4081, 617.0122, 617.0123, 617.0129 FS.

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

TIME AND DATE: 2:00 p.m., January 5, 2000

PLACE: R. A. Gray Building, Third Floor, Conference Room, 500 South Bronough Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in the hearing are asked to advise the agency at least 48 hours before the workshop by contacting: Gerard York, (850)414-5536. If you are hearing or speech impaired, please contact the agency by calling (850)922-9606 or sending an e-mail message to gyork@mail.dos.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

1N-2.001 Electronic Filing.

Specific Authority 15.16, 607.0125 FS. Law Implemented 15.091, 15.16, 608.4081, 617.0122, 617.0123, 617.0129 FS. History--New 12-18-90, Amended 9-5-91, 4-4-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerard T. York, Assistant General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Deborah Kearney, General Counsel, PL-02, The Capitol, Tallahassee, Florida 32399-0250, Telephone (850)414-5536

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 1999

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Claims

RULE NO.: 2A-2.002

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendments incorporate revised forms into the rule with regard to victim compensation assistance.

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: 960.045(1) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.13(1)(b) FS.

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

TIME AND DATE: 10:00 a.m., January 6, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacquelyn Dupree, Chief, Bureau of Victim Compensation, Division of Victim Services and Criminal Justice Programs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-2.002 Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled "Victim Compensation Assistance," BVC-P001 (January 2000), effective ~~(March 1999)~~, effective 8-17-99, which is incorporated into these rules by reference. In addition, the following documents are incorporated into this rule by reference:

(1) BVC 100, entitled "Victim Compensation Claim Form," (rev. 11/99), effective _____ (~~6/97~~) (~~rev. 2/99~~), effective 9-24-97.

(2) BVC 100SF, entitled "Victim Compensation Claim Form" (Short Form), (10/99), effective _____.

(3)(2) BVC 102, entitled "Filing Time Explanation" (1/99), effective 8-17-99.

(4)(3) BVC 103, entitled "Reporting Time Explanation" (2/99), effective 8-17-99.

(5)(4) BVC 104, entitled "Non-Cooperation Explanation" (1/99), effective 8-17-99.

(6) BVC 105, entitled "Domestic Violence Relocation Certification" (10/99), effective _____.

(7)(5) BVC 211, entitled "Notice of Rights - Hearing Request," (3/99), effective 8-17-99.

(8)(6) BVC 405, entitled "Employment Report," (1/99), effective 8-17-99.

(9)(7) BVC 409, entitled "Treatment Statement," (2/99), effective 8-17-99.

(10)(8) BVC 410, entitled "Disability Statement," (1/99), effective 8-17-99.

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

Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.13(1)(b) FS. History-New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, 8-17-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jacquelyn Dupree, Chief, Bureau of Victim Compensation
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rodney Doss, Division Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Application and Payment Procedures

RULE NO.: 2A-3.002

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate a revised form into the rule.

SUMMARY: The proposed rule amendment incorporates a revised form into the rule with regard to sexual battery claims.

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: 960.045(1) FS.

LAW IMPLEMENTED: 960.28 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., January 6, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacquelyn Dupree, Chief, Bureau of Victim Compensation, Division of Victim Services and Criminal Justice Programs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-3.002 Application and Payment Procedures.

Application and payment procedures for sexual assault examinations are provided on the form entitled "Sexual Battery Claim Form," DVS-201, (Rev. 11/99), effective _____ (~~07/97~~), effective 9-24-97, which is incorporated in this rule by reference.

Specific Authority 960.045(1) FS. Law Implemented 960.28 FS. History-New 11-1-92, Amended 9-13-94, 9-26-95, 6-19-96, 9-24-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jacquelyn Dupree, Chief, Bureau of Victim Compensation
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rodney Doss, Division Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE CHAPTER TITLE: Practice and Procedure

RULE CHAPTER NO.: 2B-1

RULE TITLE: Minor Violations

RULE NO.: 2B-1.003

PURPOSE AND EFFECT: In 1997 the Legislature enacted legislation that allowed the Commission to identify minor violations of Chapters 104 and 106, Florida Statutes, that could be resolved without further investigation by means of a nolo plea and payment of a fine. See Chapter 97-13, s. 50, Laws of Florida. This amendment adds two additional criteria for eligibility and 13 additional violations of law that are eligible for a nolo plea.

SUMMARY: The rule identifies additional minor violations of Chapter 106, Florida Statutes, that can be resolved by consent order and payment of a fine. Previously, the criteria for eligibility were that the complaint contained no legally sufficient allegations other than those identified in the rule for minor violations; the respondent had not previously been notified of an allegation of the same violation before the

conduct about which the complaint was filed; and the respondent agreed to correct, if feasible, the conduct which resulted in a violation identified in the minor violation rule. This amendment adds eligibility criteria for violations that involve political advertising. The violation must have occurred more than 14 days before the election in which the candidate or committee named in the political advertisement participated and the person, candidate, or committee that paid for the political advertisement must be named in the advertisement.

The amendment also adds 13 violations that are minor violations. They are: failure of a person who holds a campaign fund raiser to include the statement required by this section on tickets or advertising; failure of a person to include the proper disclaimer in a political advertisement paid for by an independent expenditure; failure of a person to mark all political advertisements as a "pd. pol. adv." or a "paid political advertisement" or to identify the sponsor; failure of a person to mark the political advertisement of a candidate running for partisan office with the candidate's political party affiliation or to indicate that he or she is running with no party affiliation; failure of a person offering a political advertisement on behalf of a candidate to obtain approval from the candidate before circulating the advertisement; failure of a candidate or a person on behalf of a candidate to state on the candidate's political advertisement that the content of the advertisement was approved by the candidate or the identity of the person who paid for the advertisement; failure of a candidate to provide the news media with a written statement authorizing the content of each political advertisement submitted to the media for distribution; failure of a person making an independent expenditure for a political advertisement submitted to the news media for distribution to provide the media with a written statement that no candidate approved of the advertisement; failure of a person making an independent expenditure for a political advertisement to state on the advertisement that no candidate approved the advertisement; failure of a candidate who is not the incumbent using the word "re-elect" in a political advertisement; failure of a person sponsoring a political advertisement intended to influence public policy or the vote of a public official to include a statement of sponsorship; failure of a group, club, association or other organization that endorses or opposes a candidate or referendum by means of political advertisements to file a statement of endorsement or opposition with the filing officer before distributing the advertisement; and failure of a candidate, political party, political committee, or committee of continuous existence or an agent of a candidate, political party, political committee or committee of continuous existence to include a political disclaimer on a message placed on an information system accessible by computer by more than one person.

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

Any person who wished 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: 106.26(12) FS.

LAW IMPLEMENTED: 106.26 FS.

IF REQUESTED WITHIN 21 DAYS OF THE 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., Monday, January 3, 2000

PLACE: Room 2002, The Capitol, Tallahassee, Florida 32399-1050

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Phyllis Hampton, Assistant General Counsel, Florida Elections Commission, Room 2002, The Capitol, Tallahassee, Florida 32399-1050, telephone (850)922-4539

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.003 Minor Violations.

(1) The Commission shall consider a violation of Chapter 106, Florida Statutes, a minor violation under the following circumstances:

- (a) The violation is one of those identified in this rule;
- (b) The complaint alleging the violation contains no legally sufficient violation other than those identified in this rule;
- (c) The respondent against whom the complaint was filed has not been notified of an allegation of the same violation before the conduct about which the complaint was filed; ~~and~~
- (d) The respondent against whom the complaint was filed agrees to correct, if feasible, the conduct that resulted in a violation identified in this rule; ~~and~~;

(e) If the violation involves political advertising, the violation must have occurred more than 14 days before the election in which the candidate or committee named in the political advertising is participating and the person, candidate, or committee that paid for the political advertisement must be named in the political advertisement.

(2) The following violations are minor violations so long as the requirements of subsection (1) of this rule have been met:

(a) Section 106.021(1)(b), Florida Statutes, failure of a candidate or political committee to properly designate a separate interest-bearing campaign account, so long as the account is identified as the campaign account of the candidate or political committee. A fine of \$100 shall be imposed for a violation;:-

(b) Section 106.023, Florida Statutes, failure of a candidate to file a statement that says the candidate has read and understands the requirements of Chapter 106, within ten

days after filing his or her appointment of campaign treasurer and designation of campaign depository. A fine of \$100 shall be imposed for a violation:-

(c) Section 106.025(1)(c), Florida Statutes, failure of a person who holds a campaign fund raiser to include the statement required by this section on tickets or advertising. A fine of \$250 shall be imposed for each violation;

(d) Section 106.071(1), Florida Statutes, failure of a person to include the proper disclaimer in a political advertisement paid for by an independent expenditure. A fine of \$250 shall be imposed for each violation;

(e) Section 106.143(1), Florida Statutes, failure of a person to mark all political advertisements as a "pd. pol. adv." or a "paid political advertisement" or to identify the sponsor. A fine of \$200 shall be imposed for each violation;

(f) Section 106.143(2), Florida Statutes, failure of a person to mark the political advertisement of a candidate running for partisan office with the candidate's political party affiliation or to indicate that he or she is running with no party affiliation. A fine of \$200 shall be imposed for each violation;

(g)(e) Section 106.143(3), Florida Statutes, prohibiting a candidate or any person on behalf of a candidate from representing in a political advertisement that a person or an organization supports the candidate before obtaining the written approval of that person or organization, so long as written approval was obtained. A fine of \$200 shall be imposed for each a violation:-

(h) Section 106.143(4)(a), Florida Statutes, failure of a person offering a political advertisement on behalf of a candidate to obtain approval from the candidate before circulating the advertisement. A fine of \$200 shall be imposed for each violation;

(i) Section 106.143(4)(a), Florida Statutes, failure of a candidate or a person on behalf of a candidate to state on the candidate's political advertisement that the content of the advertisement was approved by the candidate or the identity of the person who paid for the advertisement. A fine of \$250 shall be imposed for each violation;

(j) Section 106.143(4)(a), Florida Statutes, failure of a candidate to provide the news media with a written statement authorizing the content of each political advertisement submitted to the media for distribution. A fine of \$250 shall be imposed for each violation;

(k) Section 106.143(4)(b), Florida Statutes, failure of a person making an independent expenditure for a political advertisement submitted to the news media for distribution to provide the media with a written statement that no candidate approved of the advertisement. A fine of \$200 shall be imposed for each violation;

(l) Section 106.143(4)(b), Florida Statutes, failure of a person making an independent expenditure for a political advertisement to state on the advertisement that no candidate approved the advertisement. A fine of \$200 shall be imposed for each violation;

(m) Section 106.143(5), Florida Statutes, prohibiting a person who is not the incumbent from including the word "re-elect" in a political advertisement. A fine of \$200 will be imposed for each violation;

(n)(d) Section 106.143(5), Florida Statutes, failure of a person in a political advertisement of a candidate who is not the incumbent to use the word "for" between the candidate's name and the office for which the candidate is running, unless incumbency is implied. A fine of \$100 shall be imposed for each violation:-

(o)(e) Section 106.1435(3), Florida Statutes, prohibiting a person from placing or locating a political advertisement on or above any state or county road right-of-way. A fine of \$100 shall be imposed for a violation:-

(p) Section 106.1437, Florida Statutes, failure of a person sponsoring a political advertisement intended to influence public policy or the vote of a public official to include a statement of sponsorship. A fine of \$200 shall be imposed for each violation;

(q) Section 106.144, Florida Statutes, failure of a group, club, association or other organization that endorses or opposes a candidate or referendum by means of political advertisements to file a statement of endorsement or opposition with the filing officer before distributing the advertisement. A fine of \$250 shall be imposed for each violation; and

(r) Section 106.148, Florida Statutes, failure of a candidate, political party, political committee, or committee of continuous existence or an agent of a candidate, political party, political committee or committee of continuous existence to include a political disclaimer on a message placed on an information system accessible by computer by more than one person. A fine of \$200 shall be imposed for each violation.

(2) Upon the executive director's determination that an alleged violation is a minor violation as defined by this rule, the executive director shall offer the respondent an opportunity to enter into a consent order to pay the fine or fines designated above. The consent order shall provide that the respondent neither admits nor denies the allegations.

(3) The Commission shall approve the consent order unless it determines that the requirements of this rule have not been met.

Specific Authority 106.26(12) FS. Law Implemented 106.26(12) FS. History--
New 1-12-99, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbara M. Linthicum, Executive Director, Florida Elections Commission

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

Guidelines for Imposing Administrative Penalties 5F-2.016

PURPOSE AND EFFECT: The purpose of 5F-2.016 is to specify Departmental policies when imposing an administrative fine as described in s. 525.16, F.S. The effect is to have uniform imposition of administrative fines.

SUMMARY: Proposed rule 5F-2.016 will specify guidelines when administrative fines are imposed pursuant to Chapter 525.16, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding 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: 525.14 FS.

LAWS IMPLEMENTED: 525.16 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., Tuesday, January 4, 2000

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone: (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-2.016 Guidelines for Imposing Administrative Penalties.

(1) Any person who is shown to have willfully and intentionally violated any provision of Chapter 525, Florida Statutes, shall have a maximum administrative fine of \$5,000 levied per violation.

(2) Any person who commits a first violation of Chapter 525, Florida Statutes, within a three-year period that is not shown to have been willful or intentional shall be issued a warning letter.

(3) Any person who commits a second violation of Chapter 525, Florida Statutes, within a three-year period that is not shown to have been willful or intentional shall have a maximum administrative fine of \$1,000 levied per violation.

(4) Any person who commits three or more violations of Chapter 525, Florida Statutes, within a three-year period that are not shown to have been willful or intentional shall have a maximum administrative fine of \$5,000 levied per violation.

(5) Pursuant to Section 525.16(1)(a)(2), Florida Statutes, four factors will be considered when imposing an administrative fine on a second time or repeat offender for violations that are not shown to have been willful or intentional. The factors are:

(a) The degree and extent of harm caused by the violation;

(b) The cost of rectifying the damage;

(c) The amount of money the violator benefited from the noncompliance; and

(d) The compliance record of the violator.

The administrative fine will be a sum of the assigned monetary amounts of these factors. These factors will be assigned monetary amounts in the following manner:

1. The degree of harm is determined by the severity and nature of the violation and the extent of harm will be determined by the amount of substandard product sold.

a. Severity and Nature of the Violation

Gasoline

<u>Fine</u>	<u>\$100</u>	<u>\$250</u>	<u>\$500</u>
<u>Distillation:</u>	<u>450-475</u>	<u>476-500</u>	<u>>500</u>
<u>End Point, °F</u>			
<u>Distillation:</u>		<u>all violations</u>	
<u>10, 50 & 90% evaporated temperature, °F</u>			
<u>Vapor Pressure, psi</u>	<u>April-October:</u> <u>>maximum but< 11.5</u>	<u>November-March: >13.5</u> <u>April-October: >11.5</u>	
<u>Antiknock Index</u>			<u>>2.0 below displayed value</u>
<u>Sulfur</u>			<u>all violations</u>
<u>Gum</u>			<u>all violations</u>
<u>Alcohol/Oxygenates</u>		<u>>maximum but< 20%</u>	<u>>20%</u>

Diesel, Kerosene and Fuel Oils

<u>Fine</u>	<u>\$100</u>	<u>\$250</u>	<u>\$500</u>
<u>Flash Point, °F</u>	<u>diesel & fuel oils:</u> <u>80-93.</u> <u>kerosene: 80-91</u>	<u>diesel, kerosene & fuel</u> <u>oils: 60-79</u>	<u>diesel, kerosene & fuel oils:</u> <u><60</u>
<u>Distillation</u>		<u>diesel, kerosene & fuel</u> <u>oils: all violations</u>	

b. Extent of Harm

<u>Fine</u>	<u>\$250</u>	<u>\$750</u>	<u>\$1,500</u>
<u># of gallons sold</u>	<u>0-500</u>	<u>501-1000</u>	<u>>1000</u>

2. The cost of rectifying the damage is determined by the monetary value of repairs for equipment damaged by the substandard product. These damages must be related to a valid complaint filed with The Department.

<u>Fine</u>	<u>\$100</u>	<u>\$250</u>	<u>\$500</u>
<u>\$value</u>	<u><\$500</u>	<u>\$500-1000</u>	<u>>\$1000</u>

3. Benefit to Violator

<u>Fine</u>	<u>Revenue resulting from sale of substandard product.</u>
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4. Compliance Record

<u>Fine</u>	<u>\$100 per violation</u>	<u>\$250 per violation</u>	<u>\$500 per violation</u>
<u># of violations subject to penalty</u>	<u>3rd previous year</u>	<u>2nd previous year</u>	<u>1st previous year</u>

Specific Authority 525.14 FS. Law Implemented 525.16 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric Hamilton
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 1999

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Standards for Processed Citrus Products
RULE CHAPTER NO.: 20-64
RULE TITLE: Sanitary Requirements
RULE NO.: 20-64.020
PURPOSE AND EFFECT: Would provide sanitary requirements for imported fresh squeezed citrus juices.
SUMMARY: Provides sanitary requirements for imported fresh squeezed citrus juices.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

SPECIFIC AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.44, 601.53, 601.54 FS.

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

TIME AND DATE: 10:30 a.m., January 19, 2000

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF PROPOSED RULE IS:

20-64.020 Sanitary Requirements.

(1) The sanitary requirements as prescribed in sections 2.2.1 through 2.2.58, July 1996 and sections 3.2.7a through 3.2.7g, June 1996 of the Citrus Handbook of the Processed Products Branch, Fruit and Vegetable Division, United States Department of Agriculture, shall be the governing regulations for sanitary conditions in Florida citrus processing plants.

(2) Exceptions:

The provisions of subsection (6) shall not apply to:

(a) Products being shipped or transported entirely within the state of Florida between licensed citrus processors in Florida for further processing which will include pasteurization or other approved kill-step.

(b) Gift fruit shippers, retail processors, and roadside stand operators engaged in the production of fresh squeezed unpasteurized juice and who squeeze less than 30,000 boxes annually, when said shippers, processors, and operators possess a food permit issued by the Department of Agriculture and Consumer Services pursuant to the provisions of section 5K-4.020, F.A.C.

(3) Processed citrus products found upon inspection to contain foreign materials which render the product unfit for human consumption, shall be seized, condemned and destroyed. The shipper or processor shall be notified in writing, at least ten days prior to destruction, that such products have been seized and condemned, to allow sufficient time to request and perfect an appeal, appropriate under provisions of United States Department of Agriculture regulations. If no appeal is entered, or on appeal the inspector's findings are sustained, such product shall be immediately destroyed.

(4) Destruction of processed citrus products for reasons of unfitness for human consumption shall be made by the processor, at his expense, and under the supervision of an authorized inspector.

