

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE TITLE: Placement of Races on Primary Ballots  
 RULE NO.: 1S-2.002

PURPOSE AND EFFECT: To establish standards for the order and appearance of races of ballots in elections held by all governing bodies, political subdivisions and municipalities of the State of Florida.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Constitutional Revision No. 11, Article VI, section 5(b) of the Florida Constitution was created in 1998 (effective January 1999) to provide, "If all candidates for an office have the same party affiliation and the winner will have no opposition in the general election, all qualified electors, regardless of party affiliation may vote in the primary elections for that office." Proposed rule 1S-2.002 will provide standards for the placement of a race on the ballot in a manner consistent with the requirements of Article VI, section 5(b), and section 101.181, Florida Statutes, relating to form of the primary ballot.

SPECIFIC AUTHORITY: 101.015, 101.5609 FS.

LAW IMPLEMENTED: 101.181, 101.5609 FS.

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

TIME AND DATE: 9:30 a.m., May 31, 2000

PLACE: Director's Conference Room, Room 1801, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Craft, Division of Elections, (850)921-4110

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Emergency Management**

RULE CHAPTER TITLE: Review of Local Emergency Management Plans  
 RULE CHAPTER NO.: 9G-6

RULE TITLES: Definitions  
 RULE NOS.: 9G-6.002

Schedule for Development and Review of County and Municipal Comprehensive Emergency Management Plans  
 9G-6.005

County Comprehensive Emergency Management Plans-Review by Division 9G-6.006

Municipal Comprehensive Emergency Plans-Review by Division 9G-6.010

PRPOSE AND EFFECT: The purpose of this revision to Rule Chapter 9G-6, is to revise steps in the local Comprehensive Emergency Management Plan review process for additional clarity and comprehension and to incorporate sections .003, .008 and .0012 of Rule 9G-7.

SUBJECT AREA TO BE ADDRESSED: Local Emergency Management Plans.

SPECIFIC AUTHORITY: 252.35(2)(u), 120.53, 120.57 FS.

LAW IMPLEMENTED: 252.35(1),(2)(a),(b),(c),(d),(k),(v), 120.57, 252.38(1),(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Denise Imbler, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9916

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Emergency Management**

RULE CHAPTER TITLE: Hazardous Materials  
 RULE CHAPTER NO.: 9G-14

RULE TITLES: Section 313 Toxic Chemical Release  
 RULE NOS.:

Inventory Fee 9G-14.0045

Approved Forms 9G-14.006

Refunds 9G-14.007

EPCRA Public Information Requests; Inspection and Copies 9G-14.010

Hazardous Substance and Extremely Hazardous Substance Release Reporting 9G-14.011

PURPOSE AND EFFECT: This revision to Rule 9G-14 is to provide clarification and improved reporting forms for fees, refunds, updated addresses, and telephone number.

SUBJECT AREA TO BE ADDRESSED: Hazardous Materials Fees, Forms and Reporting.

SPECIFIC AUTHORITY: 252.83(l), 120.53 FS.

LAW IMPLEMENTED: 252.84, 252.85, 252.90(1), 120.53, 215.26, 119.07(l), 252.83, 252.88, 252.35 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregg Dawkins, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9927

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Emergency Management**

RULE CHAPTER TITLE: Hazardous Materials Risk Management Planning Fee

RULE CHAPTER NO.: 9G-21

Schedule 9G-21

RULE TITLE: Approved Forms 9G-21.004

PURPOSE AND EFFECT: The purpose of this amendment to Rule Chapter 9G-21, Hazardous Materials Risk Management Planning Fee Schedule, is to make revisions to forms RMP-001, Annual Registration Fee Form and RMP-002, Multiple Source Location Annual Registration Fee Form, that will do away with one nonessential information entry and will add one key information entry that will more clearly define required reporting information. The changes to forms RMP-001 and RMP-002 consist of the following: removal of the entry for "Florida Secretary of State ID #" and the addition of "Facility Name."

SUBJECT AREA TO BE ADDRESSED: Accidental Release Prevention and Risk Management Planning.

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

LAW IMPLEMENTED: 252.939(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregg Dawkins, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9927

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

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Offender Restoration of Civil Rights

RULE NO.: 33-302.107

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish procedures to inform offenders of the restoration of civil rights process and to establish criteria for eligibility.

SUBJECT AREA TO BE ADDRESSED: Offender Restoration of Civil Rights.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 940.05, 940.061, 944.09, 944.23 FS.

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

TIME AND DATE: 9:00 a.m., May 30, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.107 Offender Restoration of Civil Rights.

(1) Officers shall inform offenders under supervision of the restoration of civil rights review process and eligibility requirements prior to their scheduled termination of supervision. This review shall include the following eligibility requirements for civil rights restoration:

(a) Have been adjudicated guilty at time of sentencing;

(b) Have completed all sentences and conditions of supervision (including parole, probation, community control, control release, and conditional release);

(c) Have no outstanding detainers or pending criminal charges;

(d) Have no more than \$1000 in outstanding financial obligations which result from a criminal conviction or traffic infraction, including fines, court costs, or unpaid costs of supervision;

(e) Have no outstanding financial penalties or liabilities if such penalties or liabilities are attributed to victim restitution, including restitution pursuant to a court order or civil judgment;

(f) Have no capital or life felony convictions;

(g) Have no previous Clemency Board actions;

(h) Have no more than two felony convictions of record;

(i) Have no felony convictions involving:

1. Prosecution by the Office of Statewide Prosecution under Section 16.56, Florida Statutes.

2. Prosecution under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act.

3. Trafficking or conspiracy to traffic in a controlled substance under Section 893.135, Florida Statutes.

4. Crime defined as a "dangerous crime" under Section 907.041, Florida Statutes.

5. Two or more counts of a single conviction of violent crime.

6. Conspiracy to commit a crime of violence.

7. Lewd, lascivious indecent, or unnatural acts as defined by 800.02, 800.03 and 800.04, Florida Statutes.

8. Crime that required registration under the Florida Sexual Predators Act, Section 775.21, Florida Statutes.

9. Sexual battery as defined by Chapter 794, Florida Statutes.

10. Battery, aggravated assault, or aggravated battery of a law enforcement officer, firefighter, emergency medical care provider, public transit employee or agent, or other specified officer under Section 784.07, Florida Statutes.

11. DUI manslaughter or DUI classified as a felony under Section 316.193, Florida Statutes.

12. Homicide.

13. Public corruption or violations of election laws, or

14. Crime committed by an elected official.

(j) Be a U.S. citizen; and

(k) Be a legal resident of Florida, if convicted outside of Florida.

(2) Circuit Administrators will ensure Civil Rights Restoration Certificates received from the Office of Executive Clemency are mailed to offenders at their last known address.

Specific Authority 944.09 FS. Law Implemented 940.05, 940.061, 944.09, 944.293 FS. History—New.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE TITLE: Penalty Guidelines for Class IV and V Drug Violations

RULE NO.: 61D-6.011

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes which grant the Division the authority to adopt rules establishing penalty guidelines for Class I, II and III drug violations.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the interpretation of Florida Statutes necessary to establish penalty guidelines for Class I, II and III drug violations.

SPECIFIC AUTHORITY: 550.0251(3), 550.2415(3),(13) FS.

LAW IMPLEMENTED: 550.0251, 550.235(2) FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., June 1, 2000

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Room 312, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at

least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Standards for Assembled Financial Statements

RULE NO.: 61H1-20.0053

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to substitute the word fraud in place of irregularities.

SUBJECT AREA TO BE ADDRESSED: Standards for Assembled Financial Institutions.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A Certified Public Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the Certified Public Accountant complies with the standards for assembled financial statements, which are as follows:

(1) No change.

(a) that the engagement cannot be relied upon to disclose errors, ~~fraud, irregularities,~~ or illegal acts; and

(b) disclose whether or not the entity preparing the financial statement is or is not licensed by the Florida Board of Accountancy. An example engagement letter is provided for illustrative purposes:

(Appropriate Salutation)

This letter is to confirm our understanding of the terms and objectives of our engagement to provide accounting services during (date), the output of which will be in the form of (monthly/quarterly/other frequency) assembled financial statements.

- We will perform the following services (selected illustrations):
- Assist you in recording transactions on a (monthly/quarterly /other frequency) basis.
- Prepare a trial balance from your accounts and journals.
- Assemble that information in the form of financial statements.
- Provide comments of a business advisory nature.

We do not undertake to, and will not, provide any opinion or form of assurance on the financial statements we assemble in connection with these services and, accordingly, we do not undertake to make inquiries or perform other procedures to verify, corroborate, or review information supplied by you. In addition, those statements may (will) contain departures from generally accepted accounting principles or an other comprehensive basis of accounting.

Our engagement to assemble financial statements cannot be relied upon to disclose errors, ~~fraud irregularities~~, or illegal acts, including fraud or defalcations that may exist. These assembled financial statements are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy.

Our fees for these services ....

We shall be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Sincerely yours,

\_\_\_\_\_  
(Signature of certified public accountant)

Accepted and agreed to:

XYZ Company

\_\_\_\_\_  
President

(2) through (12) No change.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. History–New 10-28-98, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE:

RULE NO.:

Form of Practice and Name-Shared

61H1-26.001

Office Space

PURPOSE AND EFFECT: The Board proposes to amend this rule to add a limited liability company as a forum whereby a certified public accountant may practice public accounting as an owner or an employee.

SUBJECT AREA TO BE ADDRESSED: Form of Practice and Name – Shared Office Space.

SPECIFIC AUTHORITY: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.001 Form of Practice and Name-Shared Office Space.

(1) A certified public accountant may practice public accounting, whether as an owner or employee, only in the form of a proprietorship, a partnership, a corporation, or a limited liability company. A certified public accountant shall not allow any person to practice in his name that is not a partner or shareholder with him or in his employ. A certified public accountant shall not practice under a name which is misleading or deceptive as to the legal form of the firm or as to persons who are partners or shareholders of the firm or as to any other matter. In this regard:

(a) through (b) No change.

(c) Use of the term "and Company" or "and Associates" requires at least one other fully employed licensee or non-CPA owner other than those named in the firm name; however, this rule does not preclude a licensee initially meeting this requirement from using the above-mentioned terms if the licensee subsequently does not fully employ at least one licensee other than those named in the firm name.

(d) A firm may ~~not~~ use the term "Certified Public Accountants" in the firm's name if all owners are CPAs if the name of a non-CPA owner also appears in the firm's name. If there are non-CPA owners, the ~~The~~ firm may use the terms "CPA Firm", ~~or~~ "CPAs and Associates" or "Certified Public Accountants and Associates" provided the firm has more than one CPA. Further, a CPA firm with non-CPA owners may not use the term Certified Public Accountants without indicating there are other owners such as Associates or Consultants.

(2) through (3) No change.

Specific Authority 473.304, 473.3101, 473.321 FS. Law Implemented 473.3101, 473.321 FS. History–New 12-4-79, Amended 11-7-84, 10-28-85, Formerly 21A-26.01, Amended 10-20-86, 12-28-89, 7-1-91, 1-7-93, Formerly 21A-26.001, Amended 11-30-93, 12-30-97, 8-16-99, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: RULE NO.:

Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs) 61H1-26.002

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to be in compliance with the underlying statutes by specifying that Letters of Credit may be used in lieu of the minimum capitalization or liability insurance requirement.

SUBJECT AREA TO BE ADDRESSED: Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs).

SPECIFIC AUTHORITY: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.002 Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs). A public accounting corporation, LLC, or LLP shall not engage in the practice of public accounting in this state unless:

- (1) No change.
- (2) it has an irrevocable letter of credit which meets the following criteria:
  - (a) the responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the CPA firm, its owners, or any entity affiliated with the CPA firm;
  - (b) the letter of credit contains an "evergreen clause," which automatically renews the letter of credit unless the issuer of the letter of credit notifies the CPA firm and the Board within sixty (60) days of the decision not to renew; and
  - (c) the letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws.

(2) through (3) renumbered (3) through (4) No change.

Specific Authority 473.304, 473.309 FS. Law Implemented 473.309 FS. History—New 12-4-79, Formerly 21A-26.02, Amended 10-20-86, Formerly 21A-26.002, Amended 11-30-93, 5-23-94, 6-10-96, 12-30-97,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: RULE NO.:

Licensure of Changes by Firms 61H1-26.004

PURPOSE AND EFFECT: The Board proposes to amend the rule to require any licensee to advise the Board of any convictions or findings of guilt of a crime in any jurisdiction.

SUBJECT AREA TO BE ADDRESSED: Convictions or findings of guilty against any licensee in any jurisdiction.

SPECIFIC AUTHORITY 473.304, 473.3101 FS.

LAW IMPLEMENTED 473.3101 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.004 Licensure of Changes by Firms.

(1) A firm licensed pursuant to Rule Chapter 61H1-26.003, shall file a written notification with the Department within thirty (30) days after the occurrence of any of the following events:

(a) The admission or addition of a non-CPA co-partner, shareholder or member in any Florida office, including whether any non-CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having been acted against, including denial of licensure, by any regulatory agency or by a court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(b) The admission or addition of a CPA co-partner, shareholder or member in any Florida office, including whether any CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities Exchange Commission (SEC),

Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(c) Any conviction or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities and Exchange Commission (SEC), Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S., for any licensee and any non-licensee owner.

~~(d)~~(e) The retirement or death of a co-partner, shareholder or member in any Florida office;

~~(e)~~(f) A change in the name of the partnership, corporation or limited liability company;

~~(f)~~(g) The termination of the partnership, corporation or limited liability company.

(2) No change.

(3) No change.

Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Examinations RULE NO.: 61H1-28.001

PURPOSE AND EFFECT: The purpose of this rule amendment is to remove language that is obsolete.

SUBJECT AREA TO BE ADDRESSED: Examinations.

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-28.001 Examinations.

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

(c) A conditioned candidate is defined as a candidate taking an examination after sitting as a first-time or extended candidate who has been granted credit for ~~either accounting practice or~~ two or three subjects on the examinations commencing with his most recent sitting as a first-time candidate.

(d) No change.

(3) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 9-16-84, 4-8-86, Formerly 21A-28.001, Amended 5-23-94, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Experience for Licensure by Endorsement RULE NO.: 61H1-29.003

PURPOSE AND EFFECT: This rule is being amended to setforth what an applicant must do to complete the requirements for licensure by endorsement pursuant to 473.308(4), F.S.

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.308 FS.

LAW IMPLEMENTED: 473.308 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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.003 Experience for Licensure by Endorsement. Experience used to meet the requirements of Section 473.308(4), F.S., must include five years experience in the practice of public accounting as a Certified Public Accountant ~~certified public accountant~~ or chartered accountant. In addition, the applicant must have practiced at least two years of the last three years immediately preceding application for licensure. The applicant must submit acceptable Peer Review Reports (including the Letter of Comment) covering the years being used to evidence the experience. The Peer Review must have been performed by a state regulatory agency, the American Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the Board. The

applicant shall, during those three years, complete continuing education in public accountancy at least equivalent to that required in Florida during that period.

Specific Authority 473.304, 473.308 FS. Law Implemented 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Continuing Professional Education  
 RULE NO.: 61H1-33.003

PURPOSE AND EFFECT: This rule is being amended to update the classification of CPE courses in order to implement the Quality Assurance Service (QAS).

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

SPECIFIC AUTHORITY: 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 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:

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: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-33.003 Continuing Professional Education.

(1)(a) In any given reestablishment period, each certified public accountant must have completed at any time or times during the two-year period, at least 80 hours of educational instruction or training in public accounting subjects or courses of study, as defined hereinafter, of which at least 20 hours must have been in accounting-related and/or auditing-related subjects and of which no more than 20 hours may be in behavioral subjects beginning with the reestablishment period ending June 30, 1990.

(b) Licensees who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the licensee submits an additional 8 hours in Accounting and Auditing subjects. An automatic extension will be granted until December 1st provided the licensee submits an additional 16 hours in Accounting and Auditing

subjects. Licensees utilizing the automatic extension must submit reporting forms postmarked by September 15 or December 1st.

(2) Educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning, as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Unless otherwise approved by the Board, subjects or courses of study qualifying an individual for the purpose of this rule shall be limited to accounting and auditing subjects to consist of:

(a) Accounting and auditing subjects to consist of:

1. Accounting-related subjects or courses, including, but not limited to, financial accounting (including current authoritative literature in generally-accepted accounting principles in the United States and the Pronouncements of the Accounting Principles Board and the Financial Accounting Standards Board), and accounting for specialized industries.

2. Auditing-related subjects or courses, including, but not limited to, general auditing theory and practice (including current authoritative literature in generally-accepted auditing standards in the United States and the Statements on Auditing Standards promulgated by the American Institute of Certified Public Accountants), auditing for specialized industries (including governmental auditing requirements) and audit applications to computers and information systems; and other category courses to consist of:

(b) Technical business subjects to consist of:

1. Taxation.

2. Management services and management advisory services.

3. General business including, but not limited to, economics, business law, production or operational systems, marketing, finance, quantitative applications in business and business policy, and computers and information systems without audit applications); and

(c) Behavioral subjects to consist of:

1. Oral and written communications.

2. The social environment of business.

4. General business including, but not limited to, economics, the social environment of business, business law, production or operational systems, marketing, finance, quantitative applications in business and business policy, and computers and information systems (without audit application).

3. Administration of a public accounting practice including, but not limited to, behavioral sciences, managerial effectiveness and management by objectives.

(3) Effective July 1, 1999, educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Subjects or

courses of study qualifying an individual for the purposes of this shall be limited to: Unless otherwise approved by the Board and subject to the formalities and further requirements of Rule 61H1-33.003(4), programs of learning shall be limited to:

(a) Accounting and auditing subjects to consist of: Courses taken at institutions of higher education.

Accounting and financial reporting subjects, the body of knowledge dealing with recent pronouncements of authoritative accounting principles issued by the standard-setting bodies, and any other related subject generally classified within the accounting discipline. Subjects include auditing subjects related to the examination of financial statements, operations systems, and programs; the review of internal and management controls; and the reporting on the results of audit findings, compilation and review. It also includes assurance services that relate to Standards for Attest Engagements.

(b) Technical business subjects to consist of: Other professional education or training:

1. Taxation including tax compliance and tax planning. Professional development courses sponsored by, and technical sessions at meetings of, the American Institute of Certified Public Accountants, state societies of certified public accountants, and chapters thereof, and other approved organizations, including but not limited to, the National Association of Accountants, American Accounting Associations, Financial Executives Institute, American Woman's Society of Certified Public Accountants and similar professional organizations.

2. Consulting services including management advisory services; personal financial planning services; planning and control systems dealing with planning, organizing and controlling any phase of individual financial activity or business activity; designing, implementing, and evaluating operating systems as well as business advisory services and personal financial planning. Formal organized in-firm educational programs, including multifirm programs.

3. Management including practice management for the public practitioner; financial management of an organization including information systems, budgeting and asset management, planning, buying and selling businesses, contracting for goods and services and foreign operation; budgeting; cost analysis; human resource management; and financial management. Formal correspondence or other individual study programs.

4. Specialized knowledge and applications including subjects related to specialized industries such as not for profit organizations, health care, oil and gas.

(c) Behavioral subjects including oral and written communications and the social environment of business. Preparation of books or articles which are published in recognized academic, trade or professional journals, in the subject matter set forth in Rule 61H1-33.003(2).

All courses not covered above are considered behavior except for business meetings, social functions, committee service and courses in elementary accounting or basic mathematics which do not qualify for credit.

(4) Credit may be prorated by the sponsor for courses that cover more than one area of study by (1) prorating the amount of time spent in each area or (2) awarding credit based on the lowest topic covered with accounting and auditing being the highest and behavioral the lowest. Therefore an eight-(8)-hour course that was 75% accounting and auditing and 25% management would receive (1) six (6) hours of accounting and auditing credit and two (2) hours of technical business or two (2) hours all technical business. Hours cannot be prorated in less than one hour increments.

(5)(4) In order for a licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. Higher education non-credit courses shall be credited for continuing professional education purposes equivalent to the actual number of contact hours.

3. Continuing professional education credit for instructing a higher education course shall be twice the credit which would have been granted participants for the first presentation of a specific course of program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted by Rule 61H1-33.003(5)(b)4.

4. No continuing professional education credit shall be permitted for attending or instructing accounting courses considered to be elementary.

(b) Other professional education or training:

1. Professional development courses shall be credited for continuing professional education purposes in full hours only, equivalent to the actual number of contact hours (hours in the classroom which must include at least fifty minutes of continuous participation) provided an outline (defined as a schedule of activity listing major topics of discussion) is prepared in advance and retained; a course is at least one contact hour in length; the course conducted by a qualified



instructor, lecturer or discussion leader; and a record of registration and attendance is maintained. For this purpose, a one-day program will be granted eight hours credit if the total lapsed time is at least eight hours and the contact time is approximately 400 minutes. An instructor, lecturer or discussion leader will be considered qualified if, through formal training or experience, he has obtained sufficient knowledge of the subject matter to competently instruct the course. A course participant will be granted credit for only that portion of a course actually attended. If a record of registration and attendance is not maintained by the sponsoring organization, the course participant must be able to prove registration and attendance.

2. Formal organization in-firm educational programs shall be credited for continuing professional education purposes to the same extent and by the same requirements as other professional development courses.