(5) The requirements of this rule do not excuse failure of compliance with provisions of the Federal Food, Drug and Cosmetic Act.

(6) In addition to the provisions of subsections (1) through (5), the following good manufacturing practices as well as those described in Title 21, Code of Federal Regulations, Part 110, April 1, 1994 edition, incorporated herein by reference, shall apply to facilities preparing single strength "ready-to-drink" citrus juices that will not be treated by heat or other approved kill-step to reduce the enzymatic activity and the number of viable microorganisms:

(a) Wash Area:

1. Acid wash fruit and roller brush, or use other commercially equivalent cleaning method to remove soil, debris, etc., from fruit.

2. Use a minimum 200 ppm hypochlorite rinse or other commercially equivalent bactericide as prescribed by the manufacturer's label.

3. Water rinse just prior to entry into process area to remove all sanitizer/acid wash residues and to avoid potential for recontamination.

4. Belts/rollers/brushes/conveyers to be maintained free of soil, dirt and extraneous material; minimum of a weekly cleaning and sanitization of all above required.

5. Entire wash area maintained free of excess debris, pest and potential pest harborage including standing water.

6. Grading must eliminate unacceptable fruit, i.e. fruits with cuts, splits, punctures, black heart, and other defects that may allow pathogenic microorganisms to contaminate the interior of the fruit. Drops are unacceptable for use in unpasteurized products.

(b) Process Area:

1. Process area must be completely enclosed, i.e. protected from outside environment and must meet minimum structural and equipment sanitation requirements for food processing areas as described in sections 5K-4.002 and 5K-4.004, Florida Administrative Code.

2. All food contact surfaces must be cleaned and sanitized after production and prior to start up.

3. Appropriate cleaning and sanitizing agents must be used as prescribed by the equipment manufacturers for the specific finished food product. Effectiveness of cleaning and sanitizing procedures must be verified and documented by the plant's own quality control program or, HACCP program, or good manufacturing practices as described in Title 21, Code of Federal Regulations, Part 110, April 1, 1994 edition.

4. If product residues or buildup of organic matter remain on equipment, additional chemical treatment shall be used to remove such residues or buildup.

5. All lubricants must be food grade only, as approved by USDA.

6. Back-siphonage protection devices must be provided on any water outlet where a hose can be connected.

(c) Finished Product Requirements:

1. A contingency plan for in-line and surge tank juice during breakdowns must be in place to get juice chilled or disposed of. Cleaning and sanitizing procedures must be performed prior to restarting operation after extended breakdowns.

2. Filling area must be protected from the outside environment similar to processing area.

3. Containers must be sanitarily handled and protected from contamination, at all times.

4. When containers are removed from protective wrap, they must be covered, if not immediately used.

5. Finished product must immediately be moved to cold storage.

(d) Quality Control Procedures:

1. Water certificates shall be obtained from a HRS approved laboratory on an annual basis.

2. Finished product – A documented quality control program shall be established to ensure that product without a microbiological safety barrier, i.e. no heat treatment, is monitored for food safety. The program must include a microbiological monitoring component, using standard plate count, coliforms, and E.coli as indicators of process control, that is sufficient to establish a base-line for the specific plant's process to ensure freedom from potential pathogenic microorganisms. Each production lot or each day's production (whichever is less) shall be monitored for compliance with the base-line data previously established for the processing plant.

3. Quality control records and records of process deviation shall be maintained after processing for a minimum of 90 days for fresh product and for two years for frozen product, and shall be readily available for inspection by United States Department of Agriculture or other authorized state or federal personnel.

4. Establish a record keeping system that will:

- a. Track finished products to fruit used in production.
- b. Tie products to specific periods of production.
- c. Enable a recall procedure for unwholesome/unsafe products.

5. Upon a finding of a pertinent pathogenic microorganism associated with a product in distribution immediate notice shall be made to the United States Department of Agriculture or other agencies as required by law.

(e) Personnel and Sanitary Facilities:

Plant shall take all reasonable measures and precautions to ensure that good manufacturing practices are followed with respect to cleanliness and disease control.

(7) Imported Juices:

Single strength "read-to-drink" citrus juices imported into the state of Florida which have not been processed in such a manner that will produce a minimum 5-log (i.e., 100,000-fold) reduction in the pertinent microorganisms, as defined in Title 21, Code of Federal Regulations, Section 101.17(g), April 1,

1999, shall not be packaged, sold, or blended with other citrus products in this state unless such imported juices are first pasteurized.

Specific Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.44, 601.53, 601.54 FS. History--Formerly 105-1.19(5), Revised 1-1-75, Formerly 20-64.20, Amended 2-20-96, 6-8-97.

NAME OF PERSON ORIGINATING PROPOSED RULE: Clark R. Jennings, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Clark R. Jennings, General Counsel

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

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

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Standards for Processed Citrus

RULE CHAPTER NO.: 20-64

Products 20-64

RULE TITLE: Sanitary Requirements

RULE NO.: 20-64.020

PURPOSE AND EFFECT: Would provide sanitary requirements for imported fresh squeezed citrus juices.

SUMMARY: Provides sanitary requirements for imported fresh squeezed citrus juices.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.44, 601.53, 601.54 FS.

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

TIME AND DATE: 10:30 a.m., January 19, 2000

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-64.020 Sanitary Requirements.

(1) The sanitary requirements as prescribed in sections 2.2.1 through 2.2.58, July 1996 and sections 3.2.7a through 3.2.7d, June 1996 of the Citrus Handbook of the Processed

Products Branch, Fruit and Vegetable Division, United States Department of Agriculture, shall be the governing regulations for sanitary conditions in Florida citrus processing plants.

(2) Exceptions:

The provisions of subsection (6) shall not apply to:

(a) Products being shipped or transported entirely within the state of Florida between licensed citrus processors in Florida for further processing which will include pasteurization or other approved kill-step.

(b) Gift fruit shippers, retail processors, and roadside stand operators engaged in the production of fresh squeezed unpasteurized juice and who squeeze less than 30,000 boxes annually, when said shippers, processors, and operators possess a food permit issued by the Department of Agriculture and Consumer Services pursuant to the provisions of section 5K-4.020, F.A.C.

(3) Processed citrus products found upon inspection to contain foreign materials which render the product unfit for human consumption, shall be seized, condemned and destroyed. The shipper or processor shall be notified in writing, at least ten days prior to destruction, that such products have been seized and condemned, to allow sufficient time to request and perfect an appeal, appropriate under provisions of United States Department of Agriculture regulations. If no appeal is entered, or on appeal the inspector's findings are sustained, such product shall be immediately destroyed.

(4) Destruction of processed citrus products for reasons of unfitness for human consumption shall be made by the processor, at his expense, and under the supervision of an authorized inspector.

(5) The requirements of this rule do not excuse failure of compliance with provisions of the Federal Food, Drug and Cosmetic Act.

(6) In addition to the provisions of subsections (1) through (5), the following good manufacturing practices as well as those described in Title 21, Code of Federal Regulations, Part 110, April 1, 1994 edition, incorporated herein by reference, shall apply to facilities preparing single strength "ready-to-drink" citrus juices that will not be treated by heat or other approved kill-step to reduce the enzymatic activity and the number of viable microorganisms:

(a) Wash Area:

1. Acid wash fruit and roller brush, or use other commercially equivalent cleaning method to remove soil, debris, etc., from fruit.

2. Use a minimum 200 ppm hypochlorite rinse or other commercially equivalent bactericide as prescribed by the manufacturer's label.

3. Water rinse just prior to entry into process area to remove all sanitizer/acid wash residues and to avoid potential for recontamination.

4. Belts/rollers/brushes/conveyers to be maintained free of soil, dirt and extraneous material; minimum of a weekly cleaning and sanitization of all above required.

5. Entire wash area maintained free of excess debris, pest and potential pest harborage including standing water.

6. Grading must eliminate unacceptable fruit, i.e. fruits with cuts, splits, punctures, black heart, and other defects that may allow pathogenic microorganisms to contaminate the interior of the fruit. Drops are unacceptable for use in unpasteurized products.

(b) Process Area:

1. Process area must be completely enclosed, i.e. protected from outside environment and must meet minimum structural and equipment sanitation requirements for food processing areas as described in sections 5K-4.002 and 5K-4.004, Florida Administrative Code.

2. All food contact surfaces must be cleaned and sanitized after production and prior to start up.

3. Appropriate cleaning and sanitizing agents must be used as prescribed by the equipment manufacturers for the specific finished food product. Effectiveness of cleaning and sanitizing procedures must be verified and documented by the plant's own quality control program or, HACCP program, or good manufacturing practices as described in Title 21, Code of Federal Regulations, Part 110, April 1, 1994 edition.

4. If product residues or buildup of organic matter remain on equipment, additional chemical treatment shall be used to remove such residues or buildup.

5. All lubricants must be food grade only, as approved by USDA.

6. Back-siphonage protection devices must be provided on any water outlet where a hose can be connected.

(c) Finished Product Requirements:

1. A contingency plan for in-line and surge tank juice during breakdowns must be in place to get juice chilled or disposed of. Cleaning and sanitizing procedures must be performed prior to restarting operation after extended breakdowns.

2. Filling area must be protected from the outside environment similar to processing area.

3. Containers must be sanitarily handled and protected from contamination, at all times.

4. When containers are removed from protective wrap, they must be covered, if not immediately used.

5. Finished product must immediately be moved to cold storage.

(d) Quality Control Procedures:

1. Water certificates shall be obtained from a HRS approved laboratory on an annual basis.

2. Finished product – A documented quality control program shall be established to ensure that product without a microbiological safety barrier, i.e. no heat treatment, is

monitored for food safety. The program must include a microbiological monitoring component, using standard plate count, coliforms, and E.coli as indicators of process control, that is sufficient to establish a base-line for the specific plant's process to ensure freedom from potential pathogenic microorganisms. Each production lot or each day's production (whichever is less) shall be monitored for compliance with the base-line data previously established for the processing plant.

3. Quality control records and records of process deviation shall be maintained after processing for a minimum of 90 days for fresh product and for two years for frozen product, and shall be readily available for inspection by United States Department of Agriculture or other authorized state or federal personnel.

- 4. Establish a record keeping system that will:
 - a. Track finished products to fruit used in production.
 - b. Tie products to specific periods of production.
 - c. Enable a recall procedure for unwholesome/unsafe products.

5. Upon a finding of a pertinent pathogenic microorganism associated with a product in distribution immediate notice shall be made to the United States Department of Agriculture or other agencies as provided by law.

(e) Personnel and Sanitary Facilities:

Plant shall take all reasonable measures and precautions to ensure that good manufacturing practices are followed with respect to cleanliness and disease control.

(7) Imported Juices:

(a) Single strength "ready-to-drink" citrus juices imported into the state of Florida from locations outside the United States shall not be packaged, sold, or blended with other citrus products in this state unless such imported juices are first pasteurized regardless of whether said juice is shipped into Florida from another state.

(b) Single strength "ready-to-drink" citrus juices from fruit produced in other states of the United States and imported into the state of Florida directly from another state of the United States, and which are accompanied by documentation certifying they have been processed in such a manner that will produce a minimum 5-log (i.e., 100,000-fold) reduction in the pertinent microorganisms, as defined in Title 21, Code of Federal Regulations, Section 101.17(g), April 1, 1999, may be packaged, sold, or blended with any other citrus products in this state without further processing.

Specific Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.44, 601.53, 601.54 FS. History—Formerly 105-1.19(5), Revised 1-1-75, Formerly 20-64.20, Amended 2-20-96, 6-8-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Clark R. Jennings, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Clark R. Jennings, General Counsel

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

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

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Ownership and Use of "Made With Florida Citrus" Mark
RULE CHAPTER NO.: 20-111

RULE TITLES: Ownership
General Restrictions on Use of the Mark
Standards for Non-beverage Food Products
RULE NOS.: 20-111.001
20-111.003

Bearing the Mark 20-111.007
Standards for Citrus Wines Bearing the Mark 20-111.008

PURPOSE AND EFFECT: Would create a new section 20-111.008, extending use of the "Made With Florida Citrus" trademark to citrus wines made with Florida citrus. Amendments would also clarify provisions relating to "processing partner" agreements and "exclusive category rights."

SUMMARY: Amendments would extend "Made With Florida Citrus" trademark to use on citrus wines and would clarify provisions relating to "processing partner" agreements and "exclusive category rights."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.10(1), 601.11, 601.15(10)(a) FS.

LAW IMPLEMENTED: 601.101 FS.

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

TIME AND DATE: 10:30 a.m., January 19, 2000

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-111.001 Ownership.

The "Made With Florida Citrus" symbol, as shown below, is a registered ~~trademark certification mark~~ of the State of Florida, Department of Citrus.



All right, title and interest in and to said mark, granted to and vested in the State of Florida, Department of Citrus, via State and Federal laws, is hereby noticed to all interested persons.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended _____.

20-111.003 General Restrictions on the Use of the Mark.

(1) Use of the mark shall be restricted to the use in conjunction with the advertising, promotion, merchandising, sales, and packaging of non-beverage food products and citrus wines made with citrus from Florida which meet the description and standards as set forth in this chapter section 20-111.007.

(2) The mark shall not be used in any advertising, promotion, merchandising or packaging in lieu of a brand name or used in conjunction with a brand name in such a manner as to dominate or appear to be a part of a brand name.

(3) The mark as shown in section 20-111.001 must be used in its entirety.

(4) Each licensee or other authorized user of the mark shall deliver to the Department of Citrus for its records, a finished sample of any material bearing the mark, including product labels and advertisements.

(5) The licensee shall indemnify the Department and save it harmless with respect to any claims arising out of the use of its products bearing the mark by any person, or any claims arising out of misbranding or false or misleading advertising by the licensee.

(6) All products bearing the mark shall be subject to sampling and analysis.

(7) Each licensee or other authorized user of said mark shall be required, as a condition for such authorization, to allow reasonable and periodic inspections by a Department of Citrus representative or agent of the pertinent records and the processing or manufacturing premises of said users in order to determine whether or not said products meet the requirements set forth herein and otherwise to protect the integrity of said mark.

(8) In the case of persons packing products bearing the mark outside the state of Florida, permission shall be secured from each Florida supplier by the mark user to allow for the inspection of the supplier's pertinent records by the Department in order to determine whether or not citrus product supplied meets requirements set forth herein.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended _____.

20-111.007 Standards for Non-beverage Food Products Bearing the Mark.

Non-beverage food products, including but not limited to fruit salads, spreads, sauces, dressing, syrups, baked goods, cereals, mixes, seasonings, frozen desserts, and snack foods, made with Florida citrus or citrus products may bear the mark provided:

(1) Citrus fruit or citrus products used in the manufacture of the food product packaged under an individual brand or label bearing the mark is supplied in its entirety from a Florida licensed citrus fruit dealer, "processing partner," who has signed and placed on file with the Department, a "Made With Florida Citrus Florida Processor's Agreement Form" DOC/LEG/21 EFF. 1/1/98, incorporated herein by reference, and

(2) At least 25% of the food product's total ingredients are Florida citrus, Florida citrus products or Florida citrus by-products, and

(3) All citrus fruit or citrus fruit products used are from citrus grown in the state of Florida. In-state processors who prepare non-beverage food products using 100% Florida grown fruit processed at their own facility shall be eligible to use the "Made With Florida Citrus" symbol on qualifying food products without dealing with a "processing partner." However, such in-state processors shall not be eligible for exclusive category rights as described in section 20-111.0021 of this rule chapter.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101 FS. History—New 4-28-98, Amended _____.

20-111.008 Standards for Citrus Wines Bearing the Mark. Wines made with Florida citrus or citrus products may bear the mark provided:

(1) Citrus fruit or citrus products used in the manufacture of the citrus wine packaged under an individual brand or label bearing the mark is supplied in its entirety from a Florida licensed citrus fruit dealer, and

(2) At least 50% of the total ingredients of the wine are Florida citrus, Florida citrus products or Florida citrus by-products, and

(3) Alcohol content shall be limited to not more than 14% by volume, and

(4) All citrus fruit of citrus fruit products used are from citrus grown in the state of Florida.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Clark R. Jennings, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Clark R. Jennings, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 27, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 1999

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLES: Definitions
Division Sponsored Reemployment Services and Programs

RULE NOS.: 38F-55.001
38F-55.011

PURPOSE AND EFFECT: To change the definition of "education program" in 38F-55.001; and to address the educational programs and facilities when the Division determines a training program is necessary to return an injured employee to suitable gainful employment.

SUMMARY: Redefines "education program"; gives the Division the exclusive right to determine the educational programs and facilities to return an injured employee to suitable gainful employment; and deletes section 440.591, F.S., as specific authority.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is anticipated to have no cost to the agency other than the normal expenses incurred in the promulgation of administrative rules; will have no special or particular impact upon small businesses, counties, or cities; and will not adversely impact competition and the open market for employment.

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: 440.15(1), 440.491(5),(6),(7),(8) FS.

LAW IMPLEMENTED: 440.15, 440.491 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE ADVERTISED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paul Lincolnhol, SMA II, Bureau of Rehabilitation and Medical Services, Suite 100, Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399; telephone number (850)488-3431, Ext. 318

THE FULL TEXT OF THE PROPOSED RULES IS:

38F-55.001 Definitions.
(1) through (4) No change.
(5) "Education program" means a formal course of study or a certificate program in a training and education facility, agency or institution operating under chapters 239 Part II, 240 Parts II and III or 246, Florida Statutes, or a career education program defined in Chapter 228.041(22)(c), Florida Statutes (1997), which states: "At the post secondary education level, courses of study that provide vocational competencies needed for entry into specific occupations or for advancement within an occupation." and subject to the rules of the State Board of Independent Post-secondary Vocational, Technical, Trade and Business Schools as provided by sections 246.201—246.231, Florida Statutes; or any community college established under part III of chapter 240, Florida Statutes; or a career education program as defined by section 228.041(22)(a)3., Florida Statutes; or any formal training course for regulated occupations approved by any state regulatory agency. Outside of the State of Florida, an education program shall be approved as governed by comparable statutes of that state by the education regulatory agency of the state in which it is taught.
(6) through (18) No change.

Specific Authority 440.15(1), 440.491(5), (6), (7), (8), 440.591 FS. Law Implemented 440.15, 440.491 FS. History—New 7-1-96, Amended _____.

38F-55.011 Division Sponsored Reemployment Services and Programs.

- (1) through (3) No change.
- (4) If the Division determines a training program is necessary to return an injured employee to suitable gainful employment, the Division shall have the exclusive right to determine the educational programs and facilities at which to sponsor the injured employee. The Division shall determine the educational facility or institution at which to sponsor the injured employee. The Division shall not provide, nor sponsor, reemployment services at a location not approved by the Division.
 - (a) Training at private education facilities shall not be approved unless such recommended training is not offered at a public educational facility or provides an overall cost/time savings to the Workers' Compensation System, which can be justified.
 - (b) Training programs which only accept students from an applicant pool after the students complete a prerequisite curriculum may be approved only if the injured employee presents evidence of acceptance into such program.
 - (c) Baccalaureate or Graduate level studies may be approved only if the program capitalizes on prior education and/or aptitudes, and
 - 1. The program under consideration firmly establishes marketability toward suitable gainful employment for that injured employee, and

2. The injured employee presents evidence of acceptance into a degree program prior to the Division's Disposition letter of approval, and

3. The program does not exceed the level of a Master's degree.

(5) through (8) No change.

Specific Authority 440.491(5),(6), ~~440.591~~ FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Paul Lincolnhol

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Reginald L. Watkins, Bureau Chief

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 16, 1999

DATE, VOLUME AND PAGE NUMBER WHERE NOTICE OF RULE DEVELOPMENT WAS PUBLISHED IN FAW: October 22, 1999, Vol. 25, No. 43, pages 4826, 4827

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE TITLE: Complaints

RULE NO.: 60Y-5.001

PURPOSE AND EFFECT: The goal of the proposed rule amendments is to simplify and clarify the requirements of a complaint filed with the Florida Commission on Human Relations. The effect of the proposed rule amendments is that rule requirements will comport with the statutory requirements. SUMMARY: 60Y-5.001 sets forth the rule requirements of a complaint filed with the Florida Commission on Human Relations. The proposed rule amendments will result in rule requirements that comport with the statutory requirements. A complaint will be permitted to be filed at any time within 365 days of the occurrence of the alleged unlawful employment practice. In addition, a complaint will need to be in writing, signed by the Complainant, verified, and sufficiently precise to identify the parties and to describe generally the action or practice complained of. When it is determined that a complaint has been timely filed, the Commission, within 5 days of the complaint being filed, shall send by registered mail notice of the filing and a copy of the complaint to the respondent. An amendment likewise will be sent by registered mail to the respondent.

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

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

SPECIFIC AUTHORITY: 760.06(12), 760.11(14) FS.

LAW IMPLEMENTED: 760.06, 760.10, 760.11(1) FS.

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

TIME AND DATE: 10:00 a.m., January 6, 2000

PLACE: Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stan Gorsica, Attorney, Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida 32303-4149, (850)668-7283

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-5.001 Complaints.

(1) No change.

(2) Time for Filing. A complaint may be filed at any time within ~~365~~ 180 days of the occurrence of the alleged unlawful employment practice. If the alleged unlawful employment practice is of a continuing nature, the date of the occurrence may be any date subsequent to the commencement of the unlawful employment practice up to and including the date on which it shall have ceased.

(3) through (6)(a) No change.

(6)(b) Notwithstanding the provision of paragraph (a) of this subsection, a complaint is sufficient if it is in writing, signed by the Complainant, verified, under oath or affirmation and is sufficiently precise to identify the parties and to describe generally the action or practice complained of.

(7) through (8) No change.

(9) Notice to Respondent. When it is determined that a complaint has been timely filed, the Commission, Executive Director within 5 days of the complaint being filed, shall send by registered mail ~~cause~~ notice of the filing and a copy of the complaint to ~~be served upon~~ the respondent. An amendment likewise shall be sent by registered mail to the ~~served upon a~~ respondent. ~~Notice should be served within 15 days of the date of filing.~~

(10) No change.

Specific Authority 760.06(12), 760.11(14) FS. Law Implemented 760.06, 760.10, 760.11(1) FS. History--New 11-2-78, Amended 10-4-82, Formerly 22T-9.01, 22T-9.001, Amended 1-28-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dana Baird, General Counsel, Florida Commission on Human Relations

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ronald McElrath, Executive Director, Florida Commission on Human Relations

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Municipal Police Officers' Retirement Trust Fund 60Z-1

RULE TITLES: RULE NOS.:

Annuity or Life Insurance; Plans for Purchase to be Reviewed by the Division of Retirement 60Z-1.001

No Refunds before Termination of Employment; Exceptions 60Z-1.002

Contribution Begins upon Employment 60Z-1.003

Credited Years of Service Construed 60Z-1.004

Compensation Defined 60Z-1.005

No Deductions after Normal Retirement Date 60Z-1.006

Police Officer Defined 60Z-1.007

Deduction for Disability Payments; Method of Determination 60Z-1.008

Reactivated Retirement Fund; Responsibility of City 60Z-1.009

Amending Existing Pension Plans 60Z-1.010

Exclusion of Benefits upon Transfer to State or State and County Retirement System 60Z-1.011

Investments 60Z-1.012

Compliance Required 60Z-1.013

Determination of Compliance 60Z-1.014

Deposit of Funds 60Z-1.015

Designation of Beneficiary 60Z-1.016

Information Supplied by Municipalities 60Z-1.017

Statements of Disbursements 60Z-1.018

Proceedings by the Division 60Z-1.019

Investment of Funds 60Z-1.020

Disability in Line of Duty 60Z-1.021

Pension Plans for Policemen and Other Employees 60Z-1.022

Determination of Benefits 60Z-1.023

Extra Benefits 60Z-1.024

Termination of the Plan 60Z-1.025

PURPOSE AND EFFECT: To repeal rule 60Z-1, pertaining to the retirement trust fund for municipal police officers, which has been rendered obsolete by Chapter 99-1, Laws of Florida.

SUMMARY: The Municipal Police Officers' Retirement Trust Fund rules are being repealed because they have been rendered obsolete by the passage of Chapter 99-1, Laws of Florida, which revised Chapter 185, F.S.

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

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

SPECIFIC AUTHORITY: 185.23(2) FS.

LAW IMPLEMENTED: Chapter 99-1, Laws of Florida.

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., January 4, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia Shoemaker, Benefits Administrator, Division of Retirement, Cedars Executive Center, Building B, 2639 North Monroe Street, Tallahassee, Florida 32399-1560

THE FULL TEXT OF THE PROPOSED RULES IS:

60Z-1.001 Annuity or Life Insurance; Plans for Purchase to Be Reviewed by the Division of Retirement.

Specific Authority 185.23 FS. Law Implemented 185.06(1), 185.061 FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.01, 4-14.001, Repealed.

60Z-1.002 No Refunds before Termination of Employment; Exceptions.

Specific Authority 185.23 FS. Law Implemented 185.15, 185.19 FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.02, 4-14.002, Repealed.

60Z-1.003 Contribution Begins upon Employment.

Specific Authority 185.23 FS. Law Implemented 185.07(2), 185.14 FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.03, 4-14.003, Repealed.

60Z-1.004 Credited Years of Service Construed.

Specific Authority 185.23 FS. Law Implemented 185.02(6) FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.04, 4-14.004, Repealed.

60Z-1.005 Compensation Defined.

Specific Authority 185.23 FS. Law Implemented 185.061(6)(b) FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.05, 4-14.005, Repealed.

60Z-1.006 No Deductions after Normal Retirement Date.

Specific Authority 185.23 FS. Law Implemented 185.07(2) FS. History--New 2-20-62, Repromulgated 12-24-74, Formerly 4-14.06, 4-14.006, Repealed.

60Z-1.007 Police Officer Defined.

Specific Authority 185.23 FS. Law Implemented 185.02(1) FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.07, 4-14.007, Repealed.

60Z-1.008 Deduction for Disability Payments; Method of Determination.

Specific Authority 185.23 FS. Law Implemented 185.16(2) FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.08, 4-14.008, Repealed.

60Z-1.009 Reactivated Retirement Fund; Responsibility of City.

Specific Authority 185.23 FS. Law Implemented 185.37 FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-14.09, 4-14.009, Repealed.

60Z-1.010 Amending Existing Pension Plans.

Specific Authority 185.23 FS. Law Implemented 185.16, 185.161, 185.18, 185.19, 185.21 FS. History--New 5-20-64, Repromulgated 12-24-74, Formerly 4-14.10, 4-14.010, Repealed.

60Z-1.011 Exclusion of Benefits upon Transfer to State or State and County Retirement System.

Specific Authority 185.23 FS. Law Implemented 121.081(1)(g), 185.03, 185.32 FS. History--New 4-12-82, Formerly 4-14.11, 4-14.011, Repealed.

60Z-1.012 Investments.

Specific Authority 185.23 FS. Law Implemented 185.06 FS. History--New 4-12-82, Formerly 4-14.12, 4-14.012, Repealed.

60Z-1.013 Compliance Required.

Specific Authority 185.23 FS. Law Implemented 185.10, 185.35 FS. History--New 4-12-82, Formerly 4-14.13, 4-14.013, Repealed.

60Z-1.014 Determination of Compliance.

Specific Authority 185.23 FS. Law Implemented 185.07(4), 185.09, 185.10, 185.221(1)(d), 185.35, 185.35(1)(j), 633.382(4)(b) FS. History--New 4-12-82, Formerly 4-14.14, 4-14.014, Repealed.

60Z-1.015 Deposit of Funds.

Specific Authority 185.23 FS. Law Implemented 112.62, 112.64(1), 185.11 FS. History--New 4-12-82, Formerly 4-14.15, 4-14.015, Repealed.

60Z-1.016 Designation of Beneficiary.

Specific Authority 185.23 FS. Law Implemented 185.162 FS. History--New 4-12-82, Formerly 4-14.16, 4-14.016, Repealed.

60Z-1.017 Information Supplied by Municipalities.

Specific Authority 185.23 FS. Law Implemented 185.10, 185.221, 185.35(1)(l), 215.32(2)(b)1. FS. History--New 4-12-82, Formerly 4-14.17, 4-14.017, Repealed.

60Z-1.018 Statements of Disbursements.

Specific Authority 185.23 FS. Law Implemented 185.221(1)(b), (e), 185.35(1)(l) FS. History--New 4-12-82, Formerly 4-14.18, 4-14.018, Repealed.

60Z-1.019 Proceedings by the Division.

Specific Authority 185.23 FS. Law Implemented 185.10, 185.35 FS. History--New 4-12-82, Formerly 4-14.19, 4-14.019, Repealed.

60Z-1.020 Investment of Funds.

Specific Authority 185.23 FS. Law Implemented 185.35(3) FS. History--New 4-12-82, Formerly 4-14.20, 4-14.020, Repealed.

60Z-1.021 Disability in Line of Duty.

Specific Authority 185.23 FS. Law Implemented 185.34 FS. History--New 4-12-82, Formerly 4-14.21, 4-14.021, Repealed.

60Z-1.022 Pension Plans for Policemen and Other Employees.

Specific Authority 185.23 FS. Law Implemented 185.35 FS. History--New 4-12-82, Formerly 4-14.22, 4-14.022, Repealed.

60Z-1.023 Determination of Benefits.

Specific Authority 185.23 FS. Law Implemented 185.35(1)(g) FS. History--New 4-12-82, Formerly 4-14.23, 4-14.023, Repealed.

60Z-1.024 Extra Benefits.

Specific Authority 185.23 FS. Law Implemented 185.35(2) FS. History--New 4-12-82, Formerly 4-14.24, 4-14.024, Repealed.

60Z-1.025 Termination of the Plan.

Specific Authority 185.23 FS. Law Implemented 185.37 FS. History--New 4-12-82, Formerly 4-14.25, 4-14.025, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: A. J. McMullian III, Director, Division of Retirement
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: December 1, 1999

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Municipal Firefighters' Pension Trust Fund	60Z-2
RULE TITLES:	RULE NOS.:
Public Safety Officers	60Z-2.001
Exclusion of Benefits Upon Transfer to State or State and County Retirement System	60Z-2.002
Investments	60Z-2.003
Compliance Required	60Z-2.004
Determination of Compliance	60Z-2.005
Deposit of Funds	60Z-2.006
Designation of Beneficiary	60Z-2.007
Information Supplied by Municipalities	60Z-2.008
Statements of Disbursements	60Z-2.009
Proceedings by the Division	60Z-2.010
Investment of Funds	60Z-2.011
Disability in Line of Duty	60Z-2.012
Pension Plans for Firefighters and Other Employees	60Z-2.013
Determination of Benefits	60Z-2.014
Extra Benefits	60Z-2.015
Termination of the Plan	60Z-2.016

PURPOSE AND EFFECT: To repeal rule 60Z-2, pertaining to the retirement trust fund for municipal firefighters, which has been rendered obsolete by Chapter 99-1, Laws of Florida.

SUMMARY: The Municipal Firefighters' Pension Trust Fund rules are being repealed because they have been rendered obsolete by the passage of Chapter 99-1, Laws of Florida, which revised Chapter 175, F.S.

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

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

SPECIFIC AUTHORITY: 175.341(2) FS.

LAW IMPLEMENTED: Chapter 99-1, Laws of Florida.

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., January 4, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia Shoemaker, Benefits Administrator, Division of Retirement, Cedars Executive Center, Building B, 2639 North Monroe Street, Tallahassee, Florida 32399-1560

THE FULL TEXT OF THE PROPOSED RULES IS:

60Z-2.001 Public Safety Officers.

Specific Authority 175.341 FS. Law Implemented 175.032(1)(a), 175.041(4), 175.122, 633.382(4)(b) FS. History--New 4-12-82, Formerly 4-54.01, 4-54.001, Repealed.

60Z-2.002 Exclusion of Benefits Upon Transfer to State or State and County Retirement System.

Specific Authority 175.341 FS. Law Implemented 121.081(1)(g), 175.041(3) FS. History--New 4-12-82, Formerly 4-54.02, 4-54.002, Repealed.

60Z-2.003 Investments.

Specific Authority 175.341 FS. Law Implemented 175.071 FS. History--New 4-12-82, Formerly 4-54.03, 4-54.003, Repealed.

60Z-2.004 Compliance Required.

Specific Authority 175.341 FS. Law Implemented 175.121, 175.351 FS. History--New 4-12-82, Formerly 4-54.04, 4-54.004, Repealed.

60Z-2.005 Determination of Compliance.

Specific Authority 175.341 FS. Law Implemented 175.091(4), 175.101, 175.111, 175.121, 633.382(4)(b) FS. History--New 4-12-82, Formerly 4-54.05, 4-54.005, Repealed.

60Z-2.006 Deposit of Funds.

Specific Authority 175.341 FS. Law Implemented 112.62, 112.64(1), 175.131 FS. History--New 4-12-82, Formerly 4-54.06, 4-54.006, Repealed.

60Z-2.007 Designation of Beneficiary.

Specific Authority 175.341 FS. Law Implemented 175.181(1) FS. History--New 4-12-82, Formerly 4-54.07, 4-54.007, Repealed.

60Z-2.008 Information Supplied by Municipalities.

Specific Authority 175.341 FS. Law Implemented 175.121, 175.261, 175.351(12), 215.32(2)(b)1. FS. History--New 4-12-82, Formerly 4-54.08, 4-54.008, Repealed.

60Z-2.009 Statements of Disbursements.

Specific Authority 175.341 FS. Law Implemented 175.261(1)(b), 175.351(12)(b)2. FS. History--New 4-12-82, Formerly 4-54.09, 4-54.009, Repealed.

60Z-2.010 Proceedings by the Division.

Specific Authority 175.341 FS. Law Implemented 175.121, 175.351 FS. History--New 4-12-82, Formerly 4-54.10, 4-54.010, Repealed.

60Z-2.011 Investment of Funds.

Specific Authority 175.341 FS. Law Implemented 175.321, 175.351(14) FS. History--New 4-12-82, Formerly 4-54.11, 4-54.011, Repealed.

60Z-2.012 Disability in Line of Duty.

Specific Authority 175.341 FS. Law Implemented 175.231, 175.321 FS. History--New 4-12-82, Formerly 4-54.12, 4-54.012, Repealed.

60Z-2.013 Pension Plans for Firefighters and Other Employees.

Specific Authority 175.341 FS. Law Implemented 175.321, 175.351 FS. History--New 4-12-82, Formerly 4-54.13, 4-54.013, Repealed.

60Z-2.014 Determination of Benefits.

Specific Authority 175.341 FS. Law Implemented 175.321, 175.351(7) FS. History--New 4-12-82, Formerly 4-54.14, 4-54.014, Repealed.

60Z-2.015 Extra Benefits.

Specific Authority 175.341 FS. Law Implemented 175.351(13) FS. History--New 4-12-82, Formerly 4-54.15, 4-54.015, Repealed.

60Z-2.016 Termination of the Plan.

Specific Authority 175.341 FS. Law Implemented 175.321, 175.361 FS. History--New 4-12-82, Formerly 4-54.16, 4-54.016, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: A. J. McMullian III, Director, Division of Retirement

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: December 1, 1999

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLES:	RULE NOS:
General	64E-20.002
Definitions	64E-20.003
Testing and Standards	64E-20.004
Non-compliance	64E-20.005

PURPOSE AND EFFECT: The purpose of the proposed rule is to codify the recently enacted legislation that requires the Department of Health to certify the quality of compressed air sold to the public throughout the state for SCUBA diving. The

code will provide the method of sampling and testing that will be utilized; the interval of testing; will specify approved forms and certifications and will provide for enforcement.

SUMMARY: This new rule simply tells the public what standard SCUBA air will be expected to meet and it tells operators how often they need to submit their lab results.

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

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

SPECIFIC AUTHORITY: 381.895 FS.

LAW IMPLEMENTED: 381.895(6) FS.

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

TIME AND DATE: 1:00 p.m., January 6, 2000

PLACE: 1317 Winewood Boulevard, Room 203, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Padraic R. Juarez, Environmental Manager, Bureau of Facility Programs, 2020 Capital Circle, S. E., BIN A08, Tallahassee, Florida 32399-0171, (850)487-0004

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-20.002 General.

This rule regulates the maximum allowable levels for contaminants in compressed air for use in recreational sport diving. No person shall offer, for compensation, compressed air for use in recreational sport diving unless they have complied with all sections of this rule.

Specific Authority 381.895 FS. Law Implemented 381.895(6) FS. History–New _____.

64E-20.003 Definitions.

(1) Operators – Any person(s) as described in Florida Statute 381.395(3).

(2) Quarterly – Once every three months.

Specific Authority 381.895 FS. Law Implemented 381.895(6) FS. History–New _____.

64E-20.004 Testing and Standards.

(1) The Department of Health hereby adopts and incorporates by reference the Grade "E" air quality standard cited in the Commodity Specification for Air, CGA G-7.1-1997, published by the Compressed Gas Association (CGA).

(2) Operators must provide to the Department of Health on a quarterly basis the test results from an accredited laboratory. These test results may be provided to the Department of

Health, Bureau of Facility Programs, by e-mail, facsimile transmission, by regular mail or as described on voluntary DH form 4125, 1/2000.