3. Instructors, lecturers, panelists and discussion leaders for professional development courses and formal organized in-firm educational programs shall be credited for continuing professional education purposes at twice the credit granted participants for the first presentation of a specific course or program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted in 61H1-33.003(5)(b)4. Co-panelists and co-discussion leaders shall be credited for the portion of specific course or program they must prepare to discuss and lead as a co-panelist or co-discussion leader.

4. To the extent course content has been substantially revised, the revised portion shall be considered a first presentation for the purposes of 61H1-33.003(5)(b)3.

5. Formal correspondence or other individual study programs must require registration and provide evidence of satisfactory completion and shall be credited for continuing professional education purposes as approved in an amount equal to one-half of the average completion time established by the course sponsor. Formal correspondence or other individual study programs must be pre-approved by the Committee on Continuing Professional Education. In order to receive approval of courses and/or providers, evidence of the following must be submitted by the provider:

- a. that there is a registration requirement,
- b. that the course is developed and intended primarily as an educational activity,
- c. that the course has been pre-tested to determine the average completion time,
  - (i) non-interactive programs shall be credited in an amount equal to one-half of the average completion time, and
  - (ii) interactive programs shall be credited for actual completion time,
- d. evidence of satisfactory completion,
- e. an evaluation (test) to determine whether learning objectives were met has been conducted.

~~(e) The preparation of books or articles shall be credited for continuing professional education purposes on a self-declaration basis but shall be limited to twenty (20) hours of credit in any two-year reestablishment period.~~

~~(6)(5)~~ Each certified public accountant shall, on or before July 15 prior to his biennial license renewal, report on forms prescribed by the Board, programs of continuing professional education completed during the applicable reestablishment period. Each certified public accountant's documentation supporting such programs shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable a random audit by the Department of Business and Professional Regulation to determine compliance with the requirements. If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the licensee will be given 60 days from the date of notification, but no later than December 1, to comply with the continuing professional education requirements. Licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 1 of their renewal year must correct the error and pay a \$50 fine within 60 days.

~~(7)(6)~~ Effective July 1, 1999, sponsors of formal correspondence or other individual study technical business and accounting and auditing programs must be approved by the National Association of State Board of Accountancy Quality Assurance Service. Credit for courses taken from National Association of State Board of Accountancy Quality Assurance Service sponsors will be awarded in an amount equal to the average completion time. Credit from non-approved sponsors is not acceptable for accounting and auditing and technical business courses.

Specific Authority 473.304, 473.312 FS. Law Implemented 473.312 FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 7-7-85, 8-20-85, 9-18-88 Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: School Records; Class Rosters  
 RULE NO.: 61J2-17.012

PURPOSE AND EFFECT: The DBPR is developing procedures, which will ensure that real estate educators comply with the monitoring of continuing education requirements, pursuant to ss. 475.2177 and 475.2178, F.S.

SUBJECT AREA TO BE ADDRESSED: The Commission will implement rules to comply with the new procedures.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.175, 475.451, 475.5015 FS.

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

TIME AND DATE: 8:30 a.m., June 21, 2000

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLES: Citation Authority 61J2-24.002  
Notice of Noncompliance 61J2-24.003

PURPOSE AND EFFECT: To determine whether penalties, which are recommended for specific violations of rules and statutes, need to be revised.

SUBJECT AREA TO BE ADDRESSED: Generally, the Commission will consider the penalties for violations of rules and statutes, which do not and will not pose economic or physical harm to a person and which do not pose substantial threat to public health, safety and welfare or the threat has been removed. Specifically, the Commission will review the penalty for licensees who voluntarily notify the Commission of their failure to take required continuing education courses.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 120.695, 455.224, 455.225(3) FS.

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

TIME AND DATE: 8:30 a.m., June 21, 2000

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 00-03R

RULE CHAPTER TITLE: Ground Water Permitting and Monitoring Requirements

RULE CHAPTER NO.: 62-522

RULE TITLE: General Provisions for Ground Water Permitting and Monitoring

RULE NO.: 62-522.300

PURPOSE AND EFFECT: To make Chapter 62-522 consistent with newly adopted provisions in Chapter 62-610, Reuse of Reclaimed Water and Land Application.

SUBJECT AREA TO BE ADDRESSED: To provide for a zone of discharge for secondary drinking water standards and sodium for aquifer storage and recovery of reclaimed water, injection of reclaimed water for ground water recharge, and salinity barrier systems.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088 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 TO OBTAIN A COPY OF THE PRELIMINARY DRAFT AT NO CHARGE IS: Donnie McClaugherty, Department of Environmental Protection, Bureau of Watershed Management, MS 3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)921-9438.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE TITLE: Standards for Onsite Sewage Treatment and Disposal Systems

RULE NO.: 64E-6

RULE TITLES: General 64E-6.001  
System Size Determination 64E-6.008

PURPOSE AND EFFECT: Recent changes to Chapter 64E-6, Florida Administrative Code, included procedures for the voluntary inspections of existing onsite sewage treatment and disposal systems. The proposed rule amendments will allow persons performing such inspections to provide only those specific assessments deemed necessary by the person requesting the assessment. Also, the proposed change eliminates the appearance of the department having discretionary authority to require the separate installation of laundry systems.

SUBJECT AREAS TO BE ADDRESSED: Areas to be addressed include rule requirements for and the department policy on voluntary inspection and assessment of existing systems and the use of separate laundry systems.

SPECIFIC AUTHORITY: 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1) FS.

LAW IMPLEMENTED: 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 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: Gerald Briggs, Department of Health, Bureau of Water and Onsite Sewage Programs, HSEWOS, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-6.001 General.

(1) through (4) No change.

(5) ~~The If a person having ownership of, control of, or use of an onsite sewage treatment and disposal system requests to have the system inspected due to a reason that is not related to an increase in sewage flow or change in sewage characteristics, or failure of the system, the department~~ Procedure for Voluntary Non-Mandatory Inspection and Assessment of Existing Systems, August 1999, herein incorporated by reference, shall be applied except in situations pertaining to an increase in sewage flow or change in sewage characteristics, or failure of the system used. The inspection is designed to assess the condition of a system at a particular moment in time. The inspection will identify obviously substandard systems, for example systems without drainfields. The inspection is not designed to determine precise code compliance, nor provide information to demonstrate that the system will adequately serve the use to be placed upon it by this or any subsequent owner. Nothing in this section shall be construed to limit the amount of detail an inspector may provide at their professional discretion. Persons allowed to perform work under this section shall be master septic tank contractors, registered septic tank contractors, state-licensed plumbers, and persons certified under section 381.0101, F.S. Department employees are excluded from performing these evaluations. Aerobic treatment units and performance-based treatment systems shall not be evaluated using this criteria, but shall be evaluated by the approved maintenance entity which maintains the unit or system. Nothing in this section restricts the owner from requesting a partial inspection. The inspector shall provide the person requesting the inspection a copy of the department

Procedure for Voluntary Inspection and Assessment of Existing Systems and written notice of their right to request an inspection based on part or all of the standards.

(6) through (7) No change.

Specific Authority 381.0011(13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00,\_\_\_\_\_.

64E-6.008 System Size Determination.

(1) through (3) No change.

(4) ~~A separate laundry waste tank and drainfield system may be utilized for residences and may be required by the DOH county health department where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and setbacks allow system construction.~~ Where an aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

(a) through (c) No change.

(5) through (8) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0065(3)(a), 489.553 FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00,\_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Florida Keys National Marine Sanctuary

RULE TITLES:	RULE NOS.:
Definitions	68B-6.001
Designation of Boundaries of Ecological Reserve, Sanctuary Preservation Areas, and Special-use Area	68B-6.002
Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters	68B-6.003

PURPOSE AND EFFECT: The purpose of this rule development is to implement a plan of the Florida Keys National Marine Sanctuary to establish a reserve (closure area) around the Dry Tortugas. The rules being developed by the Fish and Wildlife Conservation Commission would set up and provide regulations for use of the state waters portion of the closure area within the Sanctuary. The effect of such a reserve would be to minimize human influences, to provide natural spawning, nursery, and permanent residence areas for the replenishment and genetic protection of marine life, and also to protect and preserve natural assemblages of habitats and species within the closure area. This notice will serve to

announce a series of joint public hearings throughout South Florida to gather public comment and suggestions regarding the proposed reserve.

**SUBJECT AREA TO BE ADDRESSED:** Dry Tortugas Reserve within the Florida Keys National Marine Sanctuary.

**SPECIFIC AUTHORITY:** Art. IV, Sec. 9, Florida Constitution.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution.  
**THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT RULE DEVELOPMENT WORKSHOPS, IN CONJUNCTION WITH THE FLORIDA KEYS NATIONAL MARINE SANCTUARY, NATIONAL PARK SERVICE, AND THE GULF OF MEXICO FISHERY MANAGEMENT COUNCIL, AT THE TIMES, DATES AND PLACES SHOWN BELOW:**

Brief presentations by each agency in attendance on their respective plans will occur at 3:30 p.m. and again at 6:00 p.m. at all Florida meetings, and at 2:30 p.m. at the Washington, DC meeting.

**TIME AND DATE:** 3:00 – 8:00 p.m., June 12, 2000  
**PLACE:** Homestead Senior High School, S. E. 12th Avenue, Main Cafeteria, Homestead, FL

**TIME AND DATE:** 3:00 – 8:00 p.m., June 13, 2000  
**PLACE:** Comfort Inn Executive Suites, 3860 Toll Gate Blvd., 2nd Floor Conference Room, Naples, FL

**TIME AND DATE:** 3:00 – 8:00 p.m., June 14, 2000  
**PLACE:** University of South Florida, Campus Activities Center, 2nd Street and 6th Avenue, South, CAC Central Room, St. Petersburg, FL

**TIME AND DATE:** 3:00 – 8:00 p.m., June 21, 2000  
**PLACE:** The Sombrero Country Club, 4000 Sombrero Blvd., Nautilus Room, Marathon, FL

**TIME AND DATE:** 3:00 – 8:00 p.m., June 22, 2000  
**PLACE:** Holiday Inn Beachside, 3841 N. Roosevelt Blvd., Main Ballroom, Key West, FL

**TIME AND DATE:** 2:00 – 5:00 p.m., July 11, 2000  
**PLACE:** U.S. Commerce Bldg., First Floor HCHB Auditorium, Washington, DC

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Historical Resources

**RULE CHAPTER TITLE:** Tax Exemptions for Historic Properties

**RULE CHAPTER NO.:** 1A-38

**RULE TITLES:** Definitions

**RULE NOS.:** 1A-38.002

Application for Exemption

1A-38.003

Evaluation of Property

1A-38.004

**PURPOSE AND EFFECT:** The purpose and effect of the proposed changes is to amend these rules and the forms incorporated therein to streamline application procedures and to correct minor errors in the current versions of the rule.

**SUMMARY:** The Division of Historical Resources seeks to amend these rules and the forms incorporated therein to streamline application procedures to obtain Historic Property Tax Exemptions. Also, the Division has been made aware of minor errors in the current version of the rules, which it seeks to correct.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 196.1997(13), 196.1998(3) FS.

**LAW IMPLEMENTED:** 196.1997-.1998 FS.

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

**TIME AND DATE:** 9:00 a.m., June 13, 2000

**PLACE:** R. A. Gray Building, Conference Room, Room 316-H, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** David Ferro, Architect Supervisor, Bureau of Historic Preservation, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, telephone (850)487-2333

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

1A-38.002 Definitions.

(4) "Improvements" means changes in the condition of real property brought about by the expenditure of labor or money for restoration, renovation or rehabilitation of such property. Improvements may include additions and accessory structures (i.e., a garage), cabana, guest cottage, storage/utility

structure) so long as the new construction is compatible with the historic character of the building and site in terms of size, scale, massing, design and materials, and preserves the historic relationship between a building or buildings, landscape features and open space necessary for efficient contemporary use.

Specific Authority 196.1997, 197.1998 FS. Law Implemented 196.1997, 197.1998 FS. History—New 1-31-94, Amended \_\_\_\_\_.

#### 1A-38.003 Application for Exemption.

(1) Except as provided in rule 1A-38.003(2), application for the property tax exemption shall be made on the ~~three-~~two-part Historic Preservation Property Tax Exemption Application, DOS Form No. HR3E101292, revised xx xx, 2000 effective 1-31-94 and incorporated by reference. This form may be obtained by writing the Division at: Bureau of Historic Preservation, 500 South Bronough Street, Tallahassee, Florida 32399-0250, or from the local historic preservation office in the jurisdiction of the local government. Part 1-Evaluation of Property Eligibility and Part 2-Description of Improvements may be submitted before or during construction, or upon completion of the improvements; however, property owners are strongly encouraged to submit these parts of the application to ensure property eligibility and secure preliminary project approval before construction is initiated. Failure to secure preconstruction approval of improvements may jeopardize eligibility for the exemption or may result in the need for costly modifications to bring improvements into compliance with program requirements. ~~the Preconstruction Application, shall be submitted before improvements are initiated and Part 3 2, the~~ Request for Review of Completed Work, shall be submitted upon completion of the improvements. For improvements completed before application is made, Part 3-Request for review of Completed Work must accompany the Part 2 submission.

(2) No change.

(3) The cCompleted Part 1-Evaluation of Property, Part 2-Evaluation of Improvements Preconstruction Applications and Part 3-Requests for Review of Completed Work shall be submitted by the property owner to the local historic preservation office or the Division, whichever is designated by the local ordinance as the representative of the local government for the purpose or reviewing applications for the property tax exemption.

(4) Upon receipt of the completed Part 1-Evaluation of Property Eligibility and Part 2-Description of Improvements, Preconstruction Application and all required supporting materials, the local historic preservation office or the Division shall conduct a review to determine

(a) whether the property for which an exemption has been requested satisfies Section 196.1997(11)(a), F.S.,

(b) whether the proposed, in progress, or completed improvements are consistent with The Secretary of the Interior's Standards for Rehabilitation and Guidelines for

Rehabilitating Historic Buildings (Revised 1990), U.S. Department of the Interior, National Park Service, incorporated by reference, and the criteria in Chapter 1A-38, and

(c) for applications submitted under the provisions of Section 196.1998, F.S., whether the improvements meet the criteria in rule 1A-38.004(3) and (4). Part 2-Description of Improvements will not be reviewed prior to review of Part 1-Evaluation of Property Eligibility and certification that the subject property is a historic property as defined in rule 1A-38.002(3) and, for applications submitted under the provisions of Section 196.1998, F.S., that the property meets the criteria in rules 1A-38.004(4) and (5). Copies of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings may be obtained by writing the Division at the address indicated in rule 1A-38.003(1) or from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(5) Upon ~~On~~ completion of the review of Part 1-Evaluation of Property Eligibility and Part 2-Description of Improvements, a Preconstruction Application, the local historic preservation office or Division shall notify the applicant and the local government in writing of the results of the review and shall make recommendations for correction of any planned or completed work deemed to be inconsistent with the standards cited in rule 1A-38.005.

(6) Each review of Part 1-Evaluation of Property Eligibility and Part 2-Description of Improvements a Preconstruction Application conducted by the Division shall be completed within 30 days following receipt of the completed application and all required supporting materials. Each review of Part 1-Evaluation of Property Eligibility and Part 2-Description of Improvements a Preconstruction Application conducted by a local historic preservation office shall be completed consistent with the routine schedules and procedures of the local design review body as set ~~forth~~ by the local government.

(7) Upon receipt of Part 3 – the Request for Review of Completed Work and all required supporting materials, the local historic preservation office or the Division shall conduct a review to determine whether or not the completed improvements are in compliance with the work described in an the approved Part 2-Description of Improvements, Preconstruction Application subsequent approved amendments, if any, and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. If Part 2-Description of Improvements and Part 3-Request for Review of Completed Work are submitted after completion of the improvements, both shall be reviewed concurrently for compliance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The local historic preservation office or the Division, as applicable, reserves the right to inspect the completed work to verify such compliance.

(8) through (9) No change.

Specific Authority 196.1997, 197.1998 FS. Law Implemented 196.1997, 197.1998 FS. History—New 1-31-94, Amended \_\_\_\_\_.

1A-38.004 Evaluation of Property.

(1) Part 1-Evaluation of Property Eligibility Preconstruction Applications submitted to the Division for properties which have been individually designated as historic properties or landmarks under the provisions of a local historic preservation ordinance shall include documentation substantiating such designation and describing the historic, archaeological or architectural features which provided the basis for designation. Acceptable documentation shall include a copy of the designation report for the property and official correspondence notifying the property owner of designation.

(2) through (5) No change.

Specific Authority 196.1997, 197.1998 FS. Law Implemented 196.1997, 197.1998 FS. History—New 1-31-94, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Ferro, Architect Supervisor, Bureau of Historic Preservation, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, telephone (850)487-2333

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Jan Matthews, Ph.D, Director, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, telephone (850)488-1480

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Purchasing Policies

RULE NO.: 6A-1.012

PURPOSE AND EFFECT: This amendment would allow school boards to increase their established purchasing bid threshold to the amount established in Section 287.017, Florida Statutes, for state agency category two purchases. The rule continues to require school board rules to specify policies for purchases at amounts less than the bid threshold. This amendment would also clarify school boards' authority to use prices established through the Department of Management Services, Division of Purchasing's negotiated agreement price schedule.

SUMMARY: This amendment allows school boards to establish purchasing bid thresholds up to the amount granted to state agencies for category two purchases by Section 287.017, Florida Statutes. This amendment also permits school boards to use Department of Management Services, Division of Purchasing's negotiated agreement price schedule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 229.79, 237.02(2) FS.

LAW IMPLEMENTED: 229.79, 230.23(4)(j), 237.02(2) FS.

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

TIME AND DATE: 9:00 a.m., June 13, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jeanine Blomberg, Director, Division of Support Services, Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)488-6023

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.012 Purchasing Policies.

Each district school board shall establish purchasing rules which shall include but not be limited by the following:

(1) through (3) No change.

(4) As required by Section 230.23(10)(j), Florida Statutes, the school board shall receive and give consideration to the prices available to it under rules of the Department of Management Services, Division of Purchasing. School boards may use prices established by the Division of Purchasing through its state negotiated agreement price schedule. If school board policy provides for purchasing under this program of negotiated price agreements, the conditions for use shall be those imposed on state agencies.

(5) No change.

(6) Except as authorized by law or rule, bids shall be requested from three (3) or more sources for any authorized purchase or contract for services exceeding the amount established in Section 287.017, Florida Statutes, for purchasing category two fifteen thousand (15,000) dollars. School boards, by rule, shall set this amount or a lesser amount and shall establish purchasing policy relative to purchases of a dollar value less than this formal bid threshold. The school board shall have the authority to reject any or all bids and request new bids. In acceptance of bids, the school board shall accept the lowest and best bid from a responsive and responsible bidder. The school board is not required to request bids for purchases made from contracts of the Department of Management Services as referenced in subsection (4) of this rule. Bids are not required for purchases made through the pool purchase provisions of Section 229.79, Florida Statutes.

(7) through (11) No change.

Specific Authority 229.053(1), 229.79, 237.02(2) FS. Law Implemented 229.79, 230.23(4)(j), 237.02(2) FS. History—Amended 12-17-65, 5-24-67, 9-17-72, 4-19-74, 9-19-74, Repromulgated 12-5-74, Amended 2-21-77, 3-10-85, Formerly 6A-1.12, Amended 6-27-89, 7-5-90, 6-10-92, 6-29-93, 4-25-96, 4-14-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne V. Pierson, Deputy Commissioner for Planning, Budgeting and Management, Department of Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Teacher Certification Examination

RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise the passing score for the Spanish 6-12 teacher certification examination and to adopt updated examination application forms. The proposed Spanish 6-12 examination passing score is a composite score based on weighting a multiple choice section, a speaking performance section, and a newly-instituted writing performance section. The effect of the revised passing score is that successful Spanish 6-12 teacher certification examination candidates will demonstrate proficiency in multiple choice test items, speaking performance, and writing performance.

SUMMARY: The Spanish 6-12 teacher certification examination passing score will include multiple choice items, a speaking performance section, and a newly-instituted writing performance section and updated application forms will be adopted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 231.15(1), 231.17(4),(5),(8),(11), 231.30 FS.

LAW IMPLEMENTED: 231.145, 231.15, 231.17, 231.30 FS.

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

TIME AND DATE: 9:00 a.m., June 13, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, Director, Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Room 501, Tallahassee, Florida 32399, (850)488-2601

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examination.

(1) through (3) No change.

(4) Registration, late registration and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application which shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A complete application shall consist of the following:

a. A completed application Form CG-20-0099, Florida Teacher Certification Examination Registration Application or Form CG-22-0099, FTCE/FELE Supplemental Registration Application, which includes the applicant's signature. Form CG-20-0099, Florida Teacher Certification Examination Registration Application and Form CG-22-0099, FTCE/FELE Supplemental Registration Application, effective October, 2000 4999 are hereby incorporated by reference and made a part of this rule. These forms may be obtained without cost from the Bureau of Teacher Certification, Florida Department of Education, The Florida Education Center, Tallahassee, Florida 32399.

b. through (8) No change.

(9) Scoring of the subject area specialty subtests.

(a) through (c) No change.

(d) For subject area specialty tests listed below, a score earned prior to May 1, 1991, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. After May 1, 1991, a passing score for these subject area tests will be a scaled score of at least two hundred (200). The scaled score shall be equivalent to the following scores on the October 1989 test administration:

SUBJECT	SCORE
Chemistry 6-12	57 correct items
Drama 6-12	96 correct items
Economics 6-12	70 correct items
Educational/Media Specialist	
PK-12	102 correct items
Health K-12	71 correct items
Latin K-12	70 correct items
Middle Grades General	
Science 5-9	70 correct items
Middle Grades Mathematics 5-9	59 correct items

Middle Grades Social Science 5-9 87 correct items  
 Physics 6-12 51 correct items  
 French K-12 87 on a scale that weights the multiple choice section fifty (50) percent, the speaking section forty (40) percent, and the writing section ten (10) percent.

German K-12 A score of Intermediate High or more on the oral interview and a score of 82 on a scale that weights the multiple choice section eighty (80) percent and the writing section twenty (20) percent.

Middle Grades English 5-9 57 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent.

Spanish K-12 ~~87 on a scale that weights the multiple choice section seventy-five (75) percent and the speaking section twenty-five (25) percent.~~

Speech 6-12 Prior to October 1, 1996, 119 on a scale that weights the multiple choice section fifty (50) percent and the speech section fifty (50) percent. Beginning October 1, 1996, a score of fifty-six (56) on the multiple choice section and a score of four (4) or more on the speech section based on the summed ratings of two (2)

trained judges using a scale of one (1) low to four (4) high.

(e) through (i) No change.

(j) For the subject area specialty test listed below, passing for a score earned prior to August 1, 2000, shall be a scaled score of at least two hundred (200). This scaled passing score shall be equivalent to the following score on the October 1989 test administration:

Spanish K-12

87 on a scale that weights the multiple choice section seventy-five (75) percent and the speaking section twenty-five (25) percent.

Effective August 1, 2000, a passing score for this test will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following score on the October 1998 and January 1999 test administrations:

Spanish K-12

88 on a scale that weights the multiple choice section sixty (60) percent, the speaking section twenty-five (25) percent, and the writing section fifteen (15) percent.

(j) through (k) renumbered (k) through (l) No change.  
 (10) through (15) No change.

Specific Authority 231.15(1), 231.17(4)(5)(8)(11), 231.30 FS. Law Implemented 231.145, 231.15, 231.17, 231.30 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, Amended 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99,\_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2000



**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: General and Professional Preparation  
 RULE NO.: 6A-4.006

PURPOSE AND EFFECT: This rule is proposed for amendment to delete obsolete language, and to exempt applicants for certification in the area of school social worker from the professional education course work otherwise required for certified personnel directly involved in student instruction. The effects of this rule are that applicants for certification are no longer limited in the types of general methods course work that can be taken to meet requirements for the Professional Certificate, and that school social workers, in accordance with requirements for other service area personnel, will be exempt from course work that is not related to their scope of duties.

SUMMARY: This rule amendment changes requirements for professional preparation to provide more flexibility in meeting requirements for the Professional Certificate and to remove unnecessary requirements for school social workers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 231.15(1), 231.17(4) FS.

LAW IMPLEMENTED: 231.02, 231.145, 231.15, 231.17 FS.

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

TIME AND DATE: 9:00 a.m., June 13, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.006 General and Professional Preparation.

Credit in general and professional preparation as listed below shall be required for the professional certificate unless exemption for a specific certification subject is provided in State Board Rules.

(2) Professional preparation. Twenty (20) semester hours in professional preparation as specified below:

(a) Course requirements in education.

1. Six (6) semester hours in foundations of education with credit in both sociological and psychological foundations as described below:

a. Sociological foundations include courses such as school and society, introduction to education, history of education, and principles and philosophy of education.

b. Psychological foundations include courses such as educational psychology, child psychology, adolescent psychology, psychology of learning, and growth and development of the individual.

2. Six (6) semester hours in general methods of teaching, administration, and curriculum in the elementary school or secondary school. Courses should provide an overview of the entire school program and give specific help with respect to the principles of teaching, general curriculum, instructional design, testing and measurement, evaluation of the school program, general methods, school organization and administration needed by teachers in the public schools.

~~a. Three (3) of the six (6) semester hours shall include the level of certification, such as preschool, primary, elementary, middle grades, or secondary.~~

~~b. Credits shall include both the elementary and secondary levels for PK-12 or K-12 subjects.~~

3. Special methods.

a. Grades K-12. Four (4) semester hours in methods of teaching the subject to include credit at the elementary and secondary levels for each of the following subjects: art, computer science, foreign languages, health, humanities, and music.

b. Middle grades (5-9) and secondary (6-12). Two semester hours in methods of teaching the subject at the appropriate level for each middle grade or secondary subject.

(b) Practical experience in teaching. Practical experience in teaching may be satisfied by one (1) of the plans listed below:

1. Six (6) semester hours earned in a college student teaching program or in a supervised internship completed in an elementary or secondary school, or

2. Two (2) years of full-time teaching experience as specified in Rule 6A-4.002(5)(a), FAC.

(3) Exemptions.

(a) Requirements which are specified in Paragraphs (2)(a) and (2)(b) of this rule shall be waived for issuance of a professional certificate covering only school food service.

(b) Requirements which are specified in Paragraph (2)(a) of this rule shall be waived for issuance of a professional certificate covering only prekindergarten/primary education, preschool education, school social worker, and speech-language impaired.

(c) Special methods of teaching the subject which are specified in Subparagraph (2)(a)3., of this rule shall be waived for the following coverages: educational leadership, educational media specialist, elementary education, English to speakers of other languages, exceptional student education

coverages, guidance and counseling, physical education, professional school principal, reading, school principal, and school psychologist, and school social worker.

Specific Authority 229.053(1), 231.15(1), 231.17(4)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 6-17-73, Repromulgated 12-5-74, Amended 10-12-76, 7-1-79, 11-5-84, Formerly 6A-4.06, Amended 9-12-89, 5-30-94, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: February 11, 2000

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLES:	RULE NOS.:
Specialization Requirements for Certification in Educational Leadership – Administrative Class	6A-4.0082
Specialization Requirements for Certification in Art (Grades K-12) – Academic Class	6A-4.0101
Specialization Requirements for Certification in Computer Science (Grades K-12) – Academic Class	6A-4.0121
Specialization Requirements for Certification in Dance (Grades K-12) – Academic Class	6A-4.0123
Specialization Requirements for Certification in the Area of Prekindergarten/Primary Education (Age Three through Grade Three) – Academic Class	6A-4.0142
Specialization Requirements for Certification in Middle Grades English (Grades 5-9) – Academic Class	6A-4.0161
Specialization Requirements for Certification in English (Grades 6-12) – Academic Class	6A-4.0162
Specialization Requirements for Certification in the Area of Emotionally Handicapped (Grades K-12) – Academic Class	6A-4.0171
Specialization Requirements for Certification in the Area of Hearing Impaired (Grades K-12) – Academic Class	6A-4.0172
Specialization Requirements for Certification in the Area of Mentally Handicapped (Grades K-12) – Academic Class	6A-4.0173
Specialization Requirements for Certification in the Area of Physically Impaired (Grades K-12) – Academic Class	6A-4.0174

Specialization Requirements for Certification in the Area of Specific Learning Disabilities (Grades K-12) – Academic Class	6A-4.0175
Specialization Requirements for Certification in the Area of Varying Exceptionalities (Grades K-12) – Academic Class	6A-4.0177
Specialization Requirements for Certification in the Area of Visually Impaired (Grades K-12) – Academic Class	6A-4.0178
Specialization Requirements for Certification in Health (Grades K-12) – Academic Class	6A-4.0191
Specialization Requirements for Certification in Journalism (Grades 6-12) – Academic Class	6A-4.0221
Specialization Requirements for Certification in Separate Areas of Language Other than English (Grades K-12) – Academic Class	6A-4.0243
Specialization Requirements for Certification in Educational Media Specialist (Grades PK-12) – Specialty Class	6A-4.0251
Specialization Requirements for Certification in Middle Grades Mathematics (Grades 5-9) – Academic Class	6A-4.0261
Specialization Requirements for Certification in Mathematics (Grades 6-12) – Academic Class	6A-4.0262
Specialization Requirements for Certification in Music (Grades K-12) – Academic Class	6A-4.0271
Specialization Requirements for Certification in Physical Education (Grades K-8) and Physical Education (Grades 6-12) – Academic Class	6A-4.028
Specialization Requirements for Certification in Middle Grades General Science (Grades 5-9) – Academic Class	6A-4.0321
Specialization Requirements for Certification in Separate Areas of Science (Grades 6-12) – Academic Class	6A-4.0322
Specialization Requirements for Certification in Middle Grades Social Science (Grades 5-9) – Academic Class	6A-4.0331
Specialization Requirements for Certification in Social Science (Grades 6-12) and Separate Areas of Social Science (Grades 6-12) – Academic Class	6A-4.0332
Specialization Requirements for Certification in Speech (Grades 6-12) – Academic Class	6A-4.0341
Specialization Requirements for Certification in Drama (Grades 6-12) – Academic Class	6A-4.0342
Specialization Requirements for Certification in Agriculture (Grades 6-12) – Vocational Class	6A-4.054
Specialization Requirements for Certification in Business Education (Grades 6-12) – Vocational Class	6A-4.056

Specialization Requirements for Certification in Home Economics (Grades 6-12) – Vocational Class 6A-4.058

Specialization Requirements for Certification in Industrial Arts-Technology Education (Grades 6-12) – Vocational Class 6A-4.060

Specialization Requirements for Certification in Marketing (Grades 6-12) – Vocational Class 6A-4.062

PURPOSE AND EFFECT: The purpose of these rule revisions is to eliminate unnecessary specificity in subject area specialization requirements that creates barriers to qualified applicants. The effect is a set of streamlined rules which maintain rigorous eligibility standards established in Florida Statutes.

SUMMARY: These rules are amended to remove unnecessary specificity in the subject content requirements for certification in specified subject areas.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 231.15(1), 231.17(3) FS.

LAW IMPLEMENTED: 231.15, 231.17 FS.

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

TIME AND DATE: 9:00 a.m., June 13, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-4.0082 Specialization Requirements for Certification in Educational Leadership – Administrative Class.

~~(4) Documentation of successful completion of not less than six (6) semester hours of graduate credit, or the equivalent in an approved district inservice management training program, in research, foundations, curriculum, and instruction in one of the four (4) areas of emphasis listed below. The six (6) hours of graduate credit shall be earned from a standard institution.~~

- ~~(a) Early childhood/primary education~~
- ~~(b) Middle school education~~
- ~~(c) Secondary school education~~
- ~~(d) Exceptional student education.~~

(4)(5) Using the objective screening, selection, and appointment procedures of the district school board approved under Section 231.0861(2), Florida Statutes, persons holding

certification in educational leadership, administration, or administration and supervision may be appointed to perform the duties of an intern assistant principal, assistant principal, intern principal or interim principal. A person holding the certification coverages listed above, school principal or professional school principal, may be appointed under district school board procedures to administrative positions which are not assigned to a school.

~~(5)(6) Out-of-state experienced educational administrators who have a master's degree or higher in educational administration and supervision from a standard institution and who are employed for a district level position by a Florida school board shall be eligible for a temporary certificate covering educational leadership.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4), 236.0811(2)(a) FS. Law Implemented 231.02, 231.0861, 231.087(3)(e), 231.145, 231.15, 231.17, 236.0811 FS. History–New 7-1-86, Formerly 6A-4.082, Amended 10-31-88, 9-12-89.

6A-4.0101 Specialization Requirements for Certification in Art (Grades K-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in art ~~which includes credit in two dimensional art, three dimensional art, and art history,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in art to include credit in the areas specified below:

~~(a) Twelve (12) semester hours in Ttwo-dimensional art such as drawing, painting, design, graphics, and photography,~~

~~(b) Three (3) semester hours in Tthree-dimensional art such as sculpture, ceramics, metals, textiles, woods, and plastics, and~~

~~(c) Six (6) semester hours in Aart history, and~~

~~(d) Three (3) semester hours in aesthetics or art criticism.~~

~~(3) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 7-1-90, Amended \_\_\_\_\_.

6A-4.0121 Specialization Requirements for Certification in Computer Science (Grades K-12) – Academic Class.

~~(1) The following specialization requirements for certification in Computer Science (Grades K-12) shall be effective until July 1, 1992:~~

~~(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in computer science or computer science education, or~~

~~(b) Plan Two. A bachelor's or higher degree with twenty one (21) semester hours in computer science or computer science education.~~

~~(2) The following specialization requirements for certification in Computer Science (Grades K-12) shall become effective July 1, 1992:~~

~~(1)(a)~~ Plan One. A bachelor's or higher degree with an undergraduate or graduate major in computer science or computer science education ~~which includes credit in computer applications and computer programming, or~~

~~(2)(b)~~ Plan Two. A bachelor's or higher degree with thirty (30) semester hours in computer science or computer science education to include credit in the areas specified below:

~~(a) Computer applications, and~~

~~(b) Computer programming.~~

~~1. Three (3) semester hours in computer literacy;~~

~~2. Six (6) semester hours in survey of computer applications to include credit in each of the following:~~

~~a. Word processing;~~

~~b. Data base applications;~~

~~c. Spreadsheet applications;~~

~~d. Telecommunications;~~

~~e. Graphics packages; and~~

~~f. Using the computer as a control device; and~~

~~3. Twelve (12) semester hours in computer programming to include six (6) semester hours in the Pascal language and credit in data structures.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 10-10-89, Amended

6A-4.0123 Specialization Requirements for Certification in Dance (Grades K-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in dance or dance education, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in dance to include the areas specified below:

(a) Credit Fourteen (14) semester hours in studio techniques to include:

1. Ballet Six (6) semester hours in ballet;

2. Six (6) semester hours in Mmodern dance; and

3. Two (2) semester hours in Eeither jazz dance, folk dance, ethnic dance, character dance, tap dance, square dance, or musical theater dance.

(b) Credit Ten (10) semester hours in creative studio studies to include:

1. Four (4) semester hours in Ddance composition or choreography;

2. Two (2) semester hours in Pperformance or repertory;

3. Two (2) semester hours in Ddance production or stagecraft; and

4. Two (2) semester hours in Rrhythmic analysis or music for dance.

(c) Credit in biomechanical analysis of movement or kinesiology; and Six (6) semester hours in theory or dance education to include:

~~1. Three (3) semester hours in biomechanical analysis of movement or kinesiology; and~~

~~(d)2. Credit Three (3) semester hours in history of dance or theory and philosophy of dance.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 11-10-92, Amended

6A-4.0142 Specialization Requirements for Certification in the Area of Prekindergarten/Primary Education (Age Three Through Grade Three) – Academic Class.

Competencies for the specialization requirements are listed in the publication "Competencies for Specialization Requirements for Educators' Certification in Florida, First Edition" which is hereby incorporated by reference and made a part of this rule. Copies of this publication may be obtained from the Bureau of Educator Teacher Certification, Florida Department of Education, The Florida Education Center, Tallahassee, Florida 32399.

(5) Plan Five. A bachelor's or higher degree with an undergraduate or graduate degree major in elementary education (grades one [1] through six [6]); or a bachelor's or higher degree with the specialization and professional preparation requirements completed for elementary education (grades one [1] through six [6]) or primary education (grades kindergarten through grade three [3]); and fifteen (15) thirty (30) semester hours in prekindergarten/primary education to include integrated field experiences as specified below:

~~(a) Three (3) semester hours in child growth and development from conception to age eight (8);~~

~~(b) Credit in the historical, philosophical, and sociological perspectives in early childhood education;~~

~~(a)(e) Six (6) Nine (9) semester hours~~ in developmentally appropriate integrated curriculum and practices in programs serving children ages three (3) through five (5);

~~(d) Three (3) semester hours in issues and practices to promote family and community involvement;~~

~~(b)(e) Credit in health, nutrition, and safety for children ages three (3) through five (5);~~

~~(c)(f) Credit Three (3) semester hours in diagnosis, assessment, and evaluation of young children;~~

~~(d)(g) Credit in the education of young children with Six (6) semester hours in special needs of all children and their families; and~~

~~(e)(h) Credit Three (3) semester hours in child guidance and classroom management of classrooms with young children.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 5-30-94, Amended

6A-4.0161 Specialization Requirements for Certification in Middle Grades English (Grades 5-9) – Academic Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in English or middle grades English, or

(2) Plan Two. A bachelor's or higher degree with eighteen (18) semester hours in English ~~beyond the freshman level~~ to include the areas specified below:

(a) ~~Credit Three (3) semester hours~~ in English composition and grammar beyond freshman English.

~~(b) Three (3) semester hours in English grammar or syntax,~~

~~(b)(e) Credit Three (3) semester hours~~ in speech or oral interpretation, and

~~(c)(d) Nine (9) semester hours in literature, to include the following:~~

~~1. Three (3) semester hours in adolescent literature,~~

~~2. Three (3) semester hours in world literature, and~~

~~3. Three (3) semester hours in American literature, British literature, ethnic literature, contemporary literature, or mythology.~~

~~(3) This rule shall take effect September 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 9-1-92, Amended

6A-4.0162 Specialization Requirements for Certification in English (Grades 6-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in English ~~which includes at least thirty (30) semester hours in the major with credit in grammar, composition, and literature,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in English ~~beyond the freshman level~~ to include the areas specified below:

(a) ~~Credit Six (6) semester hours~~ in English composition and grammar beyond freshman English, ~~to include the following:~~

~~1. Three (3) semester hours in expository writing, and~~

~~2. Three (3) semester hours in creative writing;~~

~~(b) Three (3) semester hours in English grammar or syntax,~~

~~(b)(e) Credit Three (3) semester hours~~ in speech or oral interpretation, and

~~(c)(d) Fifteen (15) semester hours in literature, to include the following:~~

~~1. Twelve (12) semester hours with credit in American, British, and world literature; six (6) semester hours shall be completed in survey courses in one (1) of these areas, and~~

~~2. Three (3) semester hours in adolescent literature.~~

~~(3) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 231.02, 231.145, 231.15, 231.17, 236.088 FS. History–New 7-1-90, Amended

6A-4.0171 Specialization Requirements for Certification in the Area of Emotionally Handicapped (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in emotionally handicapped, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) ~~thirty-three (33)~~ semester hours in exceptional student education to include ~~the areas specified below:~~

(a) Credit in exceptional student education Fifteen (15) semester hours as follows:

1. Foundations Three (3) semester hours in foundations of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

2. Language Three (3) semester hours in language development and learning to include language development and disorders, the impact of language on learning, and augmentative communication;

3. Assessment Three (3) semester hours in assessment of exceptional students for instructional planning to include formal and informal evaluation techniques and the interpretation, application, and communication of results;

4. Educational Three (3) semester hours in educational management of exceptional students to include classroom organization, behavior management, and consultation skills; and

5. Teaching Three (3) semester hours in teaching social and personal skills for exceptional students to include employability skills, career awareness, and transition planning for adult living.

~~(b) Six (6) semester hours in teaching basic skills and concepts as follows:~~

~~6.1. Methods Three (3) semester hours in methods and materials for teaching reading to include:~~

~~a. Sequential developmental skills and concepts of reading,~~

~~b. Recognition and diagnosis of reading problems, and~~

~~c. Prescription and utilization of appropriate methods and materials to increase reading performance, and~~

~~7.2. Teaching Three (3) semester hours in teaching sequential developmental skills and concepts of mathematics to include the real number system and problem solving.~~

~~(b)(e) Credit Twelve (12) semester hours~~ in specialized courses for the education of students who are emotionally handicapped including those who are severely emotionally disturbed as follows:

1. The Credit ~~in the~~ nature and needs of the emotionally handicapped to include etiology, prevention, and intervention; and utilization of community services;

2. ~~Behavior Credit in behavior~~ management techniques for use with students who are emotionally handicapped to include application of theories, crisis intervention and prevention, legal considerations, and counseling skills;

3. ~~Specialized Credit in specialized~~ curriculum for students who are emotionally handicapped to include curriculum development; and identification, evaluation, modification, and use of commercial materials and programs; and

4. ~~Instructional Credit in instructional~~ strategies for teaching students who are emotionally handicapped to include instructional techniques; motivational strategies; development, implementation, and evaluation of individualized educational plans; and data based management; or

(3) Plan Three. A bachelor's or higher degree with specialization requirements completed in the areas of hearing impaired, mentally handicapped, physically impaired, specific learning disabilities, varying exceptionalities, or visually impaired ~~physically impaired and credit completion of the twelve (12) semester hours in the areas listed in paragraph (2)(b)(e) of this rule, or~~

~~(4) Plan Four. A bachelor's or higher degree with specialization requirements completed for varying exceptionalities and completion of the requirements in the areas in subparagraphs (2)(c)1., 2., and 3., of this rule.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 7-1-92, Amended 11-10-92, \_\_\_\_\_.