Specific Authority 381.895 FS. Law Implemented 381.895(6) FS. History–New _____.

64E-20.005 Non-compliance.

(1) Any person or entity which fails to submit test results on the quarterly schedule, or fails to post test results in a conspicuous location, or which submits test results not in compliance with the standards set forth in this rule, and continues to provide compressed air for compensation after receiving a failed test report, shall be in violation of this rule and section 381.895, F.S.

(2) The Department of Health shall issue a Notice of Non-Compliance in the event a person or entity fails to submit test results on the quarterly schedule established by the Department of Health, or fails to post a certificate from an accredited laboratory in a conspicuous location, or operates after they have received test results showing non-compliance.

Specific Authority 381.895 FS. Law Implemented 381.895(6) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Padraic Juarez, Environmental Specialist, Bureau of Facility Programs

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Eric Grimm, Chief, Bureau of Facility Programs

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 13, 1999

**Section III
Notices of Changes, Corrections and
Withdrawals**

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.141	Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies
25-4.202	Construction and Waivers

AMENDED NOTICE OF AGENDA CONFERENCE

The Public Service Commission, at the agenda conference scheduled for 9:30 a.m. on December 21, 1999, in Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL, in Docket No. 980569-PU, will consider approving the proposed amendments to Rule 25-4.141, Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee; Rule 25-4.202, Construction and Waivers. The proposed

amendments delete the provisions for waivers of the rules. The rules were originally noticed in the Florida Administrative Weekly on December 31, 1998, Vol. 24, No. 53, pp. 7063-7064. A public hearing was held on August 12, 1999. The person to be contacted regarding the rules is: Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-6.002	Application and Scope
25-6.043	Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee
25-6.0438	Non-Firm Electric Service-Terms and Conditions

AMENDED NOTICE OF AGENDA CONFERENCE

The Public Service Commission, at the agenda conference scheduled for 9:30 a.m. on December 21, 1999, in Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL, in Docket No. 980569-PU, will consider approving the proposed amendments to Rule 25-6.002, Application and Scope, Rule 25-6.043, Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee and Rule 25-6.0438, Non-Firm Electric Service-Terms and Conditions. The proposed amendments delete the provisions for waivers of the rules. The rules were originally noticed in the Florida Administrative Weekly on December 31, 1998, Vol. 24, No. 53, pp. 7064-7065. A public hearing was held on August 12, 1999. The person to be contacted regarding the rules is: Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-17.087	Interconnection and Standards

AMENDED NOTICE OF AGENDA CONFERENCE

The Public Service Commission, at the agenda conference scheduled for 9:30 a.m. on December 21, 1999, in Room 148, The Betty Easley Conference Center, 4075 Esplanade Way,

Tallahassee, FL, in Docket No. 980569-PU, will consider approving the proposed amendments to 25-17.087, Interconnection and Standards. The proposed amendments delete the provisions for waivers of the rules. The rules were originally noticed in the Florida Administrative Weekly on December 31, 1998, Vol. 24, No. 53, pp. 7065-7066. A public hearing was held on August 12, 1999. The person to be contacted regarding the rule is: Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-24.555	Scope and Waiver

AMENDED NOTICE OF AGENDA CONFERENCE

The Public Service Commission, at the agenda conference scheduled for 9:30 a.m. on December 21, 1999, in Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL, in Docket No. 980569-PU, will consider approving the proposed amendments to 25-24.555, Scope and Waiver. The proposed amendments delete the provisions for waivers of the rules. The rules were originally noticed in the Florida Administrative Weekly on December 31, 1998, Vol. 24, No. 53, pp. 7066-7067. A public hearing was held on August 12, 1999. The person to be contacted regarding the rule is: Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-30.010	Rules for General Application
25-30.011	Application and Scope
25-30.436	General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase
25-30.450	Burden of Proof and Audit Provisions
25-30.455	Staff Assistance in Rate Cases

- 25-30.456 Staff Assistance in Alternative Rate Setting
- 25-30.570 Imputation of Contribution-in-Aid-of-Construction
- 25-30.580 Guidelines for Designing Service Availability Policy

AMENDED NOTICE OF AGENDA CONFERENCE

The Public Service Commission, at the agenda conference scheduled for 9:30 a.m. on December 21, 1999, in Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL, in Docket No. 980569-PU, will consider approving the proposed amendments to Rule 25-30.010, Rules for General Application, Rule 25-30.011, Application and Scope, Rule 25-30.436, General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase, Rule 25-30.450, Burden of Proof and Audit Provisions, Rule 25-30.455, Staff Assistance in Rate Cases, Rule 25-30.456, Staff Assistance in Alternative Rate Setting, Rule 25-30.570, Imputation of Contributions-in-Aid-of-Construction and Rule 25-30.580, Guidelines for Designing Service Availability Policy. The proposed amendments delete the provisions for waivers of the rules. The rules were originally noticed in the Florida Administrative Weekly on December 31, 1998, Vol. 24, No. 53, pp. 7067-7069. A public hearing was held on August 12, 1999. The person to be contacted regarding the rules is: Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-501.401 Admissible Reading Material
 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. 43, October 29, 1999, issue of the Florida Administrative Weekly:

33-501.401 Admissible Reading Material.

(1) The provisions of this section shall apply to all publications, including, books, novels, educational reference and correspondence study materials, religious materials, legal materials, newspapers, magazines, brochures, flyers and catalogues, calendars and any other printed materials addressed to a specific inmate or found in the personal property of an inmate.

(2) through (7)(b) No change.

(c) If the inmate fails to file within 15 calendar days, fails to provide the impoundment or rejection notice as an attachment to his or her appeal, ~~fails to provide a copy of DC Form DC6 220 as an attachment to his or her appeal when appealing the impoundment of rejected publications found in the inmate's property~~, addresses more than one impounded or rejected publication or in any other way violates the grievance procedure as described in chapter 33-103, his or her appeal shall be returned without response to the issue raised.

(7)(d) through (10)(a) No change.

(b) No inmate shall be allowed to receive or keep more than one copy of any volume, issue or edition of any book, periodical or other publication. For example, an inmate will be allowed to keep the January and February 1994 issues of a specific magazine, but will not be allowed to keep two copies of the January 1994 issue. No inmate shall be issued admissible reading material if he or she can not store it in his or her personal living area without creating a fire, safety, or sanitation hazard. ~~Effective July 1, 1998, Inmates shall be limited to no more than 2 4 singles issues of a daily or weekly newspaper title and 8 single issues of a periodical or newspaper title.~~ Inmates shall be allowed to order single issues of periodicals and newspapers from publishers' wholesale or mail-order distributors and bookstores in lieu of purchasing subscriptions; however, all of the above-referenced limits shall still apply ~~inmates shall still be limited to possession of not more than four issues of a single general circulation newspaper title, and not more than four issues of any single periodical title (maximum of four titles, including those received by subscription).~~

(c) No change.

(d) Except as otherwise provided in rules 33-601.801-601.813, effective July 1, 1998, inmates shall be limited to the possession of 4 books. Religious testaments, correspondence study materials and law books not in the institution's law library collection shall not be counted against this limit. Religious testaments include sacred texts, prayer books and devotionals.

(11) through (15) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
 61G4-12.006 List of Approved Forms;
 Incorporated

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. 43, October 29, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of Joint Administrative Procedures Committee.

Subsection (7) shall now read as follows:

(7) Application for Certification of Registered Contractor Form DBPR/CILB/032/Rev.09-99, which is hereby incorporated by reference and will be effective _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:
61G5-32.001 Continuing Education

NOTICE OF PUBLIC HEARING

The Board of Cosmetology hereby gives notice of a public hearing on the above-referenced rule to be held on January 23, 2000 at the Embassy Suite, 555 North Westshore Bldg, Tampa, 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

Electrical Contractors' Licensing Board

RULE NO. RULE TITLE:
61G6-5.0035 Certification of Registered Contractors

NOTICE OF ADDITIONAL PUBLIC HEARING

The Electrical Contractors' Licensing Board hereby gives notice of an additional public hearing on the above-referenced rule to be held on January 18, 2000, at 10:00 a.m., at The Department of Business and Professional Regulation, Board Room, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida. The rule was originally published in Vol. 25, No. 44, of the November 5, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 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 Landscape Architecture

RULE NOS.: RULE TITLES:
61G10-11.002 Reexamination
61G10-11.003 Examination Review Procedure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 24, No. 24, June 12, 1998, Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: RULE TITLE:
61G17-7.0025 Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

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. 38, September 24, 1999, issue of the Florida Administrative Weekly. The changes are being made to properly identify the Internet Website for which the "Secure Hash Standard" document can be found. Subsection (2) of the proposed rule shall now read as follows:

(2) Electronic files may be signed and sealed by creating a "signature" file that contains the surveyor and mapper's name and PSM number, a brief overall description of the surveying and mapping documents, and a list of the electronic files to be sealed. Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <ftp://ftp.isi.edu/in-notes/rfc1738.txt>. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 "Secure Hash Standard," 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.itl.nist.gov/fipspubs/fip180-1.htm>. A report shall be created that contains the surveyor and mapper's name and

PSM number, a brief overall description of the surveyor and mapper documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the professional surveyor and mapper in responsible charge. The signature file is defined as sealed if its authentication code matches the authentication code on the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file's computed authentication code.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: D. A. O'Connor, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0756

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-4.001
RULE TITLE: Trainee Registration

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 36, of the September 10, 1999, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held by telephone conference call on November 29, 1999, voted to change the rule.

Subsection (2) of the rule shall be changed to read as follows:

(2) If the trainee is unable to complete the training by the date indicated on the application for initial registration based on extenuating circumstances such as the applicant's surgery, serious illness or injury, hospitalization, pregnancy or a death in the applicant's family, a letter must be submitted from the training program coordinator to the Board of Clinical Laboratory Personnel explaining the reasons. Failure to submit such a letter shall result in a denial of the request for renewal.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker Jr., Executive Director, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.008
RULE TITLE: Public Health Laboratory Personnel

NOTICE OF RULE WITHDRAWAL

The Board of Clinical Laboratory Personnel hereby gives notice that it is withdrawing the proposed amendments to the above-referenced rule which were originally published in Vol. 25, No. 36, of the September 10, 1999, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-13.004
RULE TITLE: Responsibilities of Technicians

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 38, of the September 24, 1999, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held by telephone conference call on November 29, 1999, voted to change the rule. When changed, subsection 1(l) shall read as follows:

(l) Shall not perform clinical laboratory testing classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference, unless the technician meets the minimum qualifications contained in 42 CFR 493.1489, (September 7, 1999), incorporated by reference.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.519
RULE TITLE: Child Care

CONTINUATION OF PROPOSED RULEMAKING

The Department of Children and Family Services announces a public hearing to which all persons are invited.

TIME AND DATE: 10:00 a.m., December 20, 1999

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

PURPOSE: To allow the department to further amend policy statements regarding forms for notifying clients of potential eligibility for subsidized child care in administrative rule 65A-1.519, FAC. Additionally, amended work activity functions of the WAGES coalitions or their contracted providers will be addressed.

Any person desiring special accommodations under the Americans with Disabilities Act or desiring a copy of the agenda for this hearing should contact Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program, Building 3, Room 412D, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or telephone (850)488-3090. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-33.001 RULE TITLE: Purpose and Legal Base

CONTINUATION OF PROPOSED RULEMAKING

The Department of Children and Family Services announces a public hearing to which all persons are invited.

TIME AND DATE: 2:00 p.m., December 20, 1999

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

PURPOSE: The rule states federal authority for the Emergency Financial Assistance Program as being at 45CFR, s. 233.120 which has been repealed. The rule, if retained, would be incorrect. This rule's repeal will be discussed at the hearing.

Any person desiring special accommodations under the Americans with Disabilities Act or desiring a copy of the agenda for this hearing should contact Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program, Building 3, Room 412D, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or telephone (850)488-3090. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: Replacement of Obsolete Emergency Rules RULE NO.: 53ER99-40

SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER99-40 Replacement of Obsolete Emergency Rules. The following Department of the Lottery emergency rules relating to Lottery games, merchandising and promotional item procurement, personnel policies, and player and retailer promotions are obsolete. The emergency rules listed below are obsolete because the games and promotions have concluded, the emergency rule provisions have been adopted by permanent rule, or the Lottery has determined the rule to be unnecessary. This rule shall replace the following rules: 53ER87-10, 53ER97-11, 53ER97-29, 53ER97-40, 53ER97-43, 53ER97-44, 53ER97-49, 53ER97-53, 53ER97-55, 53ER97-56, 53ER98-1, 53ER98-2, 53ER98-3, 53ER98-4, 53ER98-5, 53ER98-7, 53ER98-8, 53ER98-9, 53ER98-10, 53ER98-11, 53ER98-13, 53ER98-15, 53ER98-17, 53ER98-18, 53ER98-19, 53ER98-20, 53ER98-21, 53ER98-22, 53ER98-23, 53ER98-25, 53ER98-27, 53ER98-28, 53ER98-29, 53ER98-30, 53ER98-31, 53ER98-35, 53ER98-36, 53ER98-37, 53ER98-38, 53ER98-39, 53ER98-41, 53ER98-43, 53ER98-45, 53ER98-46, 53ER98-51, 53ER98-52, 53ER98-54, 53ER98-55, 53ER98-57, 53ER98-58, 53ER98-59, 53ER98-61, 53ER98-63, 53ER98-64, 53ER98-65, 53ER99-2, 53ER99-3, 53ER99-4, 53ER99-5, 53ER99-10, 53ER99-13, 53ER99-15, 53ER99-20, 53ER99-30, 53ER99-35, F.A.C.

Specific Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History--New 11-30-99, Replaces 53ER87-10, 53ER97-11, 53ER97-29, 53ER97-40, 53ER97-43, 53ER97-44, 53ER97-49, 53ER97-53, 53ER97-55, 53ER97-56, 53ER98-1, 53ER98-2, 53ER98-3, 53ER98-4, 53ER98-5, 53ER98-7, 53ER98-8, 53ER98-9, 53ER98-10, 53ER98-11, 53ER98-13, 53ER98-15, 53ER98-17, 53ER98-18, 53ER98-19, 53ER98-20, 53ER98-21, 53ER98-22, 53ER98-23, 53ER98-25, 53ER98-27, 53ER98-28, 53ER98-29, 53ER98-30, 53ER98-31, 53ER98-35, 53ER98-36, 53ER98-37, 53ER98-38, 53ER98-39, 53ER98-41, 53ER98-43, 53ER98-45, 53ER98-46, 53ER98-51, 53ER98-52, 53ER98-54, 53ER98-55, 53ER98-57, 53ER98-58, 53ER98-59, 53ER98-61, 53ER98-63, 53ER98-64, 53ER98-65, 53ER99-2, 53ER99-3, 53ER99-4, 53ER99-5, 53ER99-10, 53ER99-13, 53ER99-15, 53ER99-20, 53ER99-30, 53ER99-35, F.A.C.

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

EFFECTIVE DATE: November 30, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLE: Confidential Information RULE NO.: 53ER99-63

SUMMARY OF THE RULE: The rule changes the classification of pre-drawing and post-drawing test data information for all on-line games from public record information to confidential information.

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:

53ER99-63 Confidential Information.

All pre-drawing and post-drawing test data for all on-line games shall be confidential.

Specific Authority 24.105(13)(a), 24.105(2)(a), 24.109(1) FS. Law Implemented 24.105(13)(a), 24.105(2)(a), 24.109(1) FS. History—New 11-30-99.

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

EFFECTIVE DATE: November 30, 1999

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

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver or Variance dated November 19, 1999 from the City of Crystal River. This petition requests a variance/waiver from Rule 9B-43.004(6), Fla. Admin. Code, which states in pertinent part: "Local governments with an open Economic Development contract whose activities are on schedule in accordance with the expenditure rates and accomplishments described in the contract may receive no more than one additional Economic Development grant in each annual funding cycle as specified in the NOFA," and Rule 9B-43.004(8), Fla. Admin. Code, which states in pertinent part: "Contract performance shall be determined to be on schedule when the scheduled expenditures, accomplishments, and beneficiary data contained in the work plan have been met or surpassed for all activities as of thirty days prior to the application deadline."

A copy of the Petition, which has been assigned the number DCA99-WAI-339, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver dated November 19, 1999 from Palm Beach County. This petition requests a temporary waiver from a portion of Rule 9K-4.002, Fla. Admin. Code. The rule requires that real property to be recognized as an eligible source of local match must be acquired by the grant applicant within 180 days after the application deadline.

A copy of the Petition, which has been assigned the number DCA99-WAI-337, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Alcohol Testing Program has taken action on a petition for variance and waiver received from A. J. Rothberg, on August 13 and August 16, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 35, dated September 3, 1999. No public comment was received. The petition requested a Variance or Waiver of Rule 11D-8.008(4), FAC., pursuant to Section 120.542, F.S. Petitioner requested a variance from the requirement that a breath test operator permitted under chapter 316, 322, 327, F.S. and 11D FAC. become re-permitted prior to the expiration of his current two year permit. Respondent has requested a variance of the two-year time limitation of the permit until he can attend the next available renewal class. On November 16, 1999, the Department granted a variance or waiver to A. J. Rothberg in a final order, OGC File No.: VAR99-7(ATP).

For a copy of the final order write or call: Nancy C. Waller, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7810.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a variance from Rule 62-4.244(5)(c), FAC., (File No. 0127642-002-EV) to Palm Beach County Department of Environmental Resources Management, 3323 Belvedere Road, Building 502, West Palm Beach, Florida 33406, to establish a temporary mixing zone 300 meters offshore from the point of sand discharge onto the beach within an area of Class III waters.

The variance is in addition to an existing variance (number VE-50-736) which established an alongshore mixing zone 2000 meters from the point of sand discharge onto the beach. Both variances are associated with a project (Permit No. 0127642-001-JC) located along the Atlantic Coast in Palm Beach County, Sections 16, 21 and 28, Township 41 South, Range 43 East, within Class III waters of the State of Florida.

A person whose substantial interests are affected by the Department's proposed action may petition for an administrative hearing in accordance with sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the variance or even a denial of the application. Under rule 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, FAC.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), FAC., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or

will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, FAC. Under sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under section 373.114(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201.

DEPARTMENT OF HEALTH

The Board of Clinical Laboratory Personnel hereby gives notice that it received a petition, which was filed with the Agency Clerk on October 26, 1999, from Joan Kaczmarek, seeking a waiver of Rule 64B3-5.003, FAC. which requires applicants for licensure to document completion of a degree as

a Technologist that must be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to Rule 64B3-6.002(6), F.S. For the category of histology, applicants for technologist licensure shall have four (4) hours of Board approved HIV/AIDS continuing education, and minimum of 60 semester hours of academic credit, including 16 semester hours of science and have one of the following: (a) successfully completed an accredited clinical laboratory personnel training program in histology; (b) successfully completed a Board approved clinical laboratory personnel training program in histology; (c) two (2) years of pertinent clinical laboratory experience in histology. Comments on this petition should be filed with the Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257, within 14 days for publication of this notice.

For additional information, contact: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, at the above address or telephone (850)487-2098.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

On October 18, 1999, The Department of Children and Families granted a waiver request from The Florida Department of Corrections for rule 65E-5.350, Florida Administrative Code.

A copy of the Order may be obtained by contacting: Agency Clerk, 1317 Winewood Blvd., Bldg. 2, Room 204-O, Tallahassee, FL 32399-0700.

On September 30, 1999, The Department of Children and Families granted a waiver request from The Department of Veterans Affairs for rule 65E-5.350, Florida Administrative Code.

A copy of the Order may be obtained by contacting: Agency Clerk, 1317 Winewood Blvd., Bldg. 2, Rm. 204-O, Tallahassee, FL 32399-0700.

On August 4, 1999, The Department of Children and Families granted a waiver request from The Renfrew Center of Florida for rule 65E-4.016(1), Florida Administrative Code.

A copy of the Order may be obtained by contacting: Agency Clerk, 1317 Winewood Blvd., Bldg. 2, Rm. 204-O, Tallahassee, FL 32399-0700.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Department of Agriculture and Consumer Services announces a meeting of the Tropical Fruit Advisory Council.

DATE AND TIME: December 16, 1999, 7:00 p.m.

PLACE: Tropical Research and Education Center Conference Room, 18905 S. W. 280 Street, Homestead, FL

PURPOSE: Welcome Guests; Discuss past Legislative Session; Discuss on going research projects; Discuss new business plan; Election of Officers for 2000; Approve annual report; Discuss the Tropical Sunset; To handle old and new business.

A copy of the agenda can be obtained by contacting: George Demetree, Room 427, Mayo Building, 427 South Calhoun Street, Tallahassee, FL 32399-0800 or calling (850)488-4131.

If special accommodations are needed to attend this meeting, because of a disability, please contact George Demetree as soon as possible.

DEPARTMENT OF EDUCATION

The Florida Department of Education announces a series of public meetings to which all interested parties are invited to attend.

DATES AND TIMES: December 20, 1999, 2:00 p.m. (Eastern Time), recessing at the end of each session reconvening, as necessary the next business day at 2:00 p.m. (Eastern Time) or such other time and date as is posted at the meeting room prior to 2:00 p.m. of the day proceeding the day of the meeting, until business has been concluded

PLACE: Room 124, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399

PURPOSE: The evaluation committee for RFP #2000-07 shall meet regarding the evaluation of timely submitted proposals and to formulate its recommendations to the Commissioner of Education.

A copy of the agenda may be obtained by writing: Office of Student Financial Assistance, Department of Education, Attn.: Taren Theriaque, Room 124, Collins Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

Note: Due to the purpose of the meeting, the evaluation committee will not entertain questions or comments from persons in attendance.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend the meeting is asked to advise the agency by contacting Taren Theriaque, (850)488-4095, at least 48 hours before the session the person wishes to attend. A person who is hearing or speech impaired may also contact the agency, (850)488-4095.

The first meeting of the **Scientific Advisory Committee** for the Florida Birth Defects Registry for the 1999-2000 project year will be held:

DATE AND TIME: December 13, 1999, 10:00 a.m. – 3:00 p.m.

PLACE: Doubletree Grand Hotel, 1717 N. Bayshore Drive, Miami, Florida 33132, (305)372-0313

PURPOSE: The preliminary agenda for this meeting is:

- I. WELCOME
- II. UPDATE ON FOLIC ACID CAMPAIGN
- III. PRESENTATION OF THE FLORIDA CANCER DATA SYSTEM
- IV. PRESENTATION AND DISCUSSION OF THE ANNUAL REPORT
- V. SUBCOMMITTEE REPORTS
- VI. GENERAL DISCUSSION, SITE, DATE SELECTION, AGENDA ITEMS
- VII. ADJOURNMENT

The function of the Advisory Committee is to:

- 1. Review and provide advisement regarding criteria for case definition and content of the data files
- 2. Review and provide advice regarding prospective studies
- 3. Be appraised of clusters and review results of any cluster analysis
- 4. Review and provide advisement about information dissemination and web site activities
- 5. Review and provide advice regarding enhancement of the surveillance system
- 6. Review drafts of all reports published by the consortium
- 7. Assist in the identification of birth defects due to environmental exposures.

For further information please contact: Perry Brown, DrPH, (850)599-8839.

The Board of Directors of the **Florida Institute of Phosphate Research** (FIPR) will consider a policy on adopting or amending policies, funding of research proposals and other business pertaining to the operation of the Institute at its regularly scheduled meeting.

DATE AND TIME: January 6, 2000, 5:00 p.m. – 9:00 p.m.

PLACE: Polk County Administrative Building, 4th Floor, 330 West Church Street, Bartow, FL

DATE AND TIME: January 7, 2000, 9:00 a.m. – 4:30 p.m.

PLACE: Southwest Florida Water Management, 170 Century Boulevard, Bartow, FL

A draft of the proposed policy will be available for public inspection at FIPR's offices at 1855 W. Main Street, Bartow, Florida, between the hours of 8:00 a.m. – 5:00 p.m. on weekdays from December 13, 1999 through December 20, 1999.

Written comments on the proposed policy may be submitted to: Paul Clifford, Executive Director of FIPR.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District Seven announces one public hearing to which all persons are invited: The hearing will be held at the following location where the Work Program will be available for viewing immediately prior to the hearing.

DATE AND TIME: Friday, December 17, 1999, 5:00 p.m. – 7:00 p.m.

PLACE: Florida Department of Transportation, District Seven, Auditorium, 11201 N. McKinley Drive, Tampa, FL

PURPOSE: The public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes. The public hearings are the forum to discuss the District Work Program for Fiscal Years July 1, 2000 through June 30, 2005. Comments, thoughts and ideas from the public, elected officials and others are needed at the public hearings. The District Work Program is a list of state-sponsored transportation projects proposed for the next five years. It consists of public transportation, preliminary engineering, right-of-way acquisition, construction and maintenance projects, including Florida Turnpike projects, for a five county area consisting of Citrus County, Hernando County, Hillsborough County, Pasco County, and Pinellas County. Under the provisions of the Americans with Disabilities Act, auxiliary aids, services and devices for ensuring effective communication will be provided upon request made at least five days prior to the public hearing. Or any person requiring assistance, please contact: Ms. Lee Royal, Local Government Liaison Administrator, (813)975-6427 or 1(800)226-7220.

Verbal and written comments from organizations and the general public will be received by the Department at the public hearings. In addition, written comments may be submitted within ten days after the public hearings. Written comments should be addressed to: Florida Department of Transportation, District Seven, Kenneth A. Hartmann, P. E., District Secretary, 11201 N. McKinley Drive, MS 7-100, Tampa, Florida 33612.

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

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

PLACE: Hermitage Room, Plaza Level, The Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308

PURPOSE: Regularly scheduled quarterly meeting of the Investment Advisory Council (IAC). The IAC is a six-member advisory council, which reviews the investments made by the staff of the Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by writing: State Board of Administration, Attention: Debbie Kuminka, (850)413-1011, 1801 Hermitage Boulevard, Suite 600, Tallahassee, Florida 32308.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify Dorothy Westwood (850)488-4406.

FLORIDA PAROLE COMMISSION

The Florida Parole Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 20, 1999, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

REGIONAL PLANNING COUNCILS

The District XI, Local Emergency Planning Committee's, Training Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 15, 1999, 9:00 a.m. – 10:00 a.m.

PLACE: Fire Fighters Memorial Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

PURPOSE: To implement FY 1999-00 USDOT HMEP Training Grant funds and to develop an activities program for FY 1999-00.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 and 1(800)985-4416, for area codes 305, 561 and 407.

The District XI, Local Emergency Planning Committee announces a public meeting to which all persons are invited.

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

PLACE: Fire Fighters Memorial Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

PURPOSE: To discuss the LEPC's ongoing regional hazardous materials activities for FY 1999/00, to review LEPC plan updates, to discuss the development of a shared facilities reporting database system for the region and to discuss implementation options for the FY 2000 project activities program.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 and 1(800)985-4416, for area codes 305, 561 and 407.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Department of Labor and Employment Security, Division of Vocational Rehabilitation and the Florida Rehabilitation Council in partnership with the Occupational Access and Opportunities Commission announces the following public forums.

DATE AND TIME: December 13, 1999, 3:00 p.m. – 6:00 p.m.

PLACE: Pensacola Junior College, 1000 College Boulevard, Building 7, Room 736, Pensacola, Florida

CONTACT: David Riley, (850)484-1660

DATE AND TIME: December 15, 1999, 3:00 p.m. – 6:00 p.m.

PLACE: Pensacola Junior College, 1000 College Boulevard, Building 7, Room 736, Pensacola, Florida

CONTACT: David Riley, (850)484-1660

PURPOSE: To receive comments, suggestions and recommendations concerning both the reassignment of the Division from the Department of Labor to the Occupational Access and Opportunities Commission in the Department of education and the redesign of the system for delivering Vocational Rehabilitation services to the citizens of Florida. In addition, this information will assist in the development of the State Plan.

Interpreters for the deaf will be available. Individuals requiring other accommodations or assistance should contact the individuals listed above no later than December 8, 1999.

Written comments may be sent to: Tamara Allen, Director, Division of Vocational Rehabilitation, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696.

The **Department of Labor and Employment Security, Division of Vocational Rehabilitation** and the Florida Rehabilitation Council in partnership with the Occupational Access and Opportunities Commission announces the following public forum.

DATE AND TIME: December 16, 1999, 9:00 a.m. – 12:00 p.m.

PLACE: Department of Children and Family Services, 340 Beal Parkway, Northwest, Fort Walton Beach, Florida

CONTACT: David Riley, (850)484-1660

PURPOSE: To receive comments, suggestions and recommendations concerning both the reassignment of the Division from the Department of Labor to the Occupational Access and Opportunities Commission in the Department of Education and the redesign of the system for delivering Vocational Rehabilitation services to the citizens in Florida. In addition, this information will assist in the development of the State Plan.

Interpreters for the deaf will be available. Individuals requiring other accommodations or assistance should contact the individual listed above no later than December 8, 1999.

Written comments may be sent to: Tamara Allen, Director, Division of Vocational Rehabilitation, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32399-0696.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces the following public meeting to which all persons are invited.

LAKE PANASOFFKEE RESTORATION COUNCIL

DATE AND TIME: Monday, December 20, 1999, 5:00 p.m.

PLACE: Sumter County Court House, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Council 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 **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, January 4, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: City of Stuart Chambers, 121 Southwest Flagler Avenue, Stuart, FL

PURPOSE: The voting members of the St. Lucie River Issues Team are asked to reconvene for a meeting to discuss the policies and procedures that will guide the solicitation and ranking process for the potential \$10 million dollar appropriation for the restoration activities on the St. Lucie River in the year 2000.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Post Office 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.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces rescheduled interviews for applicants of the Financial Auditor job advertisement. Members of the Commission will be invited to participate and advise the Executive Director on the selection of a person to fill this position.

DATES AND TIMES: Monday, December 13, 1999, 1:00 p.m. – completion and Tuesday December 14, 1999, 8:30 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1A, Tallahassee, Florida, (850)488-6036

PURPOSE: To interview applicants of the Financial Auditor job advertisement.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Joe Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon Executive Director's request.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** would like to announce a meeting to which all persons are invited to attend.

DATE AND TIME: January 10, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida

PURPOSE: To discuss and review the draft of the Florida Dialysis Lab Study in preparation for its submission to the Florida Legislature pursuant to chapter 99-397, Laws of Florida. Persons requesting a copy of the draft report, please call Patrick Kennedy, (850)922-5768.

Persons requiring special accommodations due to disability or physical impairment should contact Patrick Kennedy, by December 30, 1999.

If anyone requires a transcription of the meeting tapes, it will be at the requestor's expense.

DEPARTMENT OF MANAGEMENT SERVICES

The **Information Service Technology Development Task Force** announces a meeting of both the General Task Force and the Task Force Cyber Town to which all interested persons are invited:

DATES AND TIMES: General Task Force meeting – December 16, 1999, 9:00 a.m.; Task Force Cyber Town meeting – December 17, 1999, 12:00 p.m.

PLACE: General Task Force meeting – Embassy Suites, 1100 S. E. 17th Street, Fort Lauderdale, Florida 33316; Task Force Cyber Town meeting – Museum of Discovery and Science, 401 S. W. Second Street, Fort Lauderdale, Florida 33312

PURPOSE: To carry out the legislative mandate of the Task Force and discuss the development of Information Technology in Florida.

For additional information contact: Clintina Watts, at itflorida.com, 501 S. Calhoun Street, 336 Carlton Building, Tallahassee, Florida 32399-6548 or by telephone (850)410-0850, Suncom 210-0850.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Clintina Watts 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 Task Force 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 **Information Service Technology Development Task Force** announces an electronic message board of the Task Force to which all interested persons are invited to view:

DATE AND TIME: Anytime until February 14, 2001

PLACE: Message board may be accessed at the following website: www.itflorida.com

PURPOSE: To provide Task Force members the opportunity to explore and exchange ideas relevant to the legislative mandate of the Task Force.

For additional information contact: Clintina Watts, at: itflorida.com, 501 S. Calhoun Street, 336 Carlton Building, Tallahassee, Florida 32399-6548, or by telephone, (850)410-0850, Suncom 210-0850.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Clintina Watts 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).

This message board is for information gathering only. Decisions of the Task Force will be made at a duly noticed public meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** of a workshop to be conducted to discuss issues of general interest to the Division and the timeshare industry, including promotional, offering, compliance and management issues. All persons are invited to participate.

DATE AND TIME: January 19, 2000, 1:00 p.m. – 4:00 p.m.

PLACE: The Broward County Public Library, 8th Floor, Conference Rooms A and B, 100 South Andrews Ave., Fort Lauderdale, Florida

PURPOSE: The workshop will provide a forum for all comments regarding mutual areas of interest, excluding the discussion of any specific case or matter pending before the Division.

AGENCY CONTACT PERSON: John Floyd, Investigator Supervisor, or Joe McBride, Examination Supervisor, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030 or Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 or Richard Thrawl, Research Associate, Department of Business and Professional Regulation, 400 West Robinson St., Suite 502, Orlando, Florida 32801.

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: Sharon A.

Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** of workshops to be conducted regarding the development of developer filing rules for condominiums and cooperatives. All persons are invited to participate.

DATE AND TIME: January 24, 2000, 12:00 p.m. – 4:00 p.m.

PLACE: Miami-Dade Public Library, Auditorium, 101 West Flagler Street, Miami, Florida

DATE AND TIME: January 25, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: Broward County Library, 1st Floor, Auditorium, 100 South Andrews Avenue, Ft. Lauderdale, Florida

DATE AND TIME: January 26, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: Palm Beach County Commissioners Chambers, 6th Floor, 301 North Olive Avenue, Palm Beach, Florida

DATE AND TIME: January 31, 2000, 12:00 p.m. – 4:00 p.m.

PLACE: Hillsborough Community College, Student Service Building, Auditorium, 4001 Tampa Bay Boulevard, Tampa, Florida

DATE AND TIME: February 1, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: City of Naples, City Hall, Council Chambers, 735 8th Street, Naples, Florida

DATE AND TIME: February 4, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: Conference Rooms, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

PURPOSE: The workshops are for the purpose of gathering input from condominium and cooperative developers and attorneys and other interested parties regarding the development of developer filing rules.

AGENCY CONTACT PERSON: Robin Bradwell, Administrative Assistant II, Bureau of Condominiums, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1033, Telephone (850)488-0740.

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: Robin Bradwell, Administrative Assistant II, (850)488-0740. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Electrical Contractors' Licensing Board** announces a Joint Meeting with the Construction Industry Licensing Board and Official Electrical Board, and Committee

Meetings, via telephone conference call to which all interested persons are invited. (Parts of this meeting may be confidential and closed to the public)

DATE AND TIME: December 15, 1999, 9:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-3109

PURPOSE: Joint Meeting with the Construction Industry Licensing Board and ECLB Committee and Board Meeting via telephone conference call.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact George Ayrish, Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call George Ayrish using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: January 13, 2000, 1:00 p.m.

PURPOSE: Rules Committee immediately followed by Finance Committee immediately followed by Probable Cause Panel meeting, which portions may be closed to the public. Agenda available on request.

DATE AND TIME: January 14, 2000, 9:00 a.m.

PURPOSE: General Board and Business meeting.

PLACE: Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607, (813)873-8675

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to 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 this meeting because of a disability or physical impairment should contact the Board Office, (850)488-0698, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Florida Springs Task Force** announces the following public meeting to which all interested parties are invited.

DATE AND TIME: December 16, 1999, 9:30 a.m. – 3:30 p.m.

PLACE: Stephen Foster State Folk Culture Center, White Springs, Florida

PURPOSE: Florida Springs Task Force: Develop strategy to protect Florida's springs.

For more information please contact: Office of Environmental Services, (850)487-1750.

If an accommodation is needed for a disability in order to participate in these meetings, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

DEPARTMENT OF HEALTH

The **Miami-Dade County Health Department** announces a meeting of the Tobacco-Free Miami-Dade Community Partnership.

DATE AND TIME: Wednesday, December 8, 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.

The **Department of Health** announces the following meetings of the Variance Review and Advisory Committee for Onsite Sewage Treatment and Disposal Systems to examine variance applications received by the 15th of the previous month.

DATE AND TIME: Thursday, January 6, 2000, 10:00 a.m.

PLACE: Osceola County Health Department, Administrative Building Conference, 1875 Boggy Creek Road, Kissimmee, Florida

DATE AND TIME: Thursday, February 3, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

DATE AND TIME: Thursday, March 2, 2000, 10:00 a.m.

PLACE: Lee County Extension Service, Meeting Room, 3406 Palm Beach Boulevard, Terry Park, Fort Myers, Florida

DATE AND TIME: Thursday, April 6, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

DATE AND TIME: Thursday, May 4, 2000, 10:00 a.m.

PLACE: Monroe County Health Department, Chapel, 5100 West College Road, Key West (on Stock Island), Florida

DATE AND TIME: Thursday, June 1, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

DATE AND TIME: Thursday, July 6, 2000, 10:00 a.m.

PLACE: Brevard County Government Center, Building C, 2nd Floor, Space Coast Room, 2725 Judge Fran Jamieson Way, Viera, Florida

DATE AND TIME: Thursday, August 3, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

DATE AND TIME: Thursday, September 7, 2000, 10:00 a.m.