6A-4.0172 Specialization Requirements for Certification in the Area of Hearing Impaired (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in hearing impaired, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty six (36) semester hours in exceptional student education to include credit in the areas specified below:

(a) ~~Foundations Three (3) semester hours in foundations~~ of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

(b) ~~Educational Three (3) semester hours in educational~~ management of exceptional students to include classroom organization, behavior management, and consultation skills;

(c) ~~Audiology Three (3) semester hours in audiology,~~ anatomy and physiology of human speech and auditory mechanisms, including assessment, amplification, and assistive listening devices;

(d) ~~Introduction Three (3) semester hours in introduction~~ to education of students who are hearing impaired to include the nature and needs of hearing impaired and multi-handicapped students, trends and issues, family support and intervention, and community resources;

(e) ~~Language Three (3) semester hours in language~~ development to include the application of English linguistics, psycholinguistics, and sociolinguistics to the education of hearing impaired students, including ages birth to five (5) years;

(f) ~~Auditory Three (3) semester hours in auditory~~ development and learning to include methods of auditory learning, assessment, and techniques for evaluating the acoustic environment;

(g) ~~Manual Three (3) semester hours in manual~~ communication to include manually coded English and American Sign Language;

(h) ~~Instructional Fifteen (15) semester hours in instructional~~ strategies for teaching students who are hearing impaired to include credit in the following as follows:

1. ~~Teaching Three (3) semester hours in teaching~~ language to include instructional procedures to effect language learning to students who are hearing impaired including ages birth to age five (5) years;

2. ~~Speech Three (3) semester hours in speech~~ development to include production and transmission of speech and instructional and assessment strategies to facilitate the development of speech skills for students who are hearing impaired including ages birth to age five (5) years;

3. ~~Teaching Three (3) semester hours in teaching~~ reading to students who are hearing impaired to include theories, curricular adaptations, and assessment;

4. ~~Teaching Three (3) semester hours in teaching~~ mathematics, science, and social studies to students who are hearing impaired to include procedures for curricular adaptations; and

5. ~~Teaching Three (3) semester hours in teaching~~ social and personal skills for students who are hearing impaired to include employability skills, career awareness, and transition planning for adult living.

~~(3) This rule shall take effect July 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 7-1-92, Amended \_\_\_\_\_.

6A-4.0173 Specialization Requirements for Certification in the Area of Mentally Handicapped (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in mentally handicapped, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty three (33) semester hours in exceptional student education to include ~~the areas specified below:~~

(a) Credit in exceptional student education Fifteen (15) semester hours as follows:

1. ~~Foundations Three (3) semester hours in foundations~~ of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

2. ~~Language Three (3) semester hours in language development and learning to include language development and disorders, the impact of language on learning, and augmentative communication;~~

3. ~~Assessment Three (3) semester hours in assessment of exceptional students for instructional planning to include formal and informal evaluation techniques and the interpretation, application, and communication of results;~~

4. ~~Educational Three (3) semester hours in educational management of exceptional students to include classroom organization, behavior management, and consultation skills; and~~

5. ~~Teaching Three (3) semester hours in teaching social and personal skills for exceptional students to include employability skills, career awareness, and transition planning for adult living.~~

~~(b) Nine (9) semester hours in teaching basic skills and concepts as follows:~~

~~6.1. Methods Three (3) semester hours in methods and materials for teaching reading to include:~~

a. Sequential developmental skills and concepts of reading,

b. Recognition and diagnosis of reading problems, and

c. Prescription and utilization of appropriate methods and materials to increase reading performance,

~~7.2. Teaching Three (3) semester hours in teaching sequential developmental skills and concepts of mathematics to include the real number system and problem solving, and~~

~~8.3. Methods Three (3) semester hours in methods and content for teaching language arts to include oral and written communication.~~

~~(b)(e) Credit Nine (9) semester hours in specialized courses for the education of students who are educable, trainable, or profoundly mentally handicapped as follows:~~

1. ~~The Credit in the nature and needs of mentally handicapped students to include etiology, medical aspects, and prevention;~~

2. ~~Specialized Credit in specialized curriculum for mentally handicapped students to include identification and application of effective practices and recognition of trends and standards in the field; and~~

3. ~~Instructional Credit in instructional strategies for teaching students who are mentally handicapped to include development, implementation, and evaluation of individualized educational plans; special approaches to teaching functional skills; developmental programming; and data based management; or~~

(3) Plan Three. A bachelor's or higher degree with specialization requirements completed in the area of emotionally handicapped, hearing impaired, physically impaired, ~~or~~ specific learning disabilities, varying

exceptionalities, or visually impaired and credit in the areas listed the nine (9) semester hours in the area in paragraph (2)(b)(e) of this rule,; or

~~(4) Plan Four. A bachelor's or higher degree with specialization requirements completed for varying exceptionalities and the requirements in the areas in subparagraphs (2)(e)1. and 2., of this rule, or~~

~~(5) Plan Five. A bachelor's or higher degree with specialization requirements completed for emotionally handicapped and the requirements in the areas in subparagraph (2)(b)3. and paragraph (2)(e) of this rule.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 7-1-92, Amended 11-10-92, \_\_\_\_\_.

6A-4.0174 Specialization Requirements for Certification in the Area of Physically Impaired (Grades K-12) – Academic Class Beginning July 1, 1992.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in physically impaired, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty three (33) semester hours in exceptional student education ~~to include the areas specified below:~~

(a) Credit in exceptional student education Fifteen (15) semester hours as follows:

1. Foundations Three (3) semester hours in foundations of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

2. Language Three (3) semester hours in language development and learning to include language development and disorders, the impact of language on learning, and augmentative communication;

3. Assessment Three (3) semester hours in assessment of exceptional students for instructional planning to include formal and informal evaluator techniques and the interpretation, application, and communication of results;

4. Educational Three (3) semester hours in educational management of exceptional students to include classroom organization, behavior management, and consultation skills; and

5. Teaching Three (3) semester hours in teaching social and personal skills for exceptional students to include employability skills, career awareness, and transition planning for adult living.

~~(b) Nine (9) semester hours in teaching basic skills and concepts as follows:~~

~~6.1. Methods Three (3) semester hours in methods and materials for teaching reading to include:~~

a. Sequential developmental skills and concepts of reading,

b. Recognition and diagnosis of reading problems, and

c. Prescription and utilization of appropriate methods and materials to increase reading performance,

~~7.2. Teaching Three (3) semester hours in teaching sequential developmental skills and concepts of mathematics to include the real number system and problem solving, and~~

~~8.3. Methods Three (3) semester hours in methods and content for teaching language arts to include oral and written communication.~~

~~(b)(e) Credit Nine (9) semester hours in specialized courses for the education of students who are physically impaired as follows:~~

~~1. Characteristics Three (3) semester hours in characteristics of the physically and other health impaired individuals to include medical aspects and the social and emotional impact on the family;~~

~~2. Interdisciplinary Three (3) semester hours in interdisciplinary skills to include effective interdisciplinary methods, accessing agency resources, and cooperative consultation; and~~

~~3. Instructional Three (3) semester hours in instructional strategies for teaching students who are physically impaired to include the adaptation of instructional materials and environment, physical management, and the use of adaptive equipment and technology; or~~

~~(3) Plan Three. A bachelor's or higher degree with specialization requirements completed in the area of emotionally handicapped, hearing impaired, mentally handicapped, specific learning disabilities, or varying exceptionalities, or visually impaired and credit in the areas listed completion of the nine (9) semester hours in the area in paragraph (2)(b)(e) of this rule; or~~

~~(4) Plan Four. A bachelor's or higher degree with specialization requirements completed for emotionally handicapped and the requirements in the areas in subparagraph (2)(b)3. and paragraph (2)(e) of this rule.~~

~~(5) This rule shall take effect July 1, 1992.~~

~~Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 7-1-92, Amended~~

6A-4.0175 Specialization Requirements for Certification in the Area of Specific Learning Disabilities (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in specific learning disabilities, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty three (33) semester hours in exceptional student education to include the areas specified below:

(a) Credit in exceptional student education Fifteen (15) semester hours as follows:

1. Foundations Three (3) semester hours in foundations of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

2. Language Three (3) semester hours in language development and learning to include language development and disorders, the impact of language on learning, and augmentative communication;

3. Assessment Three (3) semester hours in assessment of exceptional students for instructional planning to include formal and informal evaluation techniques and the interpretation, application, and communication of results;

4. Educational Three (3) semester hours in educational management of exceptional students to include classroom organization, behavior management, and consultation skills; and

5. Teaching Three (3) semester hours in teaching social and personal skills for exceptional students to include employability skills, career awareness, and transition planning for adult living.

~~(b) Nine (9) semester hours in teaching basic skills and concepts as follows:~~

~~6.1. Methods Three (3) semester hours in methods and materials for teaching reading to include:~~

~~a. Sequential developmental skills and concepts of reading,~~

~~b. Recognition and diagnosis of reading problems, and~~

~~c. Prescription and utilization of appropriate methods and materials to increase reading performance,~~

~~7.2. Teaching Three (3) semester hours in teaching sequential developmental skills and concepts of mathematics to include the real number system and problem solving, and~~

~~8.3. Methods Three (3) semester hours in methods and content for teaching language arts to include oral and written communication.~~

~~(b)(e) Credit Nine (9) semester hours in specialized courses for the education of students with specific learning disabilities as follows:~~

1. Concepts, Credit in concepts, research, and theories in specific learning disabilities to include characteristics and classification of students, and educational services;

2. Specialized Credit in specialized curriculum and instructional materials for teaching students with specific learning disabilities to include curriculum standards and resources; and

3. Instructional Credit in instructional strategies for teaching students with specific learning disabilities to include specialized approaches to teaching basic skills and adaptation of curriculum and materials; or

(3) Plan Three. A bachelor's or higher degree with specialization requirements completed in the area of emotionally handicapped, hearing impaired, mentally handicapped, or physically impaired, varying exceptionalities, or visually impaired and the nine (9) semester hours in the area credit in the areas listed in paragraph (2)(b)(e) of this rule; or



~~(4) Plan Four. A bachelor's or higher degree with specialization requirements completed for varying exceptionalities and the requirements in the areas in subparagraphs (2)(c)1. and 2. of this rule, or~~

~~(5) Plan Five. A bachelor's or higher degree with specialization requirements completed for emotionally handicapped and the requirements in areas in subparagraph (2)(b)3. and paragraph (2)(e) of this rule.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 7-1-92, Amended 11-10-92, \_\_\_\_\_.

6A-4.0177 Specialization Requirements for Certification in the Area of Varying Exceptionalities (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in exceptional student education which includes courses in instructional strategies for emotionally handicapped, mentally handicapped, and specific learning disabilities; or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty-six (36) semester hours in exceptional student education to include ~~the areas specified below:~~

(a) Credit in exceptional student education Fifteen (15) semester hours as follows:

1. Foundations Three (3) semester hours in foundations of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

2. Language Three (3) semester hours in language development and learning to include language development and disorders, the impact of language on learning, and augmentative communication;

3. Assessment Three (3) semester hours in assessment of exceptional students for instructional planning to include formal and informal evaluation techniques and the interpretation, application, and communication of results;

4. Educational Three (3) semester hours in educational management of exceptional students to include classroom organization, behavior management, and consultation skills; and

5. Teaching Three (3) semester hours in teaching social and personal skills for exceptional students to include employability skills, career awareness, and transition planning for adult living.

(b) Nine (9) semester hours in teaching basic skills and concepts as follows:

6.1. Methods Three (3) semester hours in methods and materials for teaching reading to include:

- a. Sequential developmental skills and concepts of reading,
- b. Recognition and diagnosis of reading problems, and
- c. Prescription and utilization of appropriate methods and materials to increase reading performance,

~~7.2. Teaching Three (3) semester hours in teaching~~ sequential developmental skills and concepts of mathematics to include the real number system and problem solving, and

~~8.3. Methods Three (3) semester hours in methods~~ and content for teaching language arts to include oral and written communication.

~~(b)(e) Credit Twelve (12) semester hours~~ in specialized courses as follows:

1. ~~The Three (3) semester hours in the~~ nature and needs of mildly handicapped students and curricular planning for mildly handicapped students including emotionally handicapped, educable mentally handicapped, and specific learning disabled;

2. Instructional Three (3) semester hours in instructional strategies for teaching students who are mentally handicapped to include development, implementation, and evaluation of individualized educational plans; special approaches to teaching functional skills; developmental programming; and data based management;

3. Instructional Three (3) semester hours in instructional strategies for teaching students with specific learning disabilities to include specialized approaches to teaching basic skills and adaptation of curriculum and materials; and

4. Instructional Three (3) semester hours in instructional strategies for teaching students who are emotionally handicapped to include instructional techniques; motivational strategies; development, implementation, and evaluation of individualized educational plans; and data based management; or

(3) Plan Three. A bachelor's or higher degree with specialization requirements completed in the area of emotionally handicapped, hearing impaired, mentally handicapped, physically impaired, specific learning disabilities, or visually impaired and the requirements in the areas in paragraph (2)(b) subparagraphs (2)(e)1., 3., and 4., of this rule; ~~or~~

~~(4) Plan Four. A bachelor's or higher degree with specialization requirements completed in the area of specific learning disabilities and the requirements in the areas in subparagraphs (2)(e)1., 2., and 4., of this rule; or~~

~~(5) Plan Five. A bachelor's or higher degree with specialization requirements completed in the area of emotionally handicapped and the requirements in the areas in subparagraphs (2)(b)3., (2)(e)1., 2., and 3., of this rule; or~~

~~(6) Plan Six. A bachelor's or higher degree with specialization requirements completed in the area of physically impaired and the requirements in the area in paragraph (2)(e) of this rule.~~

~~(7) This rule shall take effect July 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 7-1-92, Amended \_\_\_\_\_.

6A-4.0178 Specialization Requirements for Certification in the Area of Visually Impaired (Grades K-12) – Academic Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in visually impaired, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in exceptional student education to include credit in the areas specified below:

(a) ~~Foundations Three (3) semester hours in foundations~~ of exceptional student education to include historical perspectives, student characteristics, and trends and issues;

(b) ~~Educational Three (3) semester hours in educational~~ management of exceptional students to include classroom organization, behavior management, and consultation skills;

(c) ~~Methods Three (3) semester hours in methods~~ and materials for teaching reading to include:

1. Sequential developmental skills and concepts of reading,

2. Recognition and diagnosis of reading problems, and

3. Prescription and utilization of appropriate methods and materials to increase reading performance; and

(d) ~~Specialized Twelve (12) semester hours in specialized~~ courses for the education of students who are visually impaired to include ~~three (3) semester hours in~~ each of the following:

1. Introduction to visual impairments including psychological, social, and emotional implications; history of educational services; and current delivery models;

2. Introduction to orientation and mobility to include theories, concepts, and the impact of mobility on the individual, the family, and the community;

3. The teaching of reading and writing of English Braille;

4. Functions of the eye and educational implications to include interpretation of medical eye reports, structure of the eye, disease and impairments, low vision training, and the use and care of optical aids; and

(e) ~~Instructional Nine (9) semester hours in instructional~~ strategies for teaching students who are visually impaired to include ~~three (3) semester hours in~~ each of the following:

1. Teaching and assessing personal and social skills to include personal hygiene, self care, interpersonal relationships, career awareness, and social interaction with peers;

2. Teaching and assessing communication skills and reading including the use of specialized equipment; and

3. Teaching and assessing mathematics, science, and technology to include Nemeth code, abacus, specialized science materials, adapted technology, and computer access devices.

~~(3) This rule shall take effect July 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 7-1-90, Amended

6A-4.0191 Specialization Requirements for Certification in Health (Grades K-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in health, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in health to include credit in each of the areas specified below:

(a) Mental and emotional health,

(b) Substance abuse which includes alcohol, tobacco, and other drugs,

(c) Advanced first ~~First~~ aid and cardiopulmonary resuscitation training as specified below:

1. Credit in advanced first aid and cardiopulmonary resuscitation, or

2. A valid instructor's first aid certificate and a valid instructor's cardiopulmonary resuscitation certificate issued by the American Heart Association or the American Red Cross,

(d) Personal, community, or ~~Community~~ and environmental health,

(e) Human anatomy and human physiology,

(f) Nutrition,

(g) Human sexuality, and

(h) ~~Personal or consumer health, and~~ (h)(4) Disease control for diseases such as Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV), and Sexually Transmissible Diseases (STDS).

~~(3) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17, 233.067 FS. History–New 7-1-90, Amended

6A-4.0221 Specialization Requirements for Certification in Journalism (Grades 6-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in journalism ~~which includes at least thirty (30) semester hours in the major, or~~

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in journalism or English. ~~Twelve (12) semester hours shall be in journalism to include~~ credit in the areas specified below:

(a) Journalistic ~~Three (3) semester hours in journalistic~~ writing,

(b) Legal ~~Three (3) semester hours in the legal~~ aspects of mass media, and

(c) Layout ~~Three (3) semester hours in layout~~ and design, ~~or~~

~~(3) Plan Three. A bachelor's or higher degree with specialization requirements completed for English (Grades 6-12) and nine (9) semester hours in journalism to include the areas specified below:~~

- ~~(a) Three (3) semester hours in journalistic writing,~~
- ~~(b) Three (3) semester hours in the legal aspects of mass media, and~~
- ~~(c) Three (3) semester hours in layout and design.~~
- ~~(4) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 7-1-90, Amended

6A-4.0243 Specialization Requirements for Certification in Separate Areas of Language Other than English (Grades K-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Specialization requirements for the following modern languages: Chinese, French, German, Greek, Hebrew, Italian, Japanese, Portuguese, Russian, and Spanish.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in one of the modern languages listed in Subsection (1) of this rule, or

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in one of the modern languages listed in Subsection (1) of this rule to include credit in the areas specified below:

1. History or culture of the people who speak the language as their native language. ~~Twelve (12) semester hours in grammar, composition and advanced conversation in the language,~~

2. Literature in the language, and Six (6) semester hours in culture and civilization of people who speak the language as their native language.

3. Applied linguistics or second language acquisition, or Three (3) semester hours in linguistics which apply to the language, and

4. ~~Six (6) semester hours in literature in the language, or~~

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed in a language, other than English, and twenty-one (21) semester hours in one of the modern languages listed in Subsection (1) of this rule to include credit in the areas specified below:

1. History or culture of the people who speak the language as their native language, and Twelve (12) semester hours in grammar, composition, and advanced conversation in the language,

2. Literature in the language. Three (3) semester hours in the culture and civilization of people who speak the language as their native language, and

3. ~~Three (3) semester hours in literature in the language.~~

(2) Specialization requirements for Latin.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in Latin, or

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in Latin to include credit in the areas specified below:

1. ~~Nine (9) semester hours in Latin vocabulary, grammar, and composition,~~

2. ~~Fifteen (15) semester hours in Latin literature, and~~

3. ~~Six (6) semester hours in Roman culture, or~~

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed for a language, other than English, and twenty-one (21) semester hours in Latin to include credit in the areas specified below:

1. ~~Six (6) semester hours in Latin vocabulary, grammar, and composition,~~

2. ~~Twelve (12) semester hours in Latin literature, and~~

3. ~~Three (3) semester hours in Roman culture.~~

~~(3) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 7-1-90, Amended

6A-4.0251 Specialization Requirements for Certification in Educational Media Specialist (Grades PK-12) – Specialty Class ~~Beginning July 1, 1992.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in educational media or library science, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in educational media or library science to include credit in the areas specified below:

(a) ~~Management Six (6) semester hours in the management of library media programs with at least three (3) semester hours in the management of school library media programs. Courses in this area include: philosophy and role of the library media program in the school; planning, implementing and evaluating library media programs; techniques of library media center operation; application of technology to library media management; and trends and issues which influence library media programs;~~

~~(b) Three (3) semester hours in the instructional role of the library media specialist. Courses in this area include: methods of teaching library skills and techniques for using library media resources in the curriculum;~~

~~(b)(e) Collection Three (3) semester hours in collection development. Courses in this area include: evaluation, selection, and maintenance of library media resources in print and nonprint formats;~~

~~(c)(d) Library Six (6) semester hours in library media resources. Courses in this area include: literature in both print and nonprint formats for both children and adolescents;~~

~~(d)(e) Reference Three (3) semester hours in reference sources and services. Courses in this area include: print and electronic resources and techniques for providing information services;~~

~~(e)(f) Organization Three (3) semester hours in organization of collections. Courses in this area include: classification and cataloging principles and techniques; and~~

~~(f)(g) Design Six (6) semester hours in the design and production of educational media to include three (3) semester hours in a survey course which includes graphic, video, audio, and photographic techniques.~~

~~(3) This rule shall take effect July 1, 1992.~~

~~Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 7-1-92, Amended \_\_\_\_\_.~~

6A-4.0261 Specialization Requirements for Certification in Middle Grades Mathematics (Grades 5-9) – Academic Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in mathematics or middle grades mathematics, or

(2) Plan Two. A bachelor's or higher degree with eighteen (18) semester hours in mathematics to include credit in the areas specified below:

(a) ~~Calculus, Three (3) semester hours in calculus, precalculus, or trigonometry,~~

(b) ~~Geometry, and Three (3) semester hours in geometry,~~

(c) ~~Probability Three (3) semester hours in probability or statistics, and~~

~~(d) Nine (9) additional semester hours in mathematics which may include three (3) semester hours in history of mathematics.~~

~~(3) This rule shall take effect September 1, 1992.~~

~~Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 9-1-92, Amended \_\_\_\_\_.~~

6A-4.0262 Specialization Requirements for Certification in Mathematics (Grades 6-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in mathematics ~~which includes at least thirty (30) semester hours in the major,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in mathematics to include the areas specified below:

(a) Six (6) semester hours in calculus,

(b) ~~Credit Three (3) semester hours in geometry,~~

~~(c) Three (3) semester hours in number theory,~~

~~(c)(d) Credit Three (3) semester hours in probability or statistics, and~~

~~(d)(e) Credit Three (3) semester hours in abstract or linear algebra, and~~

~~(f) Three (3) semester hours in history of mathematics, or~~

(3) Plan Three. A bachelor's or higher degree with specialization requirements completed for physics and twenty-one (21) semester hours in mathematics to include the areas specified below:

(a) Six (6) semester hours in calculus,

(b) ~~Credit Three (3) semester hours in geometry,~~

~~(e) Three (3) semester hours in number theory,~~

~~(c)(d) Credit Three (3) semester hours in probability or statistics, and~~

~~(d)(e) Credit Three (3) semester hours in abstract or linear algebra, and~~

~~(f) Three (3) semester hours in history of mathematics.~~

~~(4) This rule shall take effect July 1, 1990.~~

~~Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17, 232.246(4)(b), 236.094 FS. History--New 7-1-90, Amended \_\_\_\_\_.~~

6A-4.0271 Specialization Requirements for Certification in Music (Grades K-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in music ~~which includes credit in applied music, music theory, and music history,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty ~~(30) thirty-six (36)~~ semester hours in music to include the areas specified below:

(a) ~~Credit Fourteen (14) semester hours in applied music to include:~~

~~1. Twelve (12) semester hours in one instrument or voice to include four (4) semester hours at the upper-division level, and~~

~~2. Two (2) semester hours in other instruments,~~

(b) ~~Credit Twelve (12) semester hours in music theory,~~

(c) ~~Credit Three (3) semester hours in conducting,~~

~~(d) Credit Six (6) semester hours in survey of music history,~~

~~(e) Credit in group performance such as band, orchestra, or chorus.~~

~~(3) This rule shall take effect on July 1, 1990.~~

~~Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 7-1-90, Amended \_\_\_\_\_.~~

6A-4.028 Specialization Requirements for Certification in Physical Education (Grades K-8) and Physical Education (Grades 6-12) – Academic Class.