PLACE: Sarasota South County Annex, County Commission Chambers, Room 228, 4000 South Trail (US 41), Venice, Florida

DATE AND TIME: Thursday, October 5, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

DATE AND TIME: Thursday, November 2, 2000, 10:00 a.m.

PLACE: Volusia County Agriculture Center, Auditorium, 3100 East State Road 44, Deland, Florida

DATE AND TIME: Thursday, December 7, 2000, 10:00 a.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To examine applications for variance from the requirements of Chapter 64E-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to s. 381.0065(3)(d), Florida Statutes.

A copy of the agenda may be obtained ten days prior to each meeting date by writing: Bart Bibler, Chief, Bureau of Water and Onsite Sewage Programs, Department of Health, 2020 Capital Circle, S. E., Bin #A08, Tallahassee Florida 32399-1713.

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2000, 9:00 a.m.

PLACE: Florida Association of Realtors, 7025 Augusta National Drive, Orlando, FL 32822, Local Telephone (407)438-1400

PURPOSE: Identify and discuss issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Water and Onsite Sewage Programs, 2020 Capital Circle, S. E., Bin #A08, Tallahassee, Florida 32399-1713.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Family Preservation and Support Coalition's**, Communities In Action Coalition, sponsored by the District 12 Department of Children and Family Services announces the following public meeting to which all persons are invited.

DATE AND TIME: December 2, 1999, 6:30 p.m.

PLACE: Joy with Love Outreach Center, 100 Allen Street, Bunnell, Florida

PURPOSE: Regular Business Meeting

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Lynn Kennedy.

If you need special accommodations (i.e., assistive listening devices, sign language interpreter, etc.) please notify Lynn Kennedy, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay 1(800)955-8771.

The Health and Human Services Board, **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

COMMUNITY BASED CARE – BENEFITS WORKGROUP

DATE AND TIME: December 14, 1999, 9:00 a.m.

PLACE: Exchange Club Castle, 3525 S. W. Midway Road, Fort Pierce, Florida

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174

The Health and Human Services Board, **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

COMMUNITY BASED CARE – EVALUATIONS WORKGROUP

DATE AND TIME: December 14, 1999, 1:00 p.m.

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 335, Fort Pierce, FL

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The Health and Human Services Board, **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

HEALTH AND HUMAN SERVICES BOARD MEETING

DATE AND TIME: December 15, 1999, 6:30 p.m.

PLACE: Mangrove Mattie's, 1640 Seaway Drive, Fort Pierce, FL

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The Health and Human Services Board, **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

EXECUTIVE COMMITTEE

DATES AND TIME: December 16, 23 and 30, 1999, 8:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Fort Pierce, Florida

For more information, please contact: Betty Robinson, HHSB Liaison, 337 North 4th Street, Fort Pierce, FL 34950, (561)467-4174.

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 1999, 9:30 a.m. (EDT)

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950

A copy of the agenda may be obtained by contacting: Pearlie Clark, HRAC Liaison, (561)467-4176.

The **Department of Children and Family Services**, Governing Body meeting was held:

DATE AND TIME: November 16, 1999, 2:00 p.m.

PLACE: Dogwood Conference Room

Members: Tom Sellars, Hospital Administrator

Present: Dr. Richard Solomon, Medical Executive Director; and Fran Gibbons, District Administrator.

Guests: Mary Hackney, Director of Nursing; Lee Murrill for Coral Conner, Assistant Hospital Superintendent and Diane Dusenbury, Performance Improvement; Dan Mattson for Lynda Sommers, Quality Assurance, Protocol Monitoring and Risk Management; Martin Casola, Assistant Hospital Superintendent; Phil Gorelick, Assistant Hospital Superintendent; and Carl Steinberg, District Manager for Administrative Services.

APPROVAL OF MINUTES: The July 28, 1999, Governing Body meeting minutes were approved as written.

OLD BUSINESS: None.

NEW BUSINESS: Administrator's Comments, Tom Sellars

The Core Planning team meetings, which have been going on for several months, are finally winding down. This process involved a number of staff from this facility as well as other

state facilities and the Program Office in Tallahassee. The actions to be taken as a result will be discussed with the Secretary through the Deputy Secretary and forwarded to GPW for implementation.

Our census is continuing to run high. We presently have 369 residents here with our maximum capacity being 382.

Performance Improvement Report – Lee Murrill for Diane Dusenbury

Discussion/Conclusion: Mr. Murrill gave the performance improvement report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Human Resources Report – Lee Murrill for Coral Conner

Discussion/Conclusion: Mr. Murrill gave the human resources report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Financial Report – Phil Gorelick

Discussion/Conclusion: Mr. Gorelick gave the financial report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Medical Staff Report – Dr. Richard Solomon

Discussion/Conclusion: Dr. Solomon gave the medical staff report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Nursing Report – Mary Hackney

Discussion/Conclusion: Ms. Hackney gave the nursing report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Quality Assurance and Risk Management Report – Dan Mattson for Lynda Sommers

Discussion/Conclusion: Mr. Mattson gave the quality assurance and risk management report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

Safety Report – Martin Casola

Discussion/Conclusion: Mr. Casola gave the safety report for the first quarter of FY 1999-2000.

Recommendation/Action: Motion was made, seconded and carried to accept the report as given.

Evaluation: The next report will be made at the January 26, 2000, meeting.

GENERAL DISCUSSION: None.

The next meeting of the Governing Body will be held:

DATE AND TIME: January 26, 2000, 3:00 p.m.

PLACE: Dogwood Conference Room, G. Pierce Wood Memorial Hospital.

Recorded by: Debbie K. Lucas, Administrative Assistant II

MARTIN LUTHER KING, JR. INSTITUTE FOR NONVIOLENCE

The Florida **Martin Luther King, Jr. Institute For Nonviolence** announces its Advisory Board Meeting, where all interested parties are invited:

DATE AND TIME: Friday, December 3, 1999, 10:00 a.m.

PLACE: Miami Dade Community College, North Campus, 11380 N. W. 27th Avenue, Room 1324, Miami, Florida

PURPOSE: Advisory Board Meeting/Business.

A copy of the agenda may be obtained by writing: Florida Martin Luther King, Jr. Institute For Nonviolence, Miami Dade Community College, North Campus, Scott Hall, Room 1328, 11380 N. W. 27th Avenue, Miami, Florida 33167.

If any person decides to appeal any decision made by the Advisory Board with respect to any matter considered at this meeting, 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 made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771.

Persons requiring special accommodations due to disability or physical impairment should contact: John T. Jones, Jr., by Wednesday, December 1, 1999.

STATEWIDE HUMAN RIGHTS ADVOCACY COMMITTEE

The **Statewide Human Rights Advocacy Committee** (SHRAC) would like to announce a conference call meeting scheduled for:

DATE AND TIME: December 15, 1999, 2:00 p.m. – 3:00 p.m.

PLACE: The conference call telephone numbers are (850)921-6623 or Suncom 291-6623

PURPOSE: To discuss 2000 Legislative issues.

If you have any questions, please feel free to call (850)488-6173 or Suncom 278-6173.

FLORIDA MUNICIPAL PENSION TRUST FUND

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

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

PLACE: La Playa Resort, 9891 Gulf Shore Drive, Naples, Florida, (941)597-3123

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

FLORIDA MUNICIPAL INVESTMENT TRUST

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: December 16, 1999, 2:00 p.m.

PLACE: La Playa Resort, 9891 Gulf Shore Drive, Naples, Florida, (941)597-3123

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

FLORIDA MUNICIPAL LOAN COUNCIL

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: December 16, 1999, 4:00 p.m.

PLACE: La Playa Resort, 9891 Gulf Shore Drive, Naples, Florida, (941)597-3123

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Michael Madden, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 253.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

The **Hillsborough County Aviation Authority** announces a public hearing to which all persons are invited:

DATE AND TIME: Thursday, December 16, 1999, Open House, 6:00 – 8:00 p.m. (7:00 p.m. overview presentation)

PLACE: Higgins Hall, St. Lawrence Parish, 5225 N. Himes Avenue, Tampa, Florida

PURPOSE: This hearing will give interested persons the opportunity to express their views concerning the F.A.R. Part 150 noise compatibility study.

Those who desire more information may contact: Nadine S. Jones, Director of Planning and Environmental Services, (813)870-8773 or Georgianne Ratliff, Public Involvement Coordinator, (813)615-1319.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission issued a Declaratory Statement in response to the request received from James E. Davidzik on September 7, 1999. The request was assigned the number DEC99-DEC-184. The Declaratory Statement was issued November 22, 1999 and the Commission determined that the structure in question is not a mezzanine because it does not meet the Standard Building Code definition of a mezzanine.

A copy of the Declaratory Statement may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by GTE Florida Incorporated on November 29, 1999. The following is a summary of the agency's disposition of the petition: The Commission declared that Rules 25-24.516(3) and 25-24.630(2), Florida Administrative Code, do not apply to GTE because the company is already compensating payphone service providers for 0 local calls and other payphone calls under the federal scheme, as intended by the Federal Telecommunications Act of 1996 and the Federal Communication Commission's rules. DOCKET NO. 991226-TL.

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 Paul Knight. Petitioner requested that the Department amend its October 15, 1999, Notice of Proposed Rule Development 33-401.401 Use of Tobacco Products. Specifically, he sought 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. The Department denied the petition, finding that the proposed rule mirrors statutory requirements.

A copy of the Order, Case No. DC 99-59, 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 three Petitions to Initiate Rulemaking received from inmate Mark Osterback. First, Petitioner sought 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. The Department denied the petition, finding that all supplies that an inmate needs to file a lawsuit are currently provided.

Next, Petitioner sought 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. The Department denied the petition, finding that the proposed amendment was too expansive and not required to ensure proper access to courts.

Lastly, Petitioner sought 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.

The Department denied the petition, finding that access to courts does not require that inmates be allowed to abandon their work assignments in order to file pleadings; rather, they must prepare pleadings within the confines of their work schedule.

A copy of the Orders, Case Numbers DC 99-61, 99-62, 99-63, 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 James Quigley. Petitioner requested that the Department amend Florida Administrative Code Chapter 33-602.201 (formerly 33-3.0025), Appendix One to delete disposable lighters from the inmate property list. The Department denied the petition, finding that it was committed to enforcing the laws and rules as they relate to areas where smoking is not authorized.

A copy of the Order, Case No. DC 99-64, 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 two Petitions to Initiate Rulemaking on November 15, 1999, from inmate Douglas Jackson. Jackson seeks to amend Florida Administrative Code Chapter 33-602.201 (formerly 33-3.0025), Appendix One by adding typewriters and compact disc players to the inmate property list.

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 November 17, 1999, from inmate James Harkleroad. Petitioner seeks to amend Florida Administrative Code Chapter 33-602.201 (formerly 33-3.0025), Appendix One by adding soft hats to 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.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on November 22, 1999, from inmate Robert Barish. Petitioner seeks to amend Florida Administrative Code Chapter 33-103.007 by adding a provision that would allow for a rehearing of any final decision issued by the Bureau of Inmate Grievance Appeals.

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 AGRICULTURE AND CONSUMER SERVICES

NOTICE OF ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, HEREINAFTER REFERRED TO AS OWNER FOR THE CONSTRUCTION OF:

PROJECT NO: ITB/DA-99/00-31 SAMAS CODES: 42301000708420100000008364600 and 4230232100142010000008364600

EST. CONSTRUCTION BUDGET: \$2,700,000.00

PROJECT NAME AND LOCATION: CONSTRUCTION OF A REGIONAL OPERATIONS CENTER IN BARTOW, FLORIDA

MINORITY PROGRAM: A certified minority business (MBE) participation goal of 25% has been established for this project. The Bidder is required to meet or exceed the MBE participation goal or make a good faith effort to contract with certified minority Businesses. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts.

A NON-MANDATORY PREBID CONFERENCE AND SITE VISIT will be held Wednesday, January 5, 2000, 10:00 a.m., Local Time at the project site located at 605 East Main Street, Bartow, Florida.

PREQUALIFICATION: Each bidder must submit prequalification data to include; a copy of the contractor's State of Florida Certified General Contractor's license, a copy (if applicable) of the contractor's current Corporate Charter registration, a list of three (3) customers for whom prime construction contractor services were provided on comparable projects (20,000 sq. ft. office buildings) within the last five (5) years, photographs of the comparable projects and written verification from a licensed surety company rated "A" or better in the current A.M. Best Guide and licensed to do business in the State of Florida of bonding capacity equal to or exceeding \$2,700,000.00. Required prequalification data must be received in the Department of Agriculture and Consumer Services Purchasing Office by 2:00 p.m., December 28, 1999. After the bid opening the low bidder must qualify in accordance with the PREQUALIFICATION FOR AWARD OF CONTRACT SECTION OF THE BID DOCUMENTS.

BID GUARANTEE: Each bid shall be accompanied by a Bid Guarantee payable to the Florida Department of Agriculture and Consumer Services in the amount of five percent (5%) of the Base Bid Price. The form of the Bid Guarantee can be a bid bond, cashier's check, treasurer's check, bank draft, or certified check.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: A payment and performance bond in the amount of one hundred percent (100%) of the base bid price written by a surety company authorized to do business in the State of Florida and signed by a Florida Licensed Resident Agent shall be furnished to the Florida Department of Agriculture and Consumer Services prior to final execution of the Construction Contract.

SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:

DATE AND TIME: THURSDAY, JANUARY 20, 2000, until 2:00 p.m., Local Time.

PLACE: ROOM SB-8, MAYO BUILDING, 407 SOUTH CALHOUN STREET, TALLAHASSEE, FLORIDA 32399-0800, TELEPHONE (850)488-7551

PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contract Conditions. Bidding and Contract Conditions can be obtained from the Florida Department of Agriculture and Consumer Services Purchasing Office, ROOM SB-8, MAYO BUILDING, 407 SOUTH CALHOUN STREET, TALLAHASSEE, FLORIDA 32399-0800. Technical specifications, plans and drawings can be obtained AFTER DECEMBER 17, 1999 for the cost of reproduction from ORLANDO REPROGRAPHICS, INC., 1110 SLIGH BOULEVARD, ORLANDO, FLORIDA 32806, TELEPHONE (407)843-0113.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted on or about 5:00 p.m., Local Time on or about Friday, January 28, 2000, at the

location where the bids were opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section 120.57(3), Florida Statute. The contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS FOR CAMPUS SERVICES

Florida A & M University, on behalf of the State of Florida, Board of Regents announces that Construction Management services will be required for Campus Services Continuing Contract Projects.

The construction manager will be a single point of responsibility for performance of continuing construction contracts, functioning as an independent contractor, publicly bidding trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs).

Continuing contract projects are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less, or for which the fee for professional services is \$100,000 or less. Accordingly, the selected firm's minimum bonding capacity should be \$1,500,000.

Campus Service Agreements for continuing contract projects provide that the construction manager will be available on an as-needed basis during the fiscal year, July 1-June 30.

Selection of finalists for interview will be made on the basis of construction manager qualifications including experience and ability, past experience; bonding capacity; record-keeping/administrative ability; critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff, and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of a list of the final interview evaluation criteria, and copy of the standard SUS construction management agreement for continuing contract projects. The final ranking shall be determined based on the oral presentations and references. The Selection Committee may reject all proposals and may stop the selection process at any time.

INSTRUCTIONS:

Firms desiring to provide construction management services for continuing contract projects shall submit a letter of application and a completed State of Florida, Board of Regents Construction Manager Qualifications Supplement (CMQS 02/99). Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively.

Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal information will be returned.

All applicants must be licensed to practice as General Contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Management Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Teresa Williams, Secretary, Facilities Planning and Construction Office, Telephone (805)599-3197, or by Faxing a request to (850)561-2289.

Five (5) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307. Submittals must be received in the FAMU Facilities Planning and Construction Office by 2:00 p.m., local time, on January 7, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida, on behalf of the State of Florida, Board of Regents, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project Number: 591

Project and Location: Florida Institute for Phosphate Research, Phosphate Education and Research Learning (PEARL) Center, University of South Florida, Florida Institute of Phosphate Research Campus, Bartow, Florida.

In 1998, the Florida Institute of Phosphate Research (FIPR) Board of Directors encouraged the development of a K-12 education program that brings the phosphate story into the context of the educational curriculum. This project will provide a facility to serve that goal by providing essential space for education and outreach programs for the Phosphate Education and Research Learning (PEARL) Center.

The new facility will be located on the eight acre FIPR campus that was reclaimed from a phosphate mining site. The campus contains three buildings that house administrative offices, a biological laboratory and greenhouse, a metallurgical laboratory, an analytical chemistry laboratory and a

full-service library. It is anticipated that this facility will be a single story building of approximately 5000 SF and shall accommodate the space for the phosphate education headquarters, educational staff work space, educational materials production, distribution and storage, teacher training workshops, and meetings of the Committee and Board of Directors.

The selected firm will provide design, applications for permitting, construction documents, construction administration and post-occupancy services for the referenced project. The selected firm will be required to provide computer 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. The estimated construction budget for this project is anticipated to be \$764,000.00 including site related work. At this time, the project delivery method is undecided.

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. Finalists will be provided a copy of the approved building program and a copy of the standard Architect/Engineer Agreement.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application:

The letter of application should have attached:

1. The most recent version of the Board of Regents "Professional Qualifications Supplement", version dated 9-15-97, completed by the applicant. 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.

Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. Six (6) copies of the above requested data, bound in the order listed shall be submitted and addressed to: Jim Grant, Project Manager, Division of Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

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: Laura Davis, Senior Word Processing Operator, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, Telephone (813)974-0332, Fax (813)974-3542.

Interested firms are invited to attend a presubmittal meeting at the University of South Florida, Tampa Campus, to be held at 2:00 p.m., January 5, 2000, at 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.

Submittals must be received in the University of South Florida, Facilities Planning and Construction Office, FPC 110 by 2:00 pm, Local Time, on January 12, 2000.

Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida, Board of Regents, and University of West Florida, announces that Professional Services in the discipline of Engineering will be required for the Project listed below:

Project No. BR-707 Project and Location: Utilities – Central Plant Chiller, The University of West Florida

Central Plant Boiler and Chiller Addition/Replacement

Earlier central plant projects partially replaced both a boiler and two chillers. There now exists the need to complete the replacement of existing boilers and chillers and to upgrade capacity to meet the growing needs of the University. The respective boiler and chiller replacement needs are summarized below.

Campus Hot Water System:

Several years ago one of the campus' two 1300 horsepower water tube boilers was replaced with one 800 horsepower fire tube boiler with the anticipation that the remaining 1300 hp unit would be replaced by two new 800 hp at some point in the future. The 1300 hp boiler has functioned, since the replacement took place, as a backup with the 800 hp unit serving as the main campus heating source. The 1300 hp unit is approximately 30 years old and impossible to keep in a reliable operating condition. The newer 800 hp unit has been difficult to keep in efficient and reliable operating condition and is now considered to be a liability.

Scope of New Work, Hot Water System:

Remove both existing hot water boilers and replace with two 1300 hp water tube boilers. Boilers and associated system pumping, piping, heating exchangers, etc. shall be engineered to be compatible with existing UWF central plant conditions. System must be engineered to provide a high degree of energy efficiency and minimal maintenance effort. Work must be closely coordinated with the University to ensure minimal disruption to normal operations during the heating season.

Campus Chilled Water System:

Phase I of a project to replace all central plant chillers was completed approximately two years ago. The intent of this project was to replace old inefficient chillers with new high efficiency units and to increase the plant capacity to meet new growth and also provide system redundancy. In phase I two 1000 ton machines were replaced with two 1200 ton machines and new pumping was installed. There still remains one 450 ton machine. The current system capacity is operating at 100% capacity during cooling season, leaving no redundant capacity in the case of a failure, etc. The remaining machine also does not meet current CFC regulations.

Scope of New Work, Chilled Water System:

Remove the existing 450 ton chiller and replace with two 1200 ton machines. The two new chillers should match the two existing new machines giving a new system capacity of 4800 tons. Specifications should be identical to existing machines to provide desired operating characteristics and efficiencies. Adequate space exists to accommodate the replacement/addition.

The existing 2400 volt, 2000 kva transformer serving the chillers must be replaced as a part of this project to accommodate the additional load of the new chillers. This is also needed to allow simultaneous operation of all the chillers when required.

All work must be closely coordinated with the University to ensure minimal disruption to normal operations during the cooling season.

Estimated construction cost for this project is \$1,200,000.

Professional liability insurance in the amount of \$250,000 will be required as part of basic services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement", revised September, 1999. 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 copies of the above requested data bound in the order listed above. Representative samples of related work may be submitted at the firm's option. Applications which do not comply with the above instructions may be disqualified. Application information 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.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting: Mr. Phillip Turner, Director, Facilities Planning, The University of West Florida, 11000 University Parkway, Pensacola, Florida 32514, (904)474-2938

Submittals must be received in the Office of Facilities Planning and Management, The University of West Florida, Building 90 by 4:00 p.m., on January 20, 2000.

Interested firms are encouraged to request the Project Fact Sheet and Selection Criteria as these will form part of the criteria for Engineer selection.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

Project No. BR-445

Project and Location: Center for Public Safety, Forensic Science & Security, Central Florida Research Park, Orlando, Florida 32817.

Project Description: The pre-construction and construction of a new facility that contains approximately 2,300 sq. ft. of classrooms, 4,780 sq. ft. of teaching labs, 24,965 sq. ft. of research labs, 1,200 sq. ft. study/library, 11,060 sq. ft. of office/computers, and 900 sq. ft. of support services.

The new building will provide "state of the art" technology for simulation and professional training. Also included will be forensic labs and storage of hazardous materials. In keeping with local structures, the use of tilt wall construction is preferred for speed and feasibility of construction.

This facility will be located near the current Navy Simulation facility in the Central Florida Research Park. The user groups are made up of a partnership between: the University's Center for Public Safety, National Center for Forensic Science and the US Navy. The construction cost will be approximately \$7,909,028.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single

point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard,

Post Office Box 163020, Orlando, FL 32816-3020, Telephone (407)823-2166, Fax (407)823-5141, EMail: gseabroo@mail.ucf.edu

The project fact sheet for the Center for Public Safety, Forensic Science & Security may be found on the Facilities Planning home page. Our Internet address is: <http://www.fp.ucf.edu>.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m., local time, January 21, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

Project No. BR-455

Project and Location: Honors Center, University of Central Florida, Orlando, Florida 32816-3020.

Project Description: The pre-construction and construction of a new Honors College that contains approximately 7,078 sq. ft. for classrooms, which includes a lecture hall, 810 sq. ft. for Library/Study and 2,362 sq. ft. for Offices. One of the primary goals for this project is to develop a unique physical identity for the Honors College. The Honors College will be located on the University of Central Florida campus within the academic core, adjacent to the Student Union. The construction cost will be approximately \$2,209,016.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be

provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Post Office Box 163020, Orlando, FL 32816-3020, Telephone (407)823-2166, Fax (407)823-5141, EMail: gseabroo@mail.ucf.edu

The project fact sheet for the Honors College may be found on the Facilities Planning home page. Our Internet address is: <http://www.fp.ucf.edu>.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m., local time, January 10, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

The Highlands County School Board is requesting qualification statements from qualified general contractors or construction management firms with the intent of establishing an agreement to provide construction management at risk services for the Highlands County School Board.

A copy of the RFQ #HCSB9900-19 may be obtained from the HCSB Purchasing Office, 426 School Street, Sebring, FL 33870. You may also contact the Purchasing Office, (863)471-5743.

STATE BOARD OF ADMINISTRATION

REQUEST FOR INFORMATION

The Florida Prepaid College Board is issuing a Request for Information (RFI) from qualified firms to provide customer services and/or records administration services for the new Florida College Savings Program.

Copies of the Request for Information, RFI #99-05, are available on or after December 13, 1999, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this RFI must be sent to the above named address.

Written inquiries concerning the RFI will be accepted. Written inquiries must be submitted no later than 4:00 p.m., Eastern Time, December 30, 1999.

The original unbound copy and five (5) bound copies of each response to the RFI must be received by 12:00 Noon, Eastern Time, February 4, 2000, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the bid opening.

REQUEST FOR INFORMATION

The Florida Prepaid College Board is issuing a Request for Information (RFI) from qualified firms to provide sales/marketing services for the new Florida College Savings Program.

Copies of the Request for Information, RFI #99-06, are available on or after December 13, 1999, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this RFI must be sent to the above named address.

Written inquiries concerning the RFI will be accepted. Written inquiries must be submitted no later than 4:00 p.m., Eastern Time, December 30, 1999.

The original unbound copy and five (5) bound copies of each response to the RFI must be received by 12:00 Noon, Eastern Time, February 4, 2000, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the bid opening.

REGIONAL TRANSPORTATION AUTHORITIES

**INVITATION FOR BID (IFB)
NUMBER #00-001**

Sealed bids in triplicate (original and 2 originally signed copies) on forms provided, will be received by the ICF Kaiser Engineers, Inc. for the Central Florida Regional Transportation Authority (CFRTA), until 2:00 p.m., prevailing local time on Monday January 10, 2000, at which time and place, bids will be publicly opened and read aloud.

The bids are for: Installation of LYNX Passenger Waiting Amenities at Park Promenade Super stop

Detailed specifications, bid proposal forms and pre-award qualifications evaluation information may be obtained free of charge from Rick Sparer, ICF Kaiser Engineers, Inc., 2200 Lucien Way, Suite 150, Maitland, Florida 32751, before the above stated time and date, or by telephoning (407)660-9863.

All bids shall be subject to all applicable State and Federal laws, subject to approval of a financial assistance contract between CFRTA and the U.S. Department of Transportation, and in compliance with all applicable Equal Employment Opportunity laws and regulations.

LYNX solicits and encourages Disadvantaged Business Enterprise participation. DBE's will be afforded full consideration of their responses and will not be subject to discrimination. Bidders will be required to comply with LYNX's DBE program goal and requirement where applicable.

LYNX reserves the right to postpone, to accept, or reject any and all bids, in whole or in part. All bidders must certify they are not on the General Services Administration (GSA) list of debarred, ineligible and suspended bidders. All bids must remain open for sixty (60) days from the date of bid opening.

BY ORDER OF THE CENTRAL REGIONAL TRANSPORTATION AUTHORITY (CFRTA) D/B/A LYNX

Douglas K. Tyson, Director of Procurement and Contracts

**INVITATION TO BID NO. 99-174
STATION AND FACILITY MAINTENANCE**

Tri-County Commuter Rail Authority (TCRA), an agency of the State of Florida, operates a 71 mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Invitation to Bid (ITB) is to enter into an Agreement with a qualified Contractor to provide janitorial and maintenance services at commuter rail stations, facilities, and parking areas operated by TCRA. The services required will include daily janitorial services, trash removal and disposal, landscaping, pest control and other duties as assigned. The contract term shall be for three years with TCRA's sole option to renew for up to two additional one year periods.

A **REQUEST FOR DOCUMENTS** should be directed to: Mr. Robert Becker, TCRA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is Twenty-five Dollars (\$25.00) non-refundable. Checks or money orders made payable to Tri-Rail should be forwarded to Mr. Robert Becker at the address above. Solicitation documents will be available on or about December 13, 1999.

A **PRE-BID CONFERENCE** will be held in the TCRA Board Room at the address above on December 16, 1999 at 2:00 p.m. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED BIDS: All bids must be received in a sealed envelope no later than 3:00 p.m. on January 17, 2000 at the TCRA office in Pompano Beach. All envelopes must bear the TCRA provided label, which clearly indicates the **BIDDER'S NAME, ITB NUMBER, TITLE AND OPENING DATE.**

TCRA reserves the right to postpone, to accept, or reject any and all bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All bids must remain in effect for One Hundred Eighty (180) days from the Bid opening.

This project is funded in part by the Federal Transit Administration. All federal regulations shall apply.

DBE PARTICIPATION: The Disadvantaged Business Enterprise participation goal for this Solicitation is Twelve percent (12%).

**REQUEST FOR PROPOSAL NO. 99-280
REFRESHMENT VENDING MACHINE SERVICE**

Tri-County Commuter Rail Authority (TCRA), an agency of the state of Florida, operates a seventy-one (71) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward and Palm Beach Counties.

THE PURPOSE of the Request for Proposal (RFP) is to enter into an Agreement with a qualified contractor for refreshment vending machine service at several Tri-Rail station locations and other designated areas. The contractor must provide additional advertising or promotional services to Tri-Rail.

A REQUEST FOR DOCUMENTS should be directed to: Robert M. Becker, TCRA, 800 N. W. 33 Street, Suite 100, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is \$25.00, non-refundable. Checks or money orders, made in favor of Tri-Rail, should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about December 13, 1999.

A PRE-PROPOSAL CONFERENCE will be held in the TCRA Conference Room at the address above on December 21, 1999 at 2:00 p.m. The purpose of the meeting will be for TCRA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received in a sealed envelope no later than 5:00 p.m., January 25, 2000, at the TCRA office in Pompano Beach. All envelopes must clearly indicate PROPOSER'S NAME, RFP NUMBER & TITLE AND THE OPENING DATE.

Proposals shall be with one (1) complete original document and five (5) exact copies.

TCRA reserves the right to postpone, to accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals must remain in effect for one hundred eighty (180) days from the date of Proposal Opening.

DBE PARTICIPATION: The Disadvantaged Business Enterprise participation for this solicitation is twelve percent (12%).

METROPOLITAN PLANNING ORGANIZATIONS

NOTICE OF CONSULTANT SHORTLISTING
HERNANDO COUNTY

PLEASE BE ADVISED THAT THE FOLLOWING CONSULTANTS WERE SELECTED FOR FINAL ACTION:

FPN NUMBER: 25920811401

STATE PROJECT'S NUMBER: 99087-7532

PROJECT: GENERAL PLANNING SERVICE

FINAL CONSULTANT RANKING:

1. Tindale-Oliver & Associates, Inc.
2. Dames & Moore, Inc.
3. Tampa Bay Engineering, Inc.

WATER MANAGEMENT DISTRICTS

Request for Proposals No. 99/00-09 WR

Mapping Low-salinity Submerged Aquatic Vegetation Beds in the Lower Suwannee River

The Suwannee River Water Management District (SRWMD) is accepting proposals to provide consulting services to map brackish water submerged aquatic vegetation (SAV) beds in the lower Suwannee River. A Request for Proposals document describing the detailed Scope of Work and District requirements is available.

The written submittals to this request should emphasize a respondent's qualifications and relevant experience in work of this type, including expertise in estuarine habitat surveys, submerged aquatic vegetation studies/mapping, and GIS capability. Based on the written responses, a selection committee composed of SRWMD staff will select and rank a "short list" of three proposers. District staff will request authority from the SRWMD Governing Board to initiate contract development with the top-ranked proposer.

Responses to this request are due at the SRWMD office by 4:00 p.m., January 7, 2000. Requests for the RFP document (RFP # 99/00-09 WR) should be directed to: Suzanne Richardson, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, Telephone (904)362-1001, Fax (904)362-1056, Email: richardson_s@srwmd.state.fl.us

A pre-proposal conference is not scheduled for this RFP. Technical questions may be directed to Rob Mattson at the phone or fax numbers listed above.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
MANAGEMENT SERVICES FOR
CONTINUING AREA CONTRACTS AREA 2

The State of Florida, Department of Management Services, requests qualifications from firms to provide Construction Management Services in Area 2 counties of Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla and other counties as may be determined necessary by the owner. The Department of Management Services will enter into a contract with one for more construction management firms with responsibility for performance of construction contracts that will vary in size up to \$500,000. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Selection of finalists for interview will be made on the basis of construction manager qualifications including experience and ability, bondability, record-keeping/administrative ability, scheduling expertise, cost estimating and cost control ability,

quality control capability, qualifications of involved management staff and ability to involve Minority Business Enterprises.

Applicant must be licensed in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application. The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

RESPONSE DUE DATE: January 6, 2000, by 5:00 p.m., Local Time

Applications are to be sent to: Mrs. Carole Nichols, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Building 4030, Suite 335Q, Tallahassee, Florida 32399-0950, Telephone (850)487-2824.

DATE AND LOCATION OF SHORTLIST: January 13, 2000, Department of Management Services, Division of Building Construction, 4030 Esplanade Way, Suite 335N, Tallahassee, FL 32399-0950

DATE AND LOCATION OF INTERVIEWS: January 20, 2000, Department of Management Services, Division of Building Construction, 4030 Esplanade Way, Suite 335N, Tallahassee, FL 32399-0950

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selected firm. The selection results will be published in the Florida Administrative Weekly.

NOTICE TO PROFESSIONAL CONSULTANTS PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR CONTINUING AREA CONTRACTS FOR CIVIL, WATER & SEWER SERVICES AREAS 4 & 5 COMBINED

The State of Florida, Department of Management Services, requests qualifications from Civil, Water and Sewer firms to provide services as stated in Area 4 counties of Citrus, Hardee, Hernando, Hillsborough, Lake, Manatee, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Sumter; and Area 5 counties of Brevard, Indian River, Seminole; and other area counties as may be determined necessary by the owner. Two firms may be selected under this Continuing Area Contract and will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (fees) respectively, provided for in section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

RESPONSE DUE DATE: January 4, 2000, by 5:00 p.m., Local Time

Applications are to be sent to: Carole Nichols, Department of Management Services, Division of Building Construction, 4030 Esplanade Way, Suite 335Q, Tallahassee, Florida, 32399-0950, Telephone (850)487-2824.

DATE AND LOCATION OF SHORTLIST: January 11, 2000, Department of Management Services, Division of Building Construction, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610.

DATE AND LOCATION OF INTERVIEWS: January 26, 2000, Department of Management Services, Division of Building Construction, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610.

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Professional Qualifications Supplement (PQS) Form DBC5112, Revised 2/99.
3. A copy of the firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.

- 5. Completed SF-254.
- 6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

**NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR
CONTINUING AREA CONTRACTS FOR
ARCHITECTURAL SERVICES
AREAS 4 & 5 COMBINED**

The State of Florida, Department of Management Services, requests qualifications from Architectural firms to provide services as stated in Area 4 counties of Citrus, Hardee, Hernando, Hillsborough, Lake, Manatee, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Sumter; and Area 5 counties of Brevard, Indian River, Seminole; and other area counties as may be determined necessary by the owner. Two firms may be selected under this Continuing Area Contract and will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (fees) respectively, provided for in section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

RESPONSE DUE DATE: January 4, 2000, by 5:00 p.m., Local Time.

Applications are to be sent to: Carole Nichols, Department of Management Services, Division of Building Construction, 4030 Esplanade Way, Suite 335Q, Tallahassee, Florida 32399-0950, Telephone (850)487-2824.

DATE AND LOCATION OF SHORTLIST: January 11, 2000, Department of Management Services, Division of Building Construction, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610.

DATE AND LOCATION OF INTERVIEWS: January 26, 2000, Department of Management Services, Division of Building Construction, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610.

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppor1.html>

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Professional Qualifications Supplement (PQS) Form DBC5112, Revised 2/99.
3. A copy of the firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Applicants are advised that plans and specifications for A/E projects may be reused. An appropriate contractual agreement will be made with the selected firm should this be necessary. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, negotiation and contract award will proceed with the selected firm. The selected firm will be notified and announcement of selected firms will be published in the Florida Administrative Weekly.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**NOTICE OF INVITATION TO BID
BID NO. BDRS 34-99/00**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Camping area development and related site improvements

SCOPE OF WORK: Construction of a ranger station, recreational vehicle camping area, camping area with 60 electrical and water hook-ups, access road, two camper restrooms and related site improvements.

PARK LOCATION: Silver River State Park, 1425 N. E. 58th Avenue, Ocala (Marion Co.), Florida

PROJECT MANAGER: Jim Ross, Bureau of Design and Recreation Services, Telephone (850)488-3541

MINORITY BUSINESS REQUIREMENT: This project is reserved for competitive sealed bidding only among qualified bidders who agree to use Department of Labor certified minority business enterprises (MBE) as subcontractors or subvendors. A minimum of twenty one (21) percent of the total bid must be expended with certified minority business enterprise subcontractors and subvendors. Verification of the certified minority business enterprise utilization shall be determined by the agency before such bid awards may be made. In order to bid on a project so reserved, the qualified bidder shall identify those certified minority business enterprises which will be used as subcontractors or subvendors by sworn statement. At the time of performance of project completion, the contractor shall report by sworn statement the payment and completion of work for all certified minority business enterprises used in the contract.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000, each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available on Friday, December 10, 1999 at: Silver River State Park, 1425 N. E. 58th Avenue, Ocala, Florida 34470, Attention: Bob Lamont, Park Manager, Telephone Number (352)236-1827

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services at (850)488-3539, at least five (5) workdays prior to opening.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, January 11, 2000, to the below address: Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids.

Michael Renard, Contracts Manager, Bureau of Design and Recreation Services

DEPARTMENT OF HEALTH

NOTICE TO PROFESSIONAL CONSULTANTS PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services are required for the project listed below. Applications being sent via the U. S. Mail or via overnight express service shall be sent to: Mr. Kenneth Perowski, Senior Architect, Florida Department of Health, Office of Design and Construction, 2020 Capital Circle, S. E., BIN #B06, Alexander Building, Tallahassee, Florida 32399-1734, Telephone (850)488-2531, Facsimile (850)410-1474.