(1) Specialization requirements for physical education (grades K-8).

(a) A bachelor's or higher degree with an undergraduate or graduate teacher education major in physical education (grades K-8) or physical education grades K-12; or,

(b) A bachelor's or higher degree with thirty (30) semester hours in physical education including the areas specified below:

1. Twelve (12) semester hours in instructional design and content of physical education for grades K-8, including content and methods for each of the following:

a. ~~Three (3) semester hours in games;~~

b. ~~Three (3) semester hours in dance; and~~

- e. ~~Three (3) semester hours in gymnastics.~~
- 2. ~~Credit Three (3) semester hours in motor development.~~
- 3. ~~Credit Three (3) semester hours in kinesiology.~~
- 4. ~~Credit Three (3) semester hours in the administration of physical education.~~
- 5. ~~Credit Three (3) semester hours in applied exercise physiology.~~
- 6. ~~Credit Three (3) semester hours in adaptive physical education or physical education for exceptional students.~~
- 7. ~~Credit Three (3) semester hours in care and prevention of human injuries.~~
  - (2) Specialization requirements for certification in physical education (grades 6-12).
    - (a) A bachelor's or higher degree with an undergraduate or graduate teacher education major in physical education grades 6-12 ~~or physical education grades K-12 which includes at least thirty (30) semester hours in the major.~~; or
    - (b) A bachelor's or higher degree with thirty (30) semester hours in physical education including the areas specified below:
      - 1. Twelve (12) semester hours in instructional design and content of physical education for grades 6-12.
      - 2. ~~Credit Three (3) semester hours in the administration of physical education.~~
      - 3. ~~Credit Three (3) semester hours in kinesiology.~~
      - 4. ~~Credit Three (3) semester hours in applied exercise physiology.~~
      - 5. ~~Credit Three (3) semester hours in adaptive physical education or physical education for exceptional students.~~
      - 6. ~~Credit Three (3) semester hours in care and prevention of human injuries.~~
      - 7. ~~Credit Three (3) semester hours in theory and practice in coaching.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 4-20-64, Amended 4-8-68, 7-7-68, Revised 8-17-74, Repromulgated 12-5-74, Amended 11-5-84, Formerly 6A-4.28, Amended 12-4-89, \_\_\_\_\_.

6A-4.0321 Specialization Requirements for Certification in Middle Grades General Science (Grades 5-9) – Academic Class.

- (1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in general science or middle grades general science, or
- (2) Plan Two. A bachelor's or higher degree with eighteen (18) semester hours in science to include credit in the areas specified below:
  - (a) Biological ~~Three (3) semester hours in biological science,~~
  - (b) Chemistry ~~Three (3) semester hours in chemistry or physics and,~~
  - (c) Earth-space ~~Three (3) semester hours in earth-space science or earth science,~~ and

- (d) ~~Three (3) semester hours in philosophy of science, science technology and society, or science research.~~
- (3) ~~This rule shall take effect September 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 9-1-92, Amended \_\_\_\_\_.

6A-4.0322 Specialization Requirements for Certification in Separate Areas of Science (Grades 6-12) – Academic Class Beginning July 1, 1990.

- (1) Specialization requirements for biology.
  - (a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in biology ~~which includes at least thirty (30) semester hours in the major,~~ or
  - (b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in biological science, chemistry, or physics to include twenty-one ~~the areas specified below:~~
    - 1. ~~Twenty-one (21) semester hours in biological science with to include~~ associated laboratory experiences, ~~and~~
    - 2. ~~Three (3) semester hours in philosophy of science, science technology and society, or science research,~~ or
  - (c) Plan Three. A bachelor's or higher degree with specialization requirements completed for chemistry, earth-space science, or physics and eighteen (18) semester hours in biological science.
    - (2) Specialization requirements for chemistry.
      - (a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in chemistry ~~which includes at least thirty (30) semester hours in the major,~~ or
      - (b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in chemistry, physics, or biological science to include twenty-one ~~the areas specified below:~~
        - 1. ~~Twenty-one (21) semester hours in chemistry with to include~~ associated laboratory experiences, ~~and~~
        - 2. ~~Three (3) semester hours in philosophy of science, science technology and society, or science research,~~ or
      - (c) Plan Three. A bachelor's or higher degree with specialization requirements completed for biology, earth-space science, or physics and eighteen (18) semester hours in chemistry.
        - (3) Specialization requirements for earth-space science.
          - (a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in earth-space science or earth science ~~which includes at least thirty (30) semester hours in the major,~~ or
          - (b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in science to include twenty-one ~~the areas specified below:~~
            - 1. ~~Twenty-one (21) semester hours in earth-space science or earth science with associated laboratory experiences, to include credit in astronomy, geology, meteorology, and oceanography,~~
            - 2. ~~Six (6) semester hours in chemistry or physics, and~~

~~3. Three (3) semester hours in philosophy of science, science technology and society, or science research, or~~

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed for biology, chemistry, or physics and eighteen (18) semester hours in earth-space science or earth science ~~to include credit in three (3) of the following areas: astronomy, geology, meteorology, and oceanography.~~

(4) Specialization requirements for physics.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in physics ~~which includes at least thirty (30) semester hours in the major, or~~

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in ~~physics, chemistry, biological science, or mathematics~~ to include twenty-one ~~the areas specified below:~~

~~1. Twenty-one (21) semester hours in physics with to include associated laboratory experiences, or~~

~~2. Three (3) semester hours in computer applications in science, and~~

~~3. Three (3) semester hours in philosophy of science, science technology and society, or science research, or~~

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed for biology, chemistry, or earth-space science and eighteen (18) semester hours in physics.

~~(5) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17, ~~232.246(4)(b), 236.094~~ FS. History—New 7-1-90, Amended.

6A-4.0331 Specialization Requirements for Certification in Middle Grades Social Science (Grades 5-9) – Academic Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in social science, middle grades social science or middle grades social studies, or

(2) Plan Two. A bachelor's or higher degree with eighteen (18) semester hours in social science or social studies to include the areas specified below:

~~(a) Nine (9) semester hours in history to include the following:~~

~~(a)1. Six (6) semester hours in United States history,~~

~~(b)2. Credit Three (3) semester hours in western civilization; or, European, Asian, African, Latin American, or Middle Eastern history,~~

~~(c)(b) Credit Three (3) semester hours in economics,~~

~~(d)(e) Credit Three (3) semester hours in United States government, and~~

~~(e)(d) Credit Three (3) semester hours in geography.~~

~~(3) This rule shall take effect September 1, 1992.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 9-1-92, Amended.

6A-4.0332 Specialization Requirements for Certification in Social Science (Grades 6-12) and Separate Areas of Social Science (Grades 6-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Specialization requirements for the broad field of social science.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in social science or social studies ~~which includes at least thirty (30) semester hours in the major with credit in history, economics, political science, and geography, or~~

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in social science or social studies to include the areas specified below:

~~1. Twelve (12) semester hours in history to include the following:~~

~~1.a. Six (6) semester hours in United States history,~~

~~2.b. Credit Three (3) semester hours in western civilization or European history, and~~

~~3.e. Credit Three (3) semester hours in Asian, African, Latin American, or Middle Eastern history,~~

~~4.2. Credit Six (6) semester hours in economics,~~

~~5.3. Credit Six (6) semester hours in political science to include credit in United States government,~~

~~6.4. Credit Three (3) semester hours in geography, and~~

~~7.5. Credit Three (3) semester hours in either psychology or sociology.~~

(2) Specialization requirements for economics, geography, political science, psychology, or sociology.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in economics, geography, political science, psychology, or sociology ~~which includes at least thirty (30) semester hours in the major, or~~

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in social science or social studies to include fifteen (15) semester hours in one of the social science subjects listed in Subsection (2) of this rule.

(3) Specialization requirements for history.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in history ~~which includes at least (30) semester hours in the major, or~~

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in social science or social studies to include the areas specified below:

1. Eighteen (18) semester hours in history to include the following:

a. Six (6) semester hours in United States history,

b. Credit Six (6) semester hours ~~in western civilization or European history, and~~

c. Credit Six (6) semester hours in Asian, African, Latin American, or Middle Eastern history, and

2. Credit Three (3) semester hours in United States government.

~~(4) This rule shall take effect July 1, 1990.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17, 232.246(1)(b), 233.061, 233.0651, 233.064 FS. History–New 7-1-90, Amended \_\_\_\_\_.

6A-4.0341 Specialization Requirements for Certification in Speech (Grades 6-12) – Academic Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in speech ~~which includes at least thirty (30) semester hours in the major,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in speech or English. ~~Eighteen (18) semester hours shall be in speech~~ to include credit in the areas specified below:

(a) Fundamentals ~~Three (3) semester hours in~~ fundamentals of speech,

(b) Discussion ~~Three (3) semester hours in~~ discussion or debate,

(c) Dramatics ~~Three (3) semester hours in~~ dramatics or oral interpretation, and

(d) Mass ~~Three (3) semester hours in~~ mass media, ~~or~~

~~(3) Plan Three. A bachelor's or higher degree with specialization requirements completed for English (grades 6-12) and twelve (12) semester hours in speech as specified below:~~

~~(a) Three (3) semester hours in fundamentals of speech,~~

~~(b) Three (3) semester hours in discussion or debate,~~

~~(c) Three (3) semester hours in dramatics or oral interpretation, and~~

~~(d) Three (3) semester hours in mass media.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 7-1-90, Amended \_\_\_\_\_.

6A-4.0342 Specialization Requirements for Certification in Drama (Grades 6-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in drama ~~which includes at least thirty (30) semester hours in the major,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in drama to include credit in the areas specified below:

(a) Theater ~~Six (6) semester hours in~~ theater history to include three (3) semester hours in survey of theater history,

(b) Acting ~~Six (6) semester hours in~~ acting,

(c) Theory ~~Six (6) semester hours in~~ theory and practice of directing,

(d) Technical ~~Six (6) semester hours in~~ technical theater or stagecraft, and

~~(e) Three (3) semester hours in~~ play analysis,

~~(f) Two (2) semester hours in~~ theater management, and

~~(e)(g) Theater management. Credit in a theater practicum which includes production or performance.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 12-4-89, Amended \_\_\_\_\_.

6A-4.054 Specialization Requirements for Certification in Agriculture (Grades 6-12) – Vocational Class.

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in agriculture ~~which includes at least thirty (30) semester hours in the major with credit in animal science, plant science, agricultural mechanics, and food and resource economics,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in agriculture to include credit in four of the areas specified below:

(a) Soil ~~Three (3) semester hours in~~ soil science,

(b) Agricultural ~~Three (3) semester hours in~~ agricultural mechanics,

(c) Food ~~Three (3) semester hours in~~ food and resource economics,

(d) Animal ~~Three (3) semester hours in~~ animal science,

(e) Agromony ~~Three (3) semester hours in~~ agromony,

(f) Horticulture, ~~Three (3) semester hours in~~ ornamental horticulture, and

(g) Entomology, and ~~Three (3) semester hours in~~ entomology.

(h) Forestry and natural resources.

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 10-10-89, Amended \_\_\_\_\_.

6A-4.056 Specialization Requirements for Certification in Business Education (Grades 6-12) – Vocational Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in business education or business administration ~~which includes at least thirty (30) semester hours in the major with credit in accounting and credit in typewriting or word processing,~~ or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in business education or business administration to include credit in the areas specified below:

(a) Accounting, ~~Four (4) semester hours in~~ typewriting or word processing,

(b) Economics, ~~Five (5) of the six (6) requirements~~ specified below:

1. ~~Six (6) semester hours in~~ accounting,

2. ~~Six (6) semester hours in~~ economics,

3. ~~Six (6) semester hours in~~ shorthand,

4. ~~Three (3) semester hours in~~ computer science,

5. ~~Two (2) semester hours in business English, and~~

6. ~~Two (2) semester hours in business law.~~

(c) Computer Science,

(d) Business communication or composition above the freshman level, and

(e) Business law.

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 10-10-89, Amended

6A-4.058 Specialization Requirements for Certification in Home Economics (Grades 6-12) – Vocational Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an under graduate or graduate major in family and consumer science or home economics which includes at least thirty (30) semester hours in the major with credit in clothing and textiles, food and nutrition, housing and home furnishings, home management and consumer education, and human development, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) thirty-six (36) semester hours in family and consumer science or home economics to include credit in home economics to include the areas specified below:

(a) ~~Nine (9) semester hours in clothing and textiles to include the following:~~

~~(a)1. Clothing Three (3) semester hours in clothing construction, and~~

~~(b)2. Textiles, Three (3) semester hours in textiles;~~

~~(b) Nine (9) semester hours in food and nutrition to include the following:~~

~~(c)1. Food Three (3) semester hours in food preparation, and~~

~~(d)2. Nutrition, Three (3) semester hours in nutrition;~~

~~(c) Nine (9) semester hours in human development to include the following:~~

~~(e)1. Child Three (3) semester hours in child development, and~~

~~(f)2. Family Three (3) semester hours in family relations,;~~

~~(d) Nine (9) semester hours in home and family management to include:~~

~~(g)1. Housing Three (3) semester hours in housing and home furnishings,~~

~~(h)2. Home Three (3) semester hours in home management, and~~

~~(i)3. Family Three (3) semester hours in family economics and consumer education.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 10-10-89, Amended

6A-4.060 Specialization Requirements for Certification in Industrial Arts-Technology Education (Grades 6-12) – Vocational Class.

(1) Plan One. A bachelor's or higher degree with an under graduate or graduate major in industrial arts or technology education ~~which includes at least thirty (30) semester hours in the major with credit in four (4) of the seven (7) areas specified in Plan Two below, or~~

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in industrial arts or technology education to include credit in four (4) of the seven (7) areas specified below:

(a) Materials ~~Three (3) semester hours in materials and manufacturing processes technology to include credit in woods, metals, and man-made materials,~~

(b) Drafting ~~Three (3) semester hours in drafting and design technology,~~

(c) Energy, ~~Three (3) semester hours in energy, power and transportation technology,~~

(d) Graphics ~~Three (3) semester hours in graphic communications technology,~~

(e) Electronics ~~Three (3) semester hours in electronics technology,~~

(f) Construction ~~Three (3) semester hours in construction technology, and~~

(g) Industrial ~~Three (3) semester hours in industrial systems technology such as robotics, laser technology, and fiber optics, or other feedback controlling systems.~~

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 10-10-89, Amended 11-13-96, \_\_\_\_\_.

6A-4.062 Specialization Requirements for Certification in Marketing (Grades 6-12) – Vocational Class ~~Beginning July 1, 1990.~~

(1) Plan One. A bachelor's or higher degree with an under graduate or graduate major in marketing or distributive education ~~which includes at least thirty (30) semester hours in the major with credit in marketing theories and practices and credit in economics, or~~

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in marketing to include the areas specified below:

(a) Fifteen (15) semester hours in theories and practices of marketing, ~~to include the following:~~

~~1. Three (3) semester hours in salesmanship,~~

~~2. Three (3) semester hours in retailing, and~~

~~3. Three (3) semester hours in advertising.~~

(b) Credit Six (6) semester hours in economics,

(c) Credit Six (6) semester hours in finance, and

(d) Credit in accounting or personnel management, Three (3) semester hours in one of the following:

1. Accounting, or



2. Personnel management.

Specific Authority 229.053(1), 231.15(1), 231.17(3)(4) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History--New 10-10-89, Amended \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 11, 2000

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Educational Leadership Examination RULE NO.: 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the Florida Educational Leadership Examination application forms. The effect will be that current application forms will be available for examination applicants.

SUMMARY: This rule is amended to adopt updated application forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 231.15(1), 231.17(8),(11), 231.0861(3), 231.30(1) FS.

LAW IMPLEMENTED: 231.0861, 231.15, 231.17, 231.30 FS.

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

TIME AND DATE: 9:00 a.m., June 13, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, Director, Division of Public Schools and Community Education, Department of Education, 325 West Gaines Street, Room 501, Tallahassee, Florida 32399, (850)488-2601

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) through (3) No change.

(4) Registration, late registration, and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration

agency. The completed application shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A completed application shall consist of the following:

a. A completed application Form CG-30-0099, Florida Educational Leadership Examination Registration Application or Form CG-22-0099, FTCE/FELE Supplemental Registration Application, as incorporated by reference in Rule 6A-4.0021, FAC., which includes the applicant's signature. Form CG-30-0099, Florida Educational Leadership Examination Registration Application is hereby incorporated by reference and made a part of this rule to become effective October 2000 4999. These forms may be obtained without cost from the Bureau of Teacher Certification, Department of Education, Turlington Building, Tallahassee, Florida 32399-0400.

Specific Authority 231.15(1), 231.17(8),(11), 231.0861(3), 231.30(1) FS. Law Implemented 231.0861, 231.15, 231.17, 231.30 FS. History--New 12-25-86, Amended 1-11-89, 5-19-98, 10-5-99, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

RULE CHAPTER TITLE: General Information RULE CHAPTER NO.: 11-1

RULE TITLE: Confirmation and Delegation of Authority RULE NO.: 11-1.0041

PURPOSE AND EFFECT: The proposed amendments to Rule 11-1.0041, FAC., Confirmation and Delegation of Authority, are necessary to comport with the statutory requirements of Chapter 120.74, F.S. and to promote efficiency in administrative duties.

SUMMARY: Proposed revisions to Rule 11-1.0041, FAC. provide for (1) the delegation of authority by the Governor and Cabinet, as Head of the Florida Department of Law Enforcement, to the Executive Director or the Director's designee, to implement the provisions of the Administrative Procedure Act, Chapter 120, F.S. regarding final agency action, and (2) clarify that the compromise and settlement of claims, actions and other legal proceedings are subject to comptroller approval pursuant to s. 45.062, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4) FS.

LAW IMPLEMENTED: 20.05(1)(b), 20.201, 112.061, 120.63(1), 216.345, Chapter 943 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

11-1.0041 Confirmation and Delegation of Authority.

(1) In accordance with Paragraph 20.05(1)(b), F.S., the Executive Director and other officials of the Department of Law Enforcement are hereby authorized to perform or exercise the following statutory powers and duties of the Agency, Department, or Department Head:

- (a) The Executive Director or, his designee shall:
1. through 10. No change.

11. Compromise and settle, in the best interest of the Department, subject to s. 45.062, F.S., all claims, actions, causes of action and legal proceedings, whether sounding in tort or contract, that are brought against the Department or any of its employees acting within the scope of their employment. Such compromises and settlements shall be limited to cases where the total amount paid is less than \$100,000.00, and shall be reported to the Governor and Cabinet on at least a quarterly basis.

12. Act on behalf of the agency in carrying out the provisions of Chapter 120, F.S., ~~Initiate rulemaking and respond to petitions for declaratory statements, hearings, and departmental rulemaking under Chapter 120;~~ provided, however, the Governor and Cabinet shall approve all Department administrative rules and reserves the prerogative

to act as hearing officer in Section 120.57 proceedings involving great public interest or other public agencies. Examples of ~~rulemaking~~ include the following:

- a. through g. No change.
h. To take final agency action in any proceeding or matter within the scope of the Department's authority.
(b) through (f) No change.
(2) No change.