PROJECT NUMBER: DOH 99647000

PROJECT NAME: Volusia County Health Department, Daytona Beach – Conversion of existing building with potential to increase scope and phasing.

SERVICES TO BE PROVIDED: Architectural-Engineering

ESTIMATED CONSTRUCTION BUDGET: \$2,890,000 with potential of additional \$5,000,000.

SAMAS NO: 64-30-2-122002-64200000-00-084093-00

RESPONSE DUE DATE: Monday, January 10, 2000, 5:00 p.m., Local Time.

INSTRUCTIONS: Submit three (3) bound copies of the following information: *

1. Table of Contents
2. Letter of interest
3. A copy of the current Department of Management Services Professional Qualifications Supplement (PQS): Form DBC5112 Revised 10/97. A copy can be obtained by calling (850)413-8415.
 - List only related projects designed, under construction, and/or completed within the past five (5) years.
4. A copy of the firm's current Florida Professional License registration.
5. A copy of the firm's current Corporate Certification (Corporations only).
6. Completed current Standard Form 254 for the Architect and the major consultants.
7. Completed current Standard Form 255 for the Architect.
 - In Article eight (8), Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

8. A copy of the applicant's currently dated State of Florida Minority Re-certification or Certification Letter for those applicants desiring "selection credit" as State Certified Minority Business Enterprises, either as a Prime Consultant or a Sub-consultant.

9. A stamped self-addressed if the applicant would like a Notice of Selection result.

* All applicants are urged to limit their submittals to fifty (50) pages, excluding front and back covers and all section dividers. This is not a mandatory requirement.

All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. Any proposals that do not comply with the above instructions as set forth and/or do not include the required qualification data will be considered improper and disqualify the applicant. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO DESIGN / BUILD FIRMS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Design/Build Firms desiring to render Design/Build Services for the following project at Plant City Airport, Plant City, Florida.

**NEW 200 GPM JET-A FUEL SYSTEM
AND RELATED WORK
PLANT CITY AIRPORT**

Services to be furnished may include, but not be limited to civil, electrical, mechanical, and fueling design, fabrication, and installation of a new 12,000 gallon above ground Jet-A Fueling System and related work at Plant City Airport. The System shall be capable of delivering fuel to a refueller at the rate of 200 GPM and shall be designed and constructed to current standards, regulations and codes. The Work will also include the conversion and retrofit of two existing 4,000 gallon underground Jet-A Fuel Tanks to Avgas Service and related work. The Work may also include the procurement and delivery of a ramp refueller vehicle and related work.

Qualified Design/Build Firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submissions to William J. Connors, Jr., Senior Director of Planning and Development, Telephone Number (813)870-8704. ONLY A LETTER EXPRESSING

INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME. Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Qualification Conference will be held on Wednesday, December 22, 1999, 10:00 a.m., Local Time at the Board Room of Hillsborough County Aviation Authority located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Qualifications.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Tuesday, December 14, 1999.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller

Louis E. Miller, Executive Director

NORTHEAST FLORIDA STATE HOSPITAL

ADVERTISEMENT FOR BIDS:

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF FAMILIES AND CHILDREN.

NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO PROVIDE ALL EQUIPMENT, LABOR, MATERIALS AND INSURANCE TO REMOVE THE EXISTING 250 KW MODEL #D375 GENERATOR AND INSTALL A NEW 100 KW 120/208V, 3 PHASE GENERATOR AT BUILDING #12. BID OPENING DATE AND TIME: JANUARY 4, 2000, 2:00 p.m., Local Time

PLACE: PURCHASING AGENT'S OFFICE, BUILDING #19, NORTHEAST, FLORIDA STATE HOSPITAL, S.R. 121 SOUTH, MACCLENNY, FLORIDA.

PROPOSAL: BID MUST BE SUBMITTED IN FULL, IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS, BIDDING CONDITIONS AND SPECIAL CONDITIONS, WHICH MAY BE EXAMINED AND OBTAINED FROM PURCHASING AGENT: ALVIN GRIFFIS, PURCHASING AGENT III, BUILDING #19, NORTHEAST FLORIDA STATE HOSPITAL, S.R. 121 SOUTH, MACCLENNY, FLORIDA, TELEPHONE (904)259-6211, EXT. 1119

THE NORTHEAST FLORIDA STATE HOSPITAL RESERVES THE RIGHT TO REFUSE ANY AND ALL BIDS WHEN IN THE BEST INTEREST OF THE STATE OF FLORIDA.

CONTRACT AWARD: THE BID TABULATION AND NOTICE OF AWARD WILL BE POSTED JANUARY 7, 2000, 2:00 p.m. LOCAL TIME AT THE LOCATION WHERE THE BIDS WERE OPENED. IN THE EVENT THAT THE BID TABULATION AND NOTICE OF

AWARD CANNOT BE POSTED IN THIS MANNER, THEN ALL BIDDERS WILL BE NOTIFIED BY CERTIFIED UNITED STATES MAIL, RETURN RECEIPT REQUESTED. IF NO PROTEST IS FILED, THE CONTRACT WILL BE AWARDED TO THE QUALIFIED, RESPONSIVE LOW BIDDER IN ACCORDANCE WITH RULE 60D-5 BY THE OWNER.

SEMINOLE COUNTY PORT AUTHORITY

PROJECT #121

**EXTENSION OF ROAD, WATER & SEWER FACILITIES
PRE-QUALIFICATION OF BIDDERS**

The Seminole County Port Authority will pre-qualify General Contractors interested in providing construction labor, material and equipment in connection with the construction of road, water and sewer facilities at the Port of Sanford, Seminole County, Florida.

PROJECT DESCRIPTION

Work includes construction of a two-lane extension roadway of an existing street to Seminole County standards, part with swale sections and part with Miami curb along with a stormwater management system with inlets, storm drain pipe, wet retention area, outfall structure and pipe. Work also includes clearing, excavation, grading and sodding.

Utility work is included for extension of water main with services and fire hydrants and a sanitary collection system consisting of gravity sewer, manholes, lift station and force main.

General Contractors interested in this competitive bidding opportunity must complete Pre-Qualification forms available at the office of the Administrator: Seminole County Port Authority, 1510 Kastner Place, Suite 1, Port of Sanford, Sanford, Florida 32771, Telephone (407)322-4798, Fax (407)330-1712, Attn.: Dennis K. Dolgner, Administrator

Pre-Qualification forms must be completely filled out and returned to the office of the Administrator on or before 5:00 p.m., EST, Friday, January 14, 2000. Pre-Qualified General Contractors will receive notice of such finding and an invitation to tender their sealed bid for the work included in this project.

Local/Minority/Women Business Enterprise participation is encouraged.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

**INTEREST RATE SET PURSUANT TO SECTION 55.03,
FLORIDA STATUTES**

Rule 3A-25.003(3), FAC., requires the Department of Banking and Finance, at least once between December 1 and January 1, to provide notice of the interest rate set by the Comptroller pursuant to Section 55.03, F.S. The interest for the year 2000 has been set at 10% per annum or .0002740 per day. For additional information contact: Vendor Ombudsman Section, Bureau of Accounting, (850)410-9724, Suncom 210-9724 or on the internet: www.dbf.state.fl.us/interest.html.

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., December 31, 1999):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Bell-Tel Credit Union, P. O. Box 4900, Orlando, Florida 32802

Expansion Includes: Employees who are paid from the Harley Hotel, Orlando, Florida; employees who are paid from Snelling Personnel Kirby and Associates, Orlando, Florida; employees who are paid from Mitsubishi Electric Power Products, Inc.; employees who are paid by The Firm, Orlando, Florida; employees who are paid from World Commerce On-Line; members and employees of the Lake Mary-Heathrow Chamber of Commerce; those who work or live in the city of Lake Mary-Heathrow, Florida; those who work or live in the city of Leesburg, Florida; employees of Fugleberg Koch Architects.

Received: November 29, 1999

Correspondent and Telephone Number: Jody W. Walls, Business Development Manager, (407)426-6010

Name and Address of Applicant: Gulf States Credit Union, 9405 South Highway 17-92, Maitland, Florida 32751

Expansion Includes: Persons who work or live in the area known more or less as Fern Park as defined by the boundaries: North, 17/92 and Semoran Blvd.; South, Derbyshire Road (Seminole County Line); East, Kewanee Trail; West Hamlin Drive.

Received: November 22, 1999

Correspondent and Telephone Number: Bernard E. Arvin, President, 1(800)770-2246

DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 99-5065

In Re: The Receivership of VANTAGE HEALTHCARE, INC., a Florida Health Maintenance Organization.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH VANTAGE HEALTHCARE, INC.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 14th day of September, 1999, the Department of Insurance of the State of Florida was appointed as Receiver of VANTAGE HEALTHCARE, INC., and was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of VANTAGE HEALTHCARE, INC. shall present such claims to the Receiver on or before 11:59 p.m., September 14, 2000, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation, Florida Department of Insurance, Receiver for VANTAGE HEALTHCARE, INC., Post Office Box 10280, Tallahassee, Florida 32302-2280.

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 DaimlerChrysler Motors Corporation, intends to allow the relocation of CarMax Auto Superstores, Inc. d/b/a CarMax Chrysler Plymouth Jeep of Orlando, as a dealership for the sale of Chrysler, Plymouth, and Jeep vehicles, from its present location at 7530 South Orange Blossom Trail, Orlando,

Florida 32809, to a proposed location at 6375 Semoran Boulevard, Orlando (Orange County), Florida 32822, on or after January 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of CarMax Auto Superstores, Inc. d/b/a CarMax Chrysler Plymouth Jeep of Orlando are: dealer operator: Nelson C. Johnston, CarMax Auto Superstores, Inc., d/b/a CarMax Chrysler Plymouth Jeep of Orlando, 7530 South Orange Blossom Trail, Orlando, Florida 32809; principal investor(s): CarMax, Inc., Brian A. Sexton, President, 4900 Cox Road, Glen Allen, VA 23060-3314. 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: J. K. Wheeler, Zone Manager, DaimlerChrysler Motors Corporation, 8000 South Orange Blossom Trail, Orlando, Florida 32809-7699.

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 the Relocation of a Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the relocation of John Kiley's Cycle World, Inc., as a dealership for the sale of Suzuki motorcycles, from its present location at 8610 N. Pensacola Blvd., Pensacola, Florida 32534-3314, to a proposed location at "Address Unassigned". It will be next door and to the West of 5745 W. Hwy. 90, Milton (Santa Rosa County), Florida 32583, on or after April 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of John Kiley's Cycle World, Inc. are: dealer operator: John Kiley, 4345 Jelinek Drive, Milton, Florida 32583; principal investor(s): John Kiley, 4345 Jelinek Drive, Milton, Florida 32583.

The notice indicates an intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Tom Decker, Southern Regional Sales Manager, American Suzuki Motor Corporation, 3075 Chastain Meadows Parkway N. W., Marietta, Georgia 30066. 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, Mitsubishi Fuso Truck of America, Inc., intends to allow the establishment of Gator Motors of Tampa Bay, LLC, as a dealership for the sale of Mitsubishi Fuso FE, FG, FH, FK and FM model vehicles, at 3110 Adamo Drive, Tampa (Hillsborough County), Florida 33605, on or after December 1, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Gator Motors of Tampa Bay, LLC is: David F. Kilcoyne, 2505 S. Dundee, Tampa, Florida 33629.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Deborah McTyre, Supervisor, Dealer Administration, Mitsubishi Fuso Truck of America, Inc., P. O. Box 464, 100 Center Square Road, Bridgeport, NJ 08014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kia Motors America, Inc., intends to allow the establishment of Stoff Motor Company, Inc. d/b/a Family Kia, as a dealership for the sale of Kia automobiles, at 2665 U.S. Highway 1 South, St. Augustine (St. Johns County), Florida 32084, on or after January 4, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Stoff Motor Company, Inc., d/b/a Family Kia are: dealer operator: Richard Stoff, 8227 N. W. 8th Place, Plantation, Florida 33324; principal investor(s): Richard Stoff and Darlene Stoff, 8227 N. W. 8th Place, Plantation, Florida 33324.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: D. Richard Maxfield, Dealer Development Manager, Kia Motors America, Inc., Southern Region, 7800 The Bluffs N. W., Suite F, Austell, Georgia 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

On November 29, 1999, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Kelli Jean Johansen, license number TT 0009733. 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

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: Alachua Service District: 3
CON #: 9213 Decision Date: 10/29/99 Decision: A
Facility/Project: Palm Garden of Gainesville
Applicant: Florida Convalescent Centers, Inc.
Project Description: Division of CON #8281 for 60 beds into two 30 bed portions
Approved Cost: \$16,551

County: Columbia Service District: 3
CON #: 9215 Decision Date: 10/29/99 Decision: D
Facility/Project: Lake City Extended Care Center
Applicant: Lake City Nursing Homes, Inc.
Project Description: Transfer 30 beds via division of CON #8281/9213
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 Hernando HMA, Inc.

Approved Cost: \$50,502
County: St. Lucie Service District: 9
CON #: 9267 Decision Date: 11/29/99 Decision: A
Facility/Project: St. Lucie Medical Center
Applicant: HCA Health Services of Florida, Inc.
Project Description: cost overrun CON #8767
Approved Cost: \$43,085

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

RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate Of Need applications for expedited review:

County: Dade Service District: 11
Facility/Project: Victoria Nursing and Rehabilitation Center
Applicant: Victoria Nursing and Rehabilitation Center, Inc.
Project Description: Transfer 60 comm. SNF beds authorized under CON #7978 to Victoria Nursing & Rehab.
AHCA Purchase Order Number: S5900H0396.

CERTIFICATE OF NEED

EXEMPTIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Osceola Service District 7
CON #9900478 Issue Date: 11/22/99
Facility/Project: Florida Hospital-Kissimmee
Applicant: Adventist Health System/Sunbelt, Inc.
Project Description: Termination of obstetrical services
Approved cost: \$0 Equipment Cost:
County: Lake District: 3
ID#: 9900479 Issue Date: 11/23/99

Facility/Project: LifeStream Behavioral Center
Project Description: Delicense 11 adult psychiatric beds & 3 adult substance abuse beds
Proposed Project Cost: \$0 Equipment Cost:
County: Palm Beach District: 9
ID#: 9900480 Issue Date: 11/23/99
Facility/Project: West Boca Medical Center
Applicant: Tenet healthSystem Hospitals, Inc.
Project Description: ER additions and renovations and ancillary area renovations
Proposed Project Cost: \$3,800,000 Equipment Cost:

County: Hillsborough District: 6
 ID#: 9900482 Issue Date: 11/23/99
 Facility/Project: H. Lee Moffitt Cancer & Research Institute Hospital
 Applicant: H. Lee Moffitt Cancer & Research Institute Hosp., Inc.
 Project Description: Renovate the Radiology department
 Proposed Project Cost: \$72,000 Equipment Cost:
 County: Palm Beach District: 9
 ID#: 9900483 Issue Date: 11/23/99
 Facility/Project: Glades General Hospital
 Applicant: PHC-Belle Glade, Inc.
 Project Description: Establish an adult outpatient diagnostic cardiac catheterization program
 Proposed Project Cost: \$440,000 Equipment Cost:
 AHCA Purchase Order Number S5900H00396.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

**NOTICE
TANF CASELOAD REPORT**

The Department of Health and Human Services, Administration for Children and Family Services has published guidance to state agencies regarding caseload reduction credit information. The caseload reduction credit is an adjustment to the State's minimum Temporary Assistance for Needy Families (TANF) participation rate requirement. Submission of the caseload reduction credit requires the State to provide opportunity for public comment on the estimates and methodology used to complete the estimates.

In submitting the data for federal fiscal year 1999 and federal fiscal year 2000, Florida anticipates using methodologies consistent with the procedures used for the federal fiscal year 1998 report.

Given the time frames for completion of the data, it will be difficult to provide for completion of the FFY 1999 and FFY 2000 report, receive public input and meet the submission deadline of December 31, 1999. The Florida Department of Children and Family Services (DCF) is therefore taking the following actions.

- 1) We are publishing the FFY 1998 report and the federal guidance. This information will be available on the DCF website: www.state.fl.us/cf_web. Copies will also be available at the business address listed at the end of this notice.
- 2) Since we anticipate using methodologies in FFY 1999 and FFY 2000 that are similar to the methodologies used in FFY 1998, we are requesting input on these methodologies. We will consider comments received in completing the FFY 1999 and FFY 2000 reports.
- 3) We will mail or transmit electronically the FFY 1999 and FFY 2000 reports to anyone submitting comments. We will also publish these reports upon submission.
- 4) We will attach any comments received to the federal reports and will forward any comments received after December 31, 1999 to the federal agency after submission.

Comments should be submitted to: Pat Hall, Program Administrator, Economic Self-Sufficiency Program, Department of Children and Family Services, Building 3, Room 406G, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, Telephone (850)921-5574, EMail: pat_f_hall@dcf.state.fl.us

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 23, 1999
and November 29, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS

2-34.001	11/23/99	12/13/99	25/39	
2-34.004	11/23/99	12/13/99	25/39	
2-34.005	11/23/99	12/13/99	25/39	
2-34.006	11/23/99	12/13/99	25/39	
2-34.007	11/23/99	12/13/99	25/39	
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DEPARTMENT OF EDUCATION

State Board of Education

6A-10.024	11/23/99	12/13/99	25/38	
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Gulf Coast University

6C10-5.019	11/29/99	12/19/99	Newspaper	
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DEPARTMENT OF TRANSPORTATION

14-101.001	11/24/99	12/14/99	25/42	
14-101.002	11/24/99	12/14/99	25/42	
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14-101.004	11/24/99	12/14/99	25/42	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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PUBLIC SERVICE COMMISSION

25-30.110	11/24/99	12/14/99	25/41	
25-30.431	11/24/99	12/14/99	22/31	23/27

COMMISSION ON ETHICS

34-7.010	11/29/99	1/1/00	25/38	25/44
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Land Surveyors

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

62D-2.013	11/29/99	12/19/99	25/37	25/43
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62D-2.014	11/29/99	12/19/99	25/37	
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

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64B3-11.002	11/23/99	12/13/99	25/36	
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64B3-11.003	11/23/99	12/13/99	25/36	
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Board of Medicine

64B8-3.002	11/24/99	12/14/99	25/33	25/43
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64B8-3.003	11/24/99	12/14/99	25/33	25/43
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64B8-7.002	11/24/99	12/14/99	25/33	25/43
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