Specific Authority 943.03(4) FS. Law Implemented 20.05(1)(b), 20.201, 112.061, ~~120.54, 120.565, 120.569(2), 120.57(1)-(3), 120.63(1), 120.74(2), 216.345, 216.262;~~ Chapter 943 FS. History--New 1-31-80, Amended 6-29-80, 7-5-81, Formerly 11-1.041, Amended 7-6-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

Table with 2 columns: RULE CHAPTER TITLE, RULE CHAPTER NO., RULE TITLES, RULE NOS.
Salary Incentive Program 11B-14
General Program Provisions 11B-14.002
Authorized Payments 11B-14.003

PURPOSE AND EFFECT: To revise salary incentive rule language, Commission forms, statutory references, and make housekeeping, clarification and grammatical revisions.

SUMMARY: To revise rule language to reflect that courses shall be verified, but not certified by training center directors (Sections C-1.2 and E-3.2 of the Commission's Policies and Procedures Manual reflects this change); to reflect when a student is dismissed from a training program by adding "dismiss" in column 11 of form CJSTC-67 (The form located in the Forms Section of the Commission's Policies and Procedures Manual); to change ATMS2 to ATMS because the systems have been merged (Section "C" of the Commissions Policies and Procedures Manual reflects this change); to clarify existing rule language; to delete unnecessary rule language; to reflect that salary incentive "documents" are not verified by the Criminal Justice Professionalism Program Records Section, but are verified by the employing agency; to make grammatical revisions to this rule; to revise statutory references; and to make grammatical and clarification revisions, and to update language in Section "C" of the Commission's Policies and Procedures Manual.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.22(2)(h) FS.

LAW IMPLEMENTED: 943.22 FS.

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

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

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

11B-14.002 General Program Provisions.

(1) The Salary Incentive Program shall not be used to circumvent any current or planned annual base salary increases, pursuant to Section 943.22(2)(g), F.S. Additionally, agency financial records shall be maintained to separately identify gross salary and salary incentive payments.

(2) No change.

(3) All Commission-approved Career Development Training Courses, effective on or after July 1, 1985, that are Commission-approved Advanced Training Courses, pursuant to Section 943.17 or 943.25, F.S., and have been successfully completed by eligible officers, shall be ~~verified~~ certified by the training center director for submission to Commission staff by completing a Training Report form CJSTC-67, revised ~~September 1, 1999, February 18, 1998~~, hereby incorporated by reference, pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual, revised ~~October 13, 1999 January 1999~~, hereby incorporated by reference. Effective September 1, 1998, the information on the CJSTC-67 form is required to be electronically transmitted via the Commission's Automated Training Management System (ATMS) (~~ATMS2~~). A copy of the Training Report form showing successful completion of an approved course may be used as the verifying document to authorize payment of appropriate training salary incentive monies.

(4) To avoid redundant training and to acknowledge training that is equal to training programs established pursuant to Section 943.17, F.S., Commission staff shall award 40 hours of advanced training credit for each 40-hour week of criminal justice executive or management training successfully completed and approved by the Commission, for programs conducted at the Federal Bureau of Investigation's National Academy, the Federal Bureau of Investigation's National Executive Institute, the Southern Police Institute, the National Institute of Corrections, the Police Executive Institute, the National Sheriffs Institute, the Northwestern Traffic Institute (long course), the Federal Bureau of Prisons, the Institute for Police Technology Management, the Florida Criminal Justice Executive Institute (FDLE Senior Leadership Program), and the Senior Management Institute for Police. Eligible officers who request to receive salary incentive credit for a program listed herein, shall submit to Commission staff a written request ~~make their request to Commission staff in writing, accompanied by a written request~~ for salary incentive credit from the officer's agency administrator and a copy of the officer's certificate of course completion. Commission staff shall evaluate the request and determine whether the program in question qualifies for training salary incentive monies.

(5) All claimed eligibility for educational salary incentives shall be reported to Commission staff by the employing agency by submitting an official Higher Education Report form CJSTC-63, revised October 27, 1998, hereby incorporated by reference. The information on the CJSTC-63 form may be electronically submitted via the Commission's Automated Training Management System (ATMS) (~~ATMS2~~). The employing agency shall obtain an official sealed transcript directly from the educational institution conferring the degree, or providing the academic credit for successful completion of courses. The employing agency shall not forward the transcript to Commission staff.

(6) through (11) No change.

(12) The officer's training record maintained by Commission staff shall reflect the officer's eligibility for salary incentive monies. Eligibility for educational salary incentive monies, ~~for those officers whose class specifications do not require a minimum of a 4-year degree or higher~~, shall be transferable regardless of the discipline in which the officer obtains employment. Salary incentive monies for Advanced Training Courses are transferable from one discipline to another.

(13) ~~At the request of an employing agency, Commission staff shall verify documents an officer submits for training salary incentive monies and the amount of training salary incentive monies the officer is eligible to receive.~~ The employing agency is responsible for ensuring that the documents submitted for educational salary incentive monies are authentic and accurately reflect the credit given for academic courses successfully completed by the officer.

(14) No change.

(15) Sheriffs eligible to qualify for special qualification salary, pursuant to Section 943.253, F.S., and Section 145.071, F.S., may ~~can~~ request salary incentive payment pursuant to Section 943.22(2)(d), F.S., and shall be entitled to salary incentive credits under the programs provided in paragraph (4) of this rule section. However, any executive or management courses completed to satisfy the requirements of Section 145.071, F.S., regarding special qualification salary for sheriffs, shall not be credited for salary incentive payments. Commission staff shall provide sheriffs with documentation that verifies the number of hours credited for salary incentive payments pursuant to Section 943.22(2)(d), F.S., and the number of hours credited toward continuing education pursuant to Section 145.071(2)(c), F.S.

(16) No change.

Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History—New 10-16-78, Amended 9-11-79, 1-13-81, 5-16-83, 1-7-85, Formerly 11B-14.02, Amended 7-13-87, 9-3-87, 5-23-88, 5-14-92, 12-13-92, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-14.003 Authorized Payments.

Full-time law enforcement, correctional, and correctional probation officers satisfying the certification requirements of Chapter 943, F.S., who are not excluded from eligibility pursuant to Section 943.22(4), F.S., shall be eligible to participate in the Salary Incentive Program.

(1) through (4) No change.

Specific Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History—New 9-11-79, Amended 1-13-81, 5-16-83, 9-1-83, 4-26-84, 1-7-85, Formerly 11B-14.03, Amended 7-13-87, 1-2-97, 7-7-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Program Director A. Leon Lowry, II, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE CHAPTER TITLE: Criminal Justice Standards and Training Trust Fund

RULE TITLES: Operational Definitions, Regional Training Areas, Establishment of Regional Training Councils

Regional Training Council Meetings 11B-18.0051
Development of Budgets 11B-18.0052
Expenditure of Funds 11B-18.007
Reports 11B-18.0071
Areas of Responsibility 11B-18.008
Applicability, Contractual Obligations 11B-18.009

PURPOSE AND EFFECT: Revision of rule language pertaining to operational definitions, regional training areas, Regional Training Councils, development of budgets, expenditure of trust funds, grammatical revisions, and agency responsibilities with regard to the Criminal Justice Standards and Training Trust Fund and its contractual obligations.

SUMMARY: To revise the definition of "Fiscal Agent" (Section H-2.2 of the Commission's Policies and Procedures Manual reflects this change); to revise the definition of "Commission-approved Expenditure Formula"; to revise statutory references to the "Specific Authority" and "Laws Implemented" of this rule; to update the names of the training schools; to revise the name of a state law enforcement agency in Region XV; to revise the number of correctional officers the Local Regional Training Council is comprised of, and to also add "public county" to the number of correctional institutions within the council membership" (Section H-2.2 of the Commission's Policies and Procedures Manual reflects this change); to remove unnecessary rule language; to describe a specific type of operating budget required by the Commission; to provide that the Commission may approve "the" disposition of funds, and not only "any equitable" disposition of funds; to provide that a Regional Training Council is not responsible for studying the Commission's priority issues, but rather is responsible for including priority issues in its approved budget; to implement by rule the Commission's current policy regarding "unexpended interest" (Section H-3.5 of the Commission's Policies and Procedures Manual reflects this change); to clarify existing rule language and grammatical revisions; and to revise the name of the required trust fund report (Section H-3.1 of the Commission Policies and Procedures Manual reflects this change). Clarification and grammatical revisions have been made throughout Section "H" of the Commission's Policies and Procedures Manual.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1),(2), 943.25(4),(5) FS.

LAW IMPLEMENTED: 943.12(5), 943.25, 943.25(4),(5) FS. IF REQUESTED, IN WRITING, WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

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

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

#### 11B-18.003 Operational Definitions.

For the purpose of this rule chapter, the definitions of "Auxiliary Law Enforcement Officer," "Auxiliary Correctional Officer," "Auxiliary Correctional Probation Officer," "Commission," "Correctional Officer," "Criminal Justice Training School," "Commission staff," "Program," "Employing Agency," "Law Enforcement Officer," "Officer," "Part-time Law Enforcement Officer," "Part-time Correctional Officer," "Part-time Correctional Probation Officer," "Private Criminal Justice Training School," "Public Criminal Justice Training School," "Support Personnel," and "Training Center Director," pursuant to Section 943.10, F.S., shall ~~apply be deemed controlling~~. The operational definitions are as follows:

(1) through (15) No change.

(16) "Fiscal Agent" means the person(s) appointed by a ~~Regional Training Council Commission-certified criminal justice training school~~, who is responsible for providing fiscal assistance and expertise to the Regional Training Council(s) and school(s). The fiscal agent is responsible for all records, accountings, and other materials or information regarding trust fund expenditures.

(17) through (19) No change.

(20) "Commission-approved expenditure formula" means the formula established by the Commission ~~specifying for~~ the expenditure of a training region's budget.

(21) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.25(4), 943.12(5) 943.10, 943.25(2) FS. (Supp. 1998). History—New 1-13-81, Amended 7-28-82, 1-26-83, 1-7-85, 1-28-86, Formerly 11B-18.03, Amended 7-13-87, 5-23-88, 12-13-92, 1-2-97, 7-7-99, \_\_\_\_\_.

#### 11B-18.004 Regional Training Areas.

For the purposes of Criminal Justice Standards and Training Trust Fund activities, there are established the following sixteen (16) regional training areas:

(1) Region I.

(a) No change.

(b) Commission-certified public criminal justice training schools within Region I: George Stone Area Vo-Tech ~~Center~~, Criminal Justice Training Center and Okaloosa-Walton Community College Criminal Justice Training Center.

(2) No change.

(3) Region III.

(a) No change.

(b) ~~Commission-certified p~~Public criminal justice training school within Region III: ~~Tallahassee Community College/Lively Area Vo-Tech School~~/Pat Thomas Law Enforcement Academy.

(4) No change.

(5) Region V.

(a) No change.

(b) Commission-certified public criminal justice training schools within Region V: Florida Community College at Jacksonville/Northeast Florida Criminal Justice Training and Education Center, St. Johns ~~River~~ Community College/~~Criminal Justice Training Program, and St. Augustine Technical Center/Criminal Justice Training Academy~~.

(6) No change.

(7) Region VII.

(a) No change.

(b) Commission-certified public criminal justice training schools within Region VII: Brevard Community College Criminal Justice Division, Criminal Justice Institute at Valencia Community College, Daytona Beach Community College Criminal Justice Training Center, Criminal Justice Academy of Osceola, ~~Lake Technical Center Institute of Public Safety, Kenneth A. Bragg Regional Public Safety Training Complex at Tavares~~, and Seminole Community College Criminal Justice Institute.

(8) No change.

(a) through (b) No change.

(9) through (13) No change.

(14) Region XIV.

(a) No change.

(b) Commission-certified public criminal justice training schools within Region XIV: Florida Keys Community College ~~Institute of Criminal Justice Program~~, Miami Police Department/Miami Police ~~Training Center Academy~~, Miami-Dade Police Department Metropolitan Police Institute, and Miami-Dade Community College School of Justice.

(15) Region XV.

(a) No change.

(b) Commission-certified public criminal justice training schools within Region XV: Florida Department of Law Enforcement/Florida Law Enforcement Academy, Florida Department of Highway Safety and Motor Vehicles/Florida Highway Patrol Training Academy, Florida Department of Environmental Protection Law Enforcement Training Center,

and Florida Wildlife Conservation Commission/Florida State Wildlife Officer Training Academy ~~Florida Game and Fresh Water Fish Commission.~~

(16) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.25(5) FS. (Supp. 1998). History--New 1-13-81, Amended 7-28-82, 1-7-85, Formerly 11B-18.04, Amended 7-13-87, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.005 Establishment of Regional Training Councils.

(1) through (2) No change.

(3) The State Regional Law Enforcement Officer Training Council XV, shall be comprised of one representative from each of the following state law enforcement agencies:

(a) through (d) No change.

(e) Florida Wildlife Conservation Commission ~~Game and Fresh Water Fish Commission.~~

(f) through (k) No change.

(4) No change.

(5) Each Local Regional Training Council shall be comprised of the following:

(a) No change.

(b) Not less than two (2) correctional officers, and one (1) individual of which one (1) employee is a public agency who is in charge of a public county correctional institution within the region; and

(c) Not more than three (3) members representing a Commission-certified public criminal justice training schools.

(d) through (g) No change.

(6) through (7) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.25(5) FS. History--New 1-13-81, Amended 7-28-82, 1-7-85, (7), (8), Transferred to 11B-18.051, Formerly 11B-18.05, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.0051 Regional Training Council Meetings.

(1) through (4) No change.

Specific Authority 943.03(4), 943.12(1),(2), 943.25(5)(b) FS. Law Implemented 943.25(5) FS. (Supp. 1998). History--New 1-7-85, (1),(4) Formerly 11B-18.05(8),(7), Formerly 11B-18.051, Amended 7-13-87, 1-2-97, 7-7-99.

11B-18.0052 Development of Budgets.

(1) through (2) No change.

(3) Monies collected pursuant to Section 943.25, F.S., and appropriated to implement training programs and Commission-certified public criminal justice training school enhancements, are public funds. Each Regional Training Council shall submit to Commission staff for approval, a projected annual operating budget that identifies proposed trust fund expenditures, ~~for submission to Commission staff~~ by February 1 of each year.

(4) Preparation of the annual operating budget shall be completed pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual, revised

October 13, 1999 ~~January 1999~~, hereby incorporated by reference, and shall be completed on the forms provided by Commission staff pursuant to paragraph (8) of this rule section.

(5) A Regional Training Council that fails to submit a projected annual ~~an~~ operating budget on or before February 1, which shall be prepared on a Criminal Justice Standards and Training Trust Fund Operating Budget form CJSTC-310, revised August 5, 1998, hereby incorporated by reference, or fails to receive an extension of time for its budget submission, shall forfeit its opportunity to propose an operating budget for the region. Thereafter, the Commission shall ~~may~~ approve the ~~any equitable~~ disposition of the funds previously available to the region.

(6) The projected annual operating budget shall list items in order of priority within each budget category, and shall be completed using the required format outlined in the Criminal Justice Standards and Training Commission Policies and Procedures Manual.

(7) through (8) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.25(5) FS. History--New 1-13-81, Amended 7-28-82, 1-26-83, 1-7-85, Formerly 11B-18.052(2)(a),(b), Amended 1-28-86, 7-13-87, 10-17-90, 12-13-92, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.007 Expenditure of Funds.

(1) Funding Allocation.

(a) No change.

(b) Each Regional Training Council is responsible for ~~studying and including when possible~~ in its approved budget, the Commission's priority issues as they relate to the training region's needs for distribution of training funds.

(c) through (d) No change.

(2) through (3) No change.

(4) A Commission-certified public criminal justice training school may place Criminal Justice Standards and Training Trust Fund monies separately, on temporary deposit, in interest bearing accounts. Interest earned may be expended on trust fund-related needs subject to the following conditions:

(a) No change.

(b) A separate operating budget for accrued interest shall ~~must~~ be submitted by the Regional Training Councils for Commission-staff's approval. Expenditure of interest is restricted to training costs and purchase of operating capital outlay items. Interest earned shall be identified for the year earned and submitted on a Criminal Justice Standards and Training Trust Fund Year-End Fiscal Report form CJSTC-301. Such interest shall be expended by June 30 of the subsequent fiscal year. Any unexpended interest shall be remitted to the Criminal Justice Standards and Training Trust Fund within 90 days following the close of the fiscal year for which the interest expenditure was approved by the Commission.

(5) Administrative expenditures approved by a Regional Training Council shall not exceed five (5) percent of the total allocation to each Commission-certified public criminal justice

training school or training region. Travel costs and per diem expenditures for the Regional Training Councils' chairpersons, training center directors, and fiscal agents, may be budgeted in addition to the five (5) percent of the total monies allocated for administrative expenditures to attend Commission trust fund-related workshops. In addition, training center directors, not designees, may submit travel expenses to Commission staff to attend regularly scheduled Commission meetings, upon obtaining prior budget approval pursuant to Section 112.061, F.S., and pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual. The request for budget approval shall be submitted to Commission staff by completing and submitting a Criminal Justice Standards and Training Trust Fund Programmatic Change and Budget Amendment form CJSTC-302, revised June 17, 1998, hereby incorporated by reference, or a Criminal Justice Standards and Training Trust Fund Operating Budget form CJSTC-310.

(6) No change.

(7) Regions shall make provisions in their operating budget(s) for the reciprocal payment of training provided to officers and support personnel who attend training programs offered in other training regions pursuant to Section 943.10(11), F.S. Each training region's fiscal agent(s) shall be responsible and accountable for receipt and disbursement of the region's specified reciprocal funds.

(8) Each training region shall offer all courses funded by Criminal Justice Standards and Training Trust Fund monies, first, to the officers within its respective region. If space is still available, officers from other regions may attend trust fund courses after obtaining prior approval of the regions involved and after obtaining proper budget approval. The region offering the training is authorized to require reciprocal payment from the region in which the officer is employed, pursuant to Section 943.25(6)(a), (b), F.S., and paragraph (10) of this rule section. Support personnel as defined in Section 943.10(11), F.S., may attend trust-funded courses on a space available basis, provided a certified Florida officer is not displaced.

(9) through (10) No change.

Specific Authority 943.03(4), 943.12(1)(2), 943.25(4)(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.07, Amended 7-13-87, 5-23-88, 12-13-92, 5-25-94, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.0071 Reports.

(1) through (2) No change.

(3) Allocated funds within the operating budget that have not been expended or encumbered as of June 30, and those encumbered funds that have not been expended by December 31 of the following fiscal year, shall be submitted to Commission staff, ~~by completing~~ A final Criminal Justice

Standards and Training Trust Fund Year-End Fiscal Report form CJSTC-301, shall be submitted by January 31 of the subsequent calendar year.

Specific Authority 943.03(4), 943.12(1)(2), 943.25(4)(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.071, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.008 Areas of Responsibility.

With regard to the Criminal Justice Standards and Training Trust Fund, the following entities shall have responsibilities ~~as~~ outlined in subparagraphs (1)-(4) of this rule section.

(1) The responsibilities of Commission staff are to:

(a) through (c) No change.

(d) Notify training regions of their approved ~~projected~~ annual operating budget for the next fiscal year.

(e) No change.

(f) ~~Authorize~~ Approve requests for budget amendments ~~approved submitted~~ by the Regional Training Councils that do ~~for the transfer of funds between budget categories of their approved operating budget, provided the budget amendment~~ does not alter the Commission-approved trust fund formula.

(g) through (k) No change.

(l) Review the Criminal Justice Standards and Training Trust Fund Year-End Fiscal Reports submitted by the regional chairperson or designee, and notify the Commission, regional chairpersons, fiscal agents, and training center directors of the results of the Year-End Fiscal Report.

(m) through (n) No change.

(o) Use the Regional Training Councils as an extension of the Commission's administrative arm to establish channels of administrative communication. Commission staff shall advise regional chairpersons, fiscal agents, and criminal justice training center directors of trust fund activity in their respective training regions.

(2) The responsibilities of the Regional Training Councils are to:

(a) No change.

(b) Determine the distribution of Criminal Justice Standards and Training Trust Funds for allocation to the individual Commission-certified public criminal justice training schools in the respective training regions.

(c) through (e) No change.

(f) Appoint a regional ~~or school~~ fiscal agent.

(3) The responsibilities of the regional fiscal agents are to:

(a) through (c) No change.

(4) The responsibilities of the Commission-certified public criminal justice training schools are to:

(a) No change.

(b) Be responsible for the receipt and payment of Criminal Justice Standards and Training Trust Fund monies authorized by approved annual operating budgets pursuant to applicable laws, rules, contracts, budgets, and local policies and procedures.

(c) through (g) No change.

Specific Authority 943.03(4), 943.12(1),(2), 943.25(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-1-81, 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.08, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-18.009 Applicability, Contractual Obligations.

(1) through (2) No change.

(3) Receipt of any Criminal Justice Standards and Training Trust Fund monies shall be deemed an acceptance of the terms, conditions, and limitations contained in the approved budget under which they are received. Regional Training Councils or Commission-certified public criminal justice training schools accepting Criminal Justice Standards and Training Trust Fund support, on or after the effective date of this rule chapter, shall be deemed to have:

(a) No change.

(b) Agreed to surrender to the Commission all ~~personal~~ property ~~purchased to the Commission~~ ~~acquired~~ with Criminal Justice Standards and Training Trust Fund monies upon loss of a Commission-certified public criminal justice training school's certification.

(c) No change.

(4) No change.

Specific Authority 943.03(4), 943.12(1),(2), 943.25(4),(5) FS. Law Implemented 943.25 FS. History—New 1-13-81, Amended 7-28-82, 1-7-85, 1-28-86, Formerly 11B-18.09, Amended 7-13-87, 12-13-92, 1-2-97, 7-7-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Program Director A. Leon Lowry, II, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE: Certification of Criminal Justice Training Instructors  
RULE CHAPTER NO.: 11B-20

RULE TITLES: Minimum Requirements for Certification of Instructors  
RULE NOS.: 11B-20.001

Revocation of Certification  
11B-20.002

PURPOSE AND EFFECT: To revise rule language pertaining to the minimum requirements for certification of instructors and revocation of certification, to revise statutory references in the "Law Implemented" of this rule, and to delete obsolete rule language.

SUMMARY: To delete unnecessary rule language (Section "G" of the Commission's Policies and Procedures Manual reflects these type of revisions); to add a timeframe for completion of the Commission-approved 80-hour Instructor Techniques Course (Section G-1.1 of the Commission's Policies and Procedures Manual reflects this change); to revise rule language to reflect that a training center director shall "evaluate" and not "determine" an applicants previously completed training; to delete the obsolete instructor application renewal period of January 1, 1994; to renumber rule paragraphs; to add rule language for the Radar Speed Measurement Training Course for Law Enforcement Officers and the Laser Speed Measurement Operators Training Course for Law Enforcement Officers (Sections C-3.4 and C-3.5 of the Commission's Policies and Procedures Manual reflect these changes); to delete the unnecessary reference to the Criminal Justice Standards and Training Commission Policies and Procedures Manual; to delete statutory references to the "Law Implemented"; and to change the reference from "Field Specialist" to "Commission staff."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.14(3) FS.  
LAW IMPLEMENTED: 943.12(3),(9), 943.14(3) FS.

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

TIME AND DATE: 1:00 p.m., June 6, 2000  
PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

11B-20.001 Minimum Requirements for Certification of Instructors.

(1) Except as otherwise provided in this rule or by law, individuals who instruct Commission-approved training courses, pursuant to Rule 11B-35.001(2), F.A.C., at or through a Commission-certified criminal justice training school, shall be certified by the Commission. ~~To certify that an applicant is eligible for Commission certification, a~~ training school shall submit to Commission staff a completed Instructor Certification Application form CJSTC-71, revised June 12, 1998, hereby incorporated by reference, for those applicants who have not been previously certified, and who have met all certification requirements pursuant to Section 943.12(9), F.S. The training center director shall maintain in the instructors file all documentation that verifies the instructor's qualifications, which shall be made available for review by Commission staff. The applicant shall comply with the following certification requirements:

(a) No change.

(b) The applicant shall have completed the Commission-approved 80-hour Instructor Techniques course through a Commission-certified criminal justice training school within four (4) years of the date of application. The training center director shall evaluate determine if a course is comparable in content for each topic. ~~The training center director shall, upon evaluation of an applicant's previously completed training other than the Commission-approved 80-hour Instructor Techniques course, provided that the previous training occurred within the last four (4) years, but partially completed comparable course, The training center director shall~~ authorize the applicant to complete only those portions of the current Commission-approved Instructor Techniques course in which the applicant is deficient.

(c) through (g) No change.

(2) Duration and Renewal of Instructor Certification:

(a) The renewal application shall be considered for renewal based on the submission of an updated Instructor Certification Application form CJSTC-71, ~~application,~~ and shall be submitted to Commission staff within six months prior to the instructor's certification expiration date. The date of submission shall be construed as the verified or documented date the Commission-certified criminal justice training school received the updated application, including all necessary supporting documentation, provided the submission date is prior to the date of expiration. The documented date shall be permanently validated on the face of the renewal application.

(b) The certification expiration date shall be four (4) years following the date of the training center director's signature on the Instructor Certification Application form CJSTC-71. If the instructor's certification expires, the instructor shall make application for a new certification and shall meet the following guidelines:

1. The training center director or designee shall evaluate the applicant's proficiency as an instructor by completing the Instructor Competency Checklist form CJSTC-81, prior to signing the Instructor Certification Application form CJSTC-71 for certification ~~instructor's application.~~ The new Instructor Competency Checklist shall be maintained in the instructor's file.

2. through 4. No change.

~~(e) Instructors requesting renewal of certification after January 1, 1994, shall complete the Commission-approved 20-hour Human Diversity Train the Trainer course, or the 8-hour Instructor Awareness of Human Diversity Concepts Program. The requirements shall be completed for re-certification only once during the instructor's career.~~

~~(c)(4)~~ If a Commission-certified criminal justice training school instructor adds a specialized topic of instruction to the current instructor certification, the expiration date shall be the same as the current instructor certification expiration date.

(3) Exemption from general instructor certification. An instructor shall be exempt from a Criminal Justice Standards and Training Commission general instructor certification under the following circumstances:

(a) The instructor is a full-time instructor at an accredited community college, college, or university. The training center director shall document the instructor's full-time status and identify the name and location of the college, community college, or university, by completing an Instructor Exemption form CJSTC-82, October 1, 1993, hereby incorporated by reference, which shall be maintained on file in the instructor's file. The instructor shall have specific knowledge of the subject matter to be taught, which shall be determined by the training center director, and the confirming documentation shall be maintained in the instructor's file.

(b) The instructor is a full-time vocational-technical instructor. The training center director shall document the instructor's full-time status and identify the name and location of the vocational-technical institution by completing an Instructor Exemption form CJSTC-82, and maintained in the instructor's file. The instructor shall be qualified in the specific subject matter to be taught, and the confirming documentation shall be maintained in the instructor's file.

(c) If an instructor holds a current and valid instructor certification from another state or the military, the applicant shall complete an internship. The training center director shall include a copy of the instructor's out-of-state or military certification, documentation describing the internship, completion of the Instructor Competency Checklist form



Range Facility Requirements form CJSTC-201, and Staffing Requirements form CJSTC-204 (Sections F-1.2, 1.3, 2.2, 2.3, & 2.4 of the Commission’s Policies and Procedures Manual reflect these changes); to delete dated rule language (Section “F” of the Commission’s Policies and Procedure Manual reflect these type of changes); to remove redundant rule language; to change the “criminal justice driving training” course name to “basic law enforcement driving training”; to clarify existing rule language concerning denial of certification and denial to renew certification; to clarify existing rule language concerning failure to maintain compliance with training school certification requirements; and to delete “substantial violations” and replace with “violations” regarding finding of probable cause when a training school has violated Commission rules; and to add to Section F-2.4 of the Commission’s Policies and Procedures Manual language regarding “Exceptions to Driving Range Requirements”.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1),(2) FS.

LAW IMPLEMENTED: 943.12(3),(7), 943.14 FS.

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

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

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

11B-21.001 Advisement.

(1) through (2) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(5), 943.14 FS. History—New 7-21-82, Amended 1-26-83, 9-1-83, 1-28-86, Formerly 11B-21.01, Amended 1-2-97, 7-7-99.

11B-21.002 Request for Certification.

(1) No change.

(2) Each Florida 4-year accredited college or university that requests to offer Commission-approved training courses, shall request approval from the Commission. A College and University Program Approval form CJSTC-30, November 1, 1997, hereby incorporated by reference, shall be completed and submitted to Commission staff to request approval to offer Commission-approved training courses.

(3) through (5) No change.

(6) Certification shall continue in effect for five (5) years beginning with the award of a certificate. Within a five (5) year period after certification, each Commission-certified criminal justice training school shall be officially evaluated by a Commission-appointed certification team to determine continued compliance with the qualification requirements of Rule Section 11B-21.002, F.A.C., for the purpose of certificate renewal. ~~The Commission shall award renewal certificates to Commission-certified criminal justice training schools that meet the qualification requirements for a training school.~~

(7) through (8) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(3),(7), 943.14 FS. History—New 7-21-82, Amended 1-28-86, Formerly 11B-21.02, Amended 12-13-92, 1-2-97, 7-7-99.

11B-21.004 Certification Codes.

Each Commission-certified criminal justice training school's certification shall be categorized by the Commission as a type “A”, “B”, or “C” certification, and given a certification code. Certification codes are defined as follows:

(1) through (3) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(3),(7), 943.14 FS. History—New 7-21-82, Formerly 11B-21.04, Amended 1-28-86, 7-13-87, 6-2-91, 7-7-99.

11B-21.005 Criminal Justice Training School Requirements for Certification.

All criminal justice training schools certified by the Commission on or after July 1, 1990, shall meet the following requirements:

(1) Training School Facilities and Equipment. All Commission-certified criminal justice training schools ~~and their satellite sites~~ shall meet Commission requirements. Commission staff shall document on the Training School Classroom Facility Requirement form CJSTC-205, 10/1/99, hereby incorporated by reference, compliance with the following or exceed the following facility and equipment specifications:

(a) ~~Compliance with~~ State Requirements for Educational Facilities (SREF), pursuant to Department of Education’s Rule 6A-2.0111, F.A.C., effective April 28, 1997, for compliance with building codes for educational facilities, and with local and state regulations relating to fire, health, and building standards, as such standards are applicable to public access facilities. Specific requirements relating to occupancy, lighting, floor space, equipment, and library access, are included in the Criminal Justice Standards and Training

Commission Policies and Procedures Manual, revised October 13, 1999 ~~January 1999~~, hereby incorporated by reference. If a Commission-certified training school's facilities have been found non-compliant with the Commission's requirements, Commission staff shall document on the Training School Classroom Facility Requirements form CJSTC-205 specific areas of non-compliance. Within 30 days of the original notification, Commission staff shall conduct a re-inspection. Non-compliance issues that are unresolved shall be documented by Commission staff on a Non-Compliance Follow-up form CJSTC-206, October 1, 1999, hereby incorporated by reference. A training school shall correct all non-compliance issues, documented on a Training School Classroom Facility Requirements form CJSTC-205, within 30 days of notification by Commission staff or prior to the subsequent use of the training school's facility.

(b) If a Commission-certified criminal justice training school conducts training in law enforcement basic recruit driving, each driving range constructed after July 1, 1988, shall include the following specifications documented by Commission staff on the Driving Range Facility Requirements form CJSTC-202, 10/1/99, hereby incorporated: If a Commission-certified criminal justice training school conducts training in basic law enforcement driving, at least one driving range shall be designated for criminal justice training, and shall be adequate in size and designed to safely conduct the Law Enforcement Basic Recruit Driving course effective, July 1, 1988.

(c) Each driving range constructed after July 1, 1998, shall include the following specifications:

1. through 2. No change.

3. Should any driving range proposed for construction after July 1, 1988, deviate from this standard, plans for such construction shall be submitted to Commission staff for initial review, and then to the Commission for final approval or disapproval. Justification for such construction shall include a statement of explanation and any supporting documentation justifying the need to deviate from the established standard. Such requests shall be evaluated by the Commission, only after determined by subject matter experts that all basic law enforcement driving exercises can be safely and effectively performed.

4. through 6. No change.

7. Each Commission-certified criminal justice training school shall use at least one (1) automobile for basic law enforcement ~~criminal justice~~ driving training.

8. No change.

(c)(~~d~~) If a Commission-certified criminal justice training school conducts training in basic law enforcement, correctional, or correctional probation, there shall be a suitable area designated for criminal justice defensive tactics instruction. A Defensive Tactics Requirements form

CJSTC-203, 10/1/99, hereby incorporated, shall be completed by Commission staff specifying that eEach defensive tactics area shall include the following training equipment:

1. through 2. No change.

3. Each defensive tactics area shall also include at least one emergency first aid kit.

(d)(~~e~~) If a Commission-certified criminal justice training school conducts training in basic law enforcement, correctional, or correctional probation, there shall be at least one (1) firearms firing range designed for criminal justice firearms instruction that shall meet Commission requirements documented by Commission staff on a Firing Range Facility Requirements form CJSTC-201, 10/1/99, hereby incorporated by reference, documenting the following as follows:

1. through 13. No change.

(2) Satellite Training School Facilities and Equipment. All Commission-certified criminal justice training school satellite sites shall meet specific Commission requirements outlined in paragraph (1) of this rule section. Satellite facilities approved to conduct Commission-approved high-liability courses shall be documented on the appropriate CJSTC high-liability forms pursuant to (1)(b),(c), and (d) of this rule section.

(a) Training schools shall notify Commission staff immediately of any new satellite sites and site compliance with Commission requirements prior to delivering Commission training.

(b) Training schools shall submit, at least once annually, a letter identifying the satellite facilities currently in use by the training schools, to certify to the Commission that these facilities meet Commission requirements.

(3)(~~2~~) Employed Personnel. All Commission-certified criminal justice training schools shall employ personnel who meet Commission requirements documented on a Staffing Requirements form CJSTC-204, 10/1/99, hereby incorporated by reference. The following specifications shall be met:

(a) One full-time salaried criminal justice training center director designated by the Commission-certified criminal justice training school, and employed on a 12 month calendar with faculty or administrative status, whose responsibilities are the management and quality control of the criminal justice training school program, and do not include a teaching assignment. Any additional administrative responsibilities or any instructional responsibilities shall not be undertaken by the director, unless approved by the Commission, upon a finding that such additional responsibilities would not interfere with the director's effective management of the training school. A director initially employed on or after July 1, 1990, shall at minimum, hold a bachelor's degree from an accredited college or university, and possess no less than two (2) years experience in the criminal justice field. Training center directors shall be responsible for the scheduling, presentation, and general local management of the criminal justice training programs, which

shall include, ~~for example,~~ preparation of required reports and records, assuring quality of instruction, administration, and security of examinations.

(b) through (d) No change.

(4)(3) Designated Personnel. The director at each Commission-certified criminal justice training school shall designate an individual responsible for coordination of courses, scheduling of instructors, facilities and materials, and for addressing student-related concerns in each of the following specified areas:

(a) through (e) No change.

(5)(4) A Commission-certified criminal justice training school that intends to deliver Commission-approved courses at a satellite site outside its service area, shall obtain approval from the affected Regional Training Council(s), prior to delivery of such courses. In addition, the school shall comply with the public education requirements pursuant to applicable Florida Statutes and Criminal Justice Standards and Training Commission rules. Notification of such action shall be submitted to the Commission.

(6)(5) A Commission-certified criminal justice training school shall maintain records that confirm compliance with this rule section.

(7)(6) A Commission-certified criminal justice training school shall provide instruction to meet the training needs of the service area.

(8)(7) A Commission-certified criminal justice training school shall abide by all of the requirements for administration and instruction of Commission-approved training courses. Commission staff shall document all course and instructor monitoring on the Training School Contact Report form CJSTC-200, 10/1/99, hereby incorporated by reference.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(3), (5),(7), 943.14 FS. History--New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-21.017 Denial of Certification or Renewal of Certification.

(1) Application for certification or renewal of certification as a criminal justice training school, shall be denied by the Commission if the training school fails to meet the requirements in Rule 11B-21.005, F.A.C. Commission staff shall forward to the training school a notice of intent to deny certification or deny renewal of certification, which shall specify the grounds for denial ~~of the certification~~. The denial of application for certification or renewal of certification ~~process~~ shall be conducted pursuant to Chapter 120, F.S.

(2) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(3),(7), 943.14 FS. History--New 9-17-89, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-21.018 Revocation of Certification.

(1) The certification of a Commission-certified criminal justice training school shall be revoked if the following violations occur:

(a) If a Commission-certified criminal justice training school fails to maintain compliance with the training school certification requirements pursuant to Rule 11B-21.005, F.A.C.

(b) through (e) No change.

(2) Information obtained from the written complaint or other documentation, shall be used by the Commission to determine whether probable cause exists to justify the initiation of administrative action against the Commission-certified criminal justice training school's certificate. Should a Probable Cause Hearing panel of Commission members find probable cause to believe that the training school has committed a violation ~~substantial violation~~ of Commission rules, the Commission shall:

(a) through (b) No change.

(3) through (4) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(3), 943.14 FS. History--New 10-17-90, Amended 12-13-92, 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Program Director A. Leon Lowry, II, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE CHAPTER TITLE: Certification and Employment or Appointment

RULE CHAPTER NO.: 11B-27

RULE TITLES: Moral Character

RULE NOS.: 11B-27.0011

Certification, Employment or Appointment, and Terminating Employment or Appointment of Officers

11B-27.002

Background Investigations

11B-27.0022

Controlled Substance Testing Procedures

11B-27.00225

Issuance and Maintenance of Certification

11B-27.0023

Duty to Report, Investigations, Procedures

11B-27.003

Probable Cause Determination

11B-27.004

Revocation or Disciplinary Actions;  
 Disciplinary Guidelines; Range of  
 Penalties; Aggravating and  
 Mitigating Circumstances 11B-27.005  
 Denial of Certification 11B-27.007  
 Default 11B-27.010  
 Recommended Order 11B-27.011  
 Canine Team Certification 11B-27.013

**PURPOSE AND EFFECT:** To revise rule language pertaining to the following subject areas: State examination process; Commission-certified criminal justice training schools, background investigation procedures; fingerprint card process; applicant medical requirements; Agency New Hire Report; analysis of urine sample for controlled substances; Juvenile Sexual Offender Investigation training; Human Diversity Training; conditions to be satisfied as a precondition to processing officer probable cause determinations; violation of 790.10, F.S., Improper Exhibition of a Weapon; defaults; recommended orders; and canine team certification.

**SUMMARY:** To revise rule language to reflect that conduct subverting or attempting to subvert the Criminal Justice Standards and Training Commission-approved examination process shall apply to both the State Officer Certification Examination and Advanced and Specialized training administered by Commission-certified criminal justice training schools (Section E-1.4 of the Commission’s Policies and Procedures Manual reflects this change); to add rule language describing the specific conduct that subverts or attempts to subvert the examination process (Section E-1.4 of the Commission’s Policies and Procedures Manual reflects this change); to renumber rule paragraphs accordingly; to delete redundant rule language; to incorporate into rule the Agency New Hire Report form CJSTC-207 (Section B-2.1 of the Commission’s Policies and Procedures Manual reflects this change); to clarify rule language regarding the Physician’s Assessment form CJSTC-75 and the Patient Information form CJSTC-75A; to revise the Affidavit of Applicant form CJSTC-68 by deleting the word “verifies” and replacing with the word “attests” (This form is required to be notarized); replace ATMS2 with ATMS; to unincorporate the Background Investigations Manual from the CJS&T Commission Policies and Procedures Manual, because it is not mandated by the Commission and to revise Rule 11B-27.0022(2)(a)-(e), FAC., by adding the statutory requirements for conducting Background Investigations (Section B-2.6 of the Commission’s Policies and Procedures Manual reflect these changes); to add rule language to allow an applicant to submit to their employing agency evidence that he or she lawfully used or ingested a controlled substance (Section B-2.5 of the Commission’s Policies and Procedures Manual reflects this change); to revise statutory references in the “Law Implemented” of this rule; to clarify existing rule language; to revise the Employment Background Investigative Report form CJSTC-77 effective 9/23/99; to make grammatical revisions;

to delete unnecessary references to the CJS&T Commission Policies and Procedures Manual; to add rule language allowing a certified officer, who completes or instructs Juvenile Sexual Offender Investigations training, to apply this training toward satisfying their mandatory retraining requirements (Sections D-1.2 and 1.3 of the Commission’s Policies and Procedures Manual reflect these changes); to reformat this rule for clarification purposes; to delete unnecessary rule language; to delete vague rule language and replace with clearer rule language (Section “D” of the Commission’s Policies and Procedures reflect these changes); to revise the terms and conditions of officer probationary periods; to repeal Rules 11B-27.010 and .011, FAC., because these Rule Chapters contain language redundant to Chapter 120, F.S.; and to specify that a General Duty K-9 Team Application form CJSTC-70 shall be submitted to Commission staff for those applicants who are requesting initial certification or recertification.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 943.03(3),(4), 943.12(1), 943.133(3), 943.1395 FS.

**LAW IMPLEMENTED:** 120.54(5), 120.60, 120.62, 943.12, 943.12(3),(9),(17), 943.13, 943.13(7),(11), 943.133, 943.135, 943.139, 943.139(3), 943.1395, 943.1395(5),(7),(8), 943.14(1),(2),(3), 943.19, 943.1701, 943.1715, 943.1716, 943.253 FS.

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

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

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

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

- 11B-27.0011 Moral Character.
- (1) through (2) No change.

(3) Upon written request and submission of all materials, as specified in the Criminal Justice Standards and Training Commission Policies and Procedures Manual, revised ~~October 13, 1999, January 1999~~, hereby incorporated by reference, the Commission shall evaluate the qualification of an applicant to determine compliance with "good moral character," pursuant to this rule section.

(4) For the purposes of the Commission's implementation of any of the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer's failure to maintain good moral character required by Section 943.13(7), F.S., is defined as:

(a) through (b) No change.

(c) The perpetration by an officer of acts or conduct that constitute the following offenses:

1. through 7. No change.

8. Conduct that subverts or attempts to subvert the ~~examination State Officer Certification Examination~~ process, for Commission-approved training at a Commission-certified ~~criminal justice training school~~ or an employing agency promotional examination process which shall include the following: pursuant to Rule 11B-30.009(3), FAC:

a. ~~Removing from the examination room any of the examination materials.~~

b. ~~Reproducing or reconstructing any portion of the examination.~~

c. ~~Aiding by any means in the reproduction of any portion of the examination.~~

d. ~~Selling, distributing, buying, receiving, or having unauthorized possession of any portion of a past, current, or future examination.~~

e. ~~Communication with any other examinee during the administration of the examination.~~

f. ~~Copying answers from another examinee, or intentionally allowing one's answers to be copied by another examinee during the administration of the examination.~~

g. ~~Having in one's possession during the administration of the examination, any books, notes, written, or printed materials or data of any kind, not supplied as part of, or required for, the test administration.~~

h. ~~Falsifying or misrepresenting information required for admission to the examination.~~

i. ~~Impersonating an examinee.~~

j. ~~Having an impersonator sit for the examination on one's behalf.~~

k. ~~Disrupting test administration.~~

(d) No change.

(5) The employing agency shall forward to the Commission the agency's investigative report pursuant to procedures established in Rule 11B-27.003(2),(3), FAC., when an allegation has been made that an officer has failed to maintain good moral character, as defined in paragraph (4) of this rule, and has been sustained by the employing agency; or

an act of conduct by the officer has resulted in the officer's arrest. The report shall be forwarded immediately upon separation of the officer from employment, or, if the officer is not separated from employment, within 45 days from the date an allegation has been sustained, as set forth in this rule section. An employing agency shall forward to Commission staff an investigation report pursuant with procedures established in Rule 11B-27.003(2) (4), FAC., when the following acts or allegations have occurred:

~~(a) An allegation has been made that an officer has failed to maintain good moral character defined in paragraph (4) of this rule section, and the allegation has been sustained by the employing agency; or~~

~~(b) If an act or conduct by the officer has resulted in the officer's arrest, the report shall be forwarded to Commission staff immediately upon the officer's separation from employment; or~~

~~(c) If the officer is not separated from employment within 45 days from the date the allegation is sustained pursuant to this rule section.~~

(6) Upon receipt of information pertaining to an officer's misconduct, including violations of (4)(b) or (4)(c) of this rule section, Commission staff shall review the information to determine whether to initiate a Commission probable cause review; based upon, ~~but not limited to,~~ the following conditions:

(a) The severity of the violation.

(b) The existence of any pecuniary benefit realized by the officer as a result of the misconduct.

(c) Evidence of any intent by the officer to harm, deceive, or defraud.

(d) In cases involving false statements the materiality of the false statements.

(e) The disciplinary action taken by the employing agency.

(f) Previous disciplinary action or acknowledgement taken by the Criminal Justice Standards and Training Commission.

(7) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99.

11B-27.002 Certification, Employment or Appointment, and Terminating Employment or Appointment of Officers.

(1) Prior to submitting an application for certification or reactivation of certification, the employing agency shall collect, verify, and have on record, documents establishing that an applicant has met the requirements of Sections 943.13(1) through (10), F.S., to include the following requirements:

(a) through (b) No change.

(c) An Applicant Fingerprint Card, FBI form FD-258, January 1999, hereby incorporated by reference, that has been processed by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, pursuant with the

Criminal Justice Standards and Training Policies and Procedures Manual. An Applicant Fingerprint Card shall be processed in conjunction with an officer's employment or appointment, regardless of the existence of an officer's processed Applicant Fingerprint Card from a previous employment or appointment.

~~(d) Upon request by Commission staff, the employing agency administrator shall forward the required documentation to Commission staff verifying that appointed or employed officers have met the requirements of Section 943.13, F.S.~~

~~1. If in the event that a processed Applicant Fingerprint Card is not available at the time the Registration of Employment Affidavit of Compliance form CJSTC-60, revised January 21, 1999, hereby incorporated by reference, is completed, and the applicant meets the necessary qualifications established by statute or this rule section, the employing agency may employ or appoint the applicant as an officer, provided that a computerized Florida criminal history check has been made and the results are on file with the employing agency. Pursuant with Section 943.13(5), F.S., upon receipt of the processed Applicant Fingerprint Card, the employing agency shall notify the Commission by submitting a Fingerprint Notification form CJSTC-62, revised October 27, 1998, hereby incorporated by reference. The information on the CJSTC-62 form may be electronically transmitted via the Commission's Automated Training Management System (ATMS) (ATMS2).~~

2. through 3. No change.

~~(d)(e) A Physician's Assessment and Patient Information form CJSTC-75, revised April 11, 1999 and Patient Information Medical History Questionnaire form CJSTC-75A, revised March 11, 1999 June 19, 1997, hereby incorporated by reference, or an equivalent form signed by a physician licensed in the United States or its territories, showing that the applicant has met the medical standards required by the Commission. A Physician's Assessment and Patient Information form CJSTC-75 or equivalent, shall be signed by a physician licensed in the United States in conjunction with an officer's employment or appointment, regardless of the existence of a signed Physician's Assessment and Patient Information form CJSTC-75 or equivalent, from a previous employment or appointment of that officer.~~

~~(e)(f) Evidence, by verification of military records, that the individual has not received a dishonorable discharge from any of the Armed Forces of the United States.~~

~~(f)(g) An Affidavit of Applicant form CJSTC-68, revised January 21, 1999, hereby incorporated by reference, executed by the applicant that attests verifies the applicant meets the employment or appointment qualifications pursuant to Section 943.13(1) through (10), F.S.~~

~~(g)(h) Evidence that a thorough background investigation was conducted pursuant to Rule 11B-27.0022, FAC. A thorough background investigation conducted pursuant to Rule~~

11B-27.0022, FAC., shall be conducted in conjunction with an officer's employment or appointment, regardless of existing evidence that a thorough background investigation of the officer was conducted for a previous employment or appointment.

~~(h)(i) Evidence that the applicant has successfully completed the Basic Recruit Training Program in the discipline for which certification is being sought, pursuant to Section 943.17(1) and (3), F.S., or is being employed or appointed pursuant to Section 943.131, F.S., and the applicant has successfully passed the State Officer Certification Examination for the discipline for which certification is being sought pursuant to Rule 11B-35.002(2)(c), FAC. If the applicant is exempt from the Basic Recruit Training Program pursuant to Section 943.131(2), F.S., and Rule 11B-35.010, FAC., the employing agency who initially employed the applicant as an officer shall maintain on file a copy of a completed Equivalency-of-Training and Out-of-State and Federal Officers form CJSTC-76, revised September 2, 1998, hereby incorporated by reference, and additional documentation maintained on file pursuant to Rule 11B-35.010(2)(b) and (c), FAC.~~

1. through 4. No change.

~~(i) The employing agency administrator shall provide to Commission staff documentation that will allow verification that all appointed or employed officers have met the requirements of Section 943.13, F.S. Commission staff shall document compliance with employment requirements pursuant to Section 943.13, F.S., on an Agency New Hire Report form CJSTC-207, 10/1/99, hereby incorporated by reference.~~

(2) through (3) No change.

(4) Upon an officer's separation from employment or appointment, the agency shall immediately notify the Commission pursuant to Section 943.139, F.S. Notice shall be made by the employing or appointing agency to Commission staff by submitting an Affidavit of Separation form CJSTC-61, revised October 27, 1998, hereby incorporated by reference. The information on the CJSTC-61 form may be electronically submitted via the Commission's Automated Training Management System (ATMS) (ATMS2).

(5) An Affidavit of Separation form CJSTC-61A, revised December 17, 1997, hereby incorporated by reference, shall be completed and submitted with form CJSTC-61, or may be electronically submitted via the Commission's ATMS ATMS2, as follows:

(a) through (c) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, ~~943.133, 943.134, 943.139, 943.1395~~ FS. History-New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, \_\_\_\_\_.



## 11B-27.0022 Background Investigations.

(1) The employing agency shall conduct a thorough background investigation of each applicant upon certification, employment, or appointment ~~pursuant to procedures for conducting background investigations, which are established in the Criminal Justice Standards and Training Commission Policies and Procedures Manual.~~ The agency shall have on record a summary of the findings signed and dated by the investigator and the chief administrator or designee that verifies the following information:

(a) through (c) No change.

(d) A urine sample furnished by the applicant was analyzed for the presence of controlled substances or evidence pursuant to Rule 11B-27.00225, FAC. In cases where an applicant's urine sample is found to contain a controlled substance or evidence thereof, upon the completion of the analysis procedures pursuant to Rule 11B-27.00225, FAC., the employing agency shall, if requested by the applicant, permit the applicant to provide to the employing agency evidence that the applicant lawfully used or ingested the said controlled substance.

(e) No change.

(2) The employing agency shall, at a minimum, use the following background means to complete its investigation procedures:

(a) ~~Use Neighborhood checks by attempting, where practical, to have a contact interview with at least (3) three neighbors of the applicant within the previous (3) three years. The content of the interview shall be the same regardless of the means of the neighborhood check. The interview shall be attempted in the following order of preference: in person, by telephone, or by mail.~~

(b) ~~Use Previous employment data obtained from prior employers, law enforcement records, and military history checks.~~

(c) Local law enforcement records, Florida Criminal Information Center records, National Criminal Information Center records and military records.

(d)~~(e)~~ Questioning of the applicant regarding ~~of~~ any history of prior unlawful conduct.

(e)~~(d)~~ Questioning of the applicant regarding ~~about~~ any unlawful drug use pursuant to Rule 11B-27.0011(2), FAC.

(e) ~~Use other means to complete its investigation, including a job-related psychological examination and a polygraph examination.~~

(f) ~~In cases where an applicant's urine sample is found to contain a controlled substance or evidence thereof, upon the completion of the analysis procedures pursuant to Rule 11B-27.00225, FAC., the employing agency shall, if requested by the applicant, permit the applicant to provide to the employing agency evidence that the applicant lawfully used or ingested the said controlled substance.~~

(3) Upon the effective date of this rule section, the employing agency completing the background investigation shall submit to Commission staff a Registration of Employment Affidavit of Compliance form CJSTC-60. The information on the CJSTC-60 form may be electronically submitted via the Commission's Automated Training Management System (ATMS) ~~(ATMS2)~~, and the agency shall also submit a completed original of the Employment Background Investigative Report form CJSTC-77, revised September 23, 1999, ~~October 27, 1998~~, hereby incorporated by reference. The information on the CJSTC-77 form may be electronically submitted via the Commission's ATMS ~~ATMS2~~. The original form CJSTC-77 that has been signed and dated by the investigator and the chief administrator or designee, shall be retained in the applicant's file.

Specific Authority 943.03(4), 943.12(1), 943.133(3) FS. Law Implemented 943.13(7), 943.133, 943.139(3) FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93, 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

## 11B-27.00225 Controlled Substance Testing Procedures.

(1) The employing agency is required to conduct a background investigation upon each applicant for upon certification, employment, or appointment and shall include the analysis of a urine sample furnished by the applicant for the presence of controlled substances or metabolites, which shall be consistent with the procedures for drug testing pursuant to Section 112.0455, F.S., Drug-Free Workplace Act, effective July 1, 1998, and Chapter 59A-24, FAC., Drug-Free Workplace Standards, effective March 11, 1998, which have been adopted by the Agency for Health Care Administration. The costs of urine sample collection and analysis, or any aggregate thereof, may be borne by the employing agency or the applicant at the discretion of the employing agency.

(2) through (4) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.133, 943.1395 FS. History—New 7-13-87, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

## 11B-27.0023 Issuance and Maintenance of Certification.

(1) Issuance. For those applicants who have not been previously certified and who have met all certification requirements pursuant to Section 943.13(1) through (10), F.S., the employing agency shall submit to Commission staff an Application for Certification form CJSTC-59, January 21, 1999, hereby incorporated by reference, and shall certify that the applicant is eligible for certification by the Commission. The information on the CJSTC-59 form may be electronically transmitted via the Commission's Automated Training Management System (ATMS) ~~(ATMS2)~~. Effective April 1, 1999, upon receipt of the CJSTC-59, Commission staff shall review the application for compliance with the requirements of Section 120.60, F.S. Upon a determination that the applicant is eligible for certification, the Commission shall issue a Certificate of Compliance.

(a) Effective April 1, 1999, upon a determination that an Application for Certification form CJSTC-59 contains missing or deficient documentation, an Officer Certification Deficiency Notification form CJSTC-259, January 21, 1999, hereby incorporated by reference, shall be completed by a Commission ~~staff~~ Field Specialist to notify the applicant and employing agency of the deficient or missing documentation. The employing agency shall submit the missing or deficient documentation to Commission staff within 90 days of the date the CJSTC-259 form was issued. Failure to submit missing or deficient documentation within the required 90-days, shall result in a recommendation of denial of the applicant's request for certification.

(b) The certificate issued pursuant to paragraph (1) of this rule section, shall be issued in the name appearing on the Application for Certification form CJSTC-59, which shall coincide with the name appearing on the birth certificate, certificate of naturalization, or other documents providing evidence of a legal name change. A Name Change form CJSTC-79, revised January 26, 1996, hereby incorporated by reference, shall be completed and submitted to Commission staff, ~~pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual~~. A Certificate of Naturalization Application form G-639, March 21, 1994, hereby incorporated by reference, if required to prove U.S. citizenship, may be obtained from the Immigration and Naturalization Service to apply for a certificate of naturalization, ~~pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual~~.

(2) Maintenance. On or after July 1, 1985, each certified officer shall be required to receive periodic Commission-approved continuing training or education, at the rate of 40-hours every four (4) years as specified in the following paragraphs:

(a) through (b) No change.

(c) Training used to satisfy the mandatory retraining requirement shall be submitted by the employing agency to Commission staff by completing a Mandatory Retraining Report form CJSTC-74, revised October 27, 1998, hereby incorporated by reference. The information on the form CJSTC-74 may be electronically transmitted via the Commission's Automated Training Management System ~~(ATMS)~~ (ATMS2).

(d) through (g) No change.

(h) With respect to officers completing continuing training or education on or after July 1, 1993, the following conditions shall be included as a part of the continuing training or education:

1. through 2. No change.

3. Pursuant to Sections 943.1715 and 943.1716, F.S., the Commission shall incorporate instruction for officers in the subject of interpersonal skills relating to diverse populations, with an emphasis on the awareness of cultural differences.

Certified officers, who are Commission-certified Human Diversity Instructors and elect to instruct Human Diversity Training. All Commission-certified criminal justice instructors shall meet the requirements for Human Diversity Instructor Training pursuant to Rule 11B-20.001(4)(g), FAC. Certified Human Diversity Training Instructors may elect to substitute completion or instruction of the Commission-approved 20-hour Human Diversity Instructor Training course, or instruction of the 8-hour Human Diversity Training course, to satisfy human diversity requirements for mandatory retraining pursuant to paragraph (g) of this rule section.

4. Effective July 1, 1998, pursuant to 943.17295, F.S., the Commission shall incorporate instruction on Juvenile Sexual Offender Investigations training into the Basic Recruit Training Curriculum and mandatory retraining requirements. A law enforcement officer shall be required to complete training in the subjects of sexual abuse and assault investigation, with emphasis on cases involving child victims or juvenile offenders as part of the 40-hour mandatory retraining requirement. Certified officers who elect to instruct Juvenile Sexual Offender Investigation training, pursuant to the requirements of this rule section, may substitute completion or instruction of Juvenile Sexual Offender Investigation training to satisfy their mandatory retraining requirements.

(i) No change.

(j) An officer who has a lapse in service of under four (4) years, shall complete the mandatory retraining requirement prior to resuming active service with an agency. An officer who wishes to claim training as mandatory retraining, which was taken during a period when their certification was inactive, shall provide proof of the training to the prospective employing agency. The employing agency shall determine if the continuing training or education requirements have been satisfied, and shall ~~complete~~ and submit a completed Mandatory Retraining form CJSTC-74, and documents to Commission staff.

(k) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, ~~943.1395~~, 943.1701, ~~943.1715~~, 943.1716, 943.253 FS. History—New 10-6-82, Amended 12-28-83, 1-7-85, 7-1-85, Formerly 11B-27.023, Amended 7-13-87, 5-23-88, 8-30-89, 5-13-92, 5-14-92, 12-13-92, 1-19-94, 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-27.003 Duty to Report, Investigations, Procedures.

(1) No change.

(2) Upon concluding the investigation;

(a) If the allegations are sustained, by the employing agency, the employing agency shall complete an Internal Investigation Report form CJSTC-78, revised February 29, 1996, hereby incorporated by reference, regardless of whether any civil service appeal, arbitration, employment hearing, administrative, civil, or criminal action is pending or contemplated.

(b) If the employing agency concludes that the allegations are not sustained, unfounded, or the officer has been exonerated, or the allegations that are sustained are only violations of the employing agencies' policies, and are not violations of Sections 943.13(4) or (7), or Rule 11B-27.0011(4), FAC., the employing agency shall complete the Internal Investigation Report form CJSTC-78, and maintain the completed form on file at the agency.

(c) If the allegations are sustained, and are a violation of Sections 943.13(4) or (7), F.S., or Rule 11B-27.0011(4), FAC., the employing agency shall forward to Commission staff the complete investigative package, which shall include the following:

- 1.(a) A completed Internal Investigation Report form CJSTC-78.
- 2.(b) The allegations.
- 3.(c) A summary of the facts.
- 4.(d) Names of witnesses.
- 5.(e) Witness statements and depositions.
- 6.(f) Certified court documents.
- 7.(g) Any other supportive documentation or information.

(d)(3) If the officer is separated from employment, the employing agency shall provide an investigative package, however, the agency shall submit a completed Affidavit of Separation form CJSTC-61, and form CJSTC-61A, in the case of a separation of employment pursuant with Rule 11B-27.002(4)-(5), FAC.

(3)(4) The investigative package and any subsequent report or investigation based on it, may provide evidence of probable cause to initiate proceedings for possible disciplinary action against the officer's certification. The employing agency shall make its report to Commission staff no later than 45 days after the allegations are sustained.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 420.60, 943.1395(5) FS. History--New 10-6-82, Amended 1-7-85, Formerly 11B-27.03, Amended 12-13-92, 9-5-93, 7-7-99,\_\_\_\_\_.

11B-27.004 Probable Cause Determination.

At the conclusion of the preliminary investigation and when the reports and documents are received as directed by Sections 943.139 and 943.1395, F.S., a determination of probable cause shall be made before the Commission initiates proceedings to take disciplinary action against the certification of an officer.

(1) through (7) No change.

(8) In cases where Commission staff determines to initiate a Commission Probable Cause Panel review, ~~and the for the following reasons: The respondent has been terminated by the employing agency; the penalty guidelines of Rule 11B-27.005(5), FAC., specify probation or suspension as the maximum penalty for the offense; aggravating circumstances do not exist that may prompt the Commission to depart from the guidelines and consider revocation of certification; and~~ subject to the below listed conditions, Commission staff shall

present the matters to a Probable Cause Panel on a consent agenda. The Probable Cause Panel shall issue a Letter of Acknowledgment of agency action in these cases, ~~The and the~~ following conditions shall be satisfied as a precondition to such processing by Commission staff and the Probable Cause Panel:

(a) The penalty guidelines of Rule 11B-27.005(5), FAC., specify probation or suspension as the maximum penalty for the offense;

(b) Aggravating circumstances do not exist that may prompt the Commission to depart from the guidelines and consider revocation of certification;

(c)(a) Commission staff shall include on the consent agenda the following information: The name, social security number, employing agency of the respondent, the nature of the misconduct, and a statement that the employing agency took significant agency action against the respondent pursuant to Rule 11B-27.005(1)-(2), FAC.

(d)(b) The alleged offense shall not be a violation of Section 943.13(4), F.S., or Rule 11B-27.0011(4)(a) or (d), FAC.

(e)(e) The respondent shall not have exhibited a "pattern of misconduct." A "pattern of misconduct" is described as more than one offense or incident of misconduct, interrelated by similar characteristics, which are not isolated incidents previously acted upon by the Commission.

(f)(d) The respondent shall not be a "repeat offender." A "repeat offender" is defined as a respondent who is present before the Probable Cause Panel for the third sustained offense, for which suspension of certification may be imposed within a five (5) year period.

(g)(e) The alleged misconduct shall not have presented a high risk of harm to the officer, other officers, or the public at large.

(9) through (12) No change.

(13) When the Probable Cause Panel has insufficient information to determine the existence of probable cause, but in good faith believes that Commission staff can obtain the information necessary to reach a decision, the panel shall enter a finding of "Insufficient information." The case shall be continued until reasonable efforts by Commission staff have been ~~initiated and~~ concluded to obtain the additional information requested by the panel, at which time the case shall be scheduled before a Probable Cause Panel for further review.

Specific Authority 943.03(4), 943.12(1), 943.1395 FS. Law Implemented 943.1395 FS. History--New 12-13-92, Amended 1-19-94, 11-5-95, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (4) No change.

(5) An employing agency shall forward to Commission staff an investigation report pursuant with procedures established in Rule 11B-27.003(2)-(4), FAC., when the following act or allegations have occurred:

(a) No change.

(b) For the perpetration by the officer of an act that would constitute any of the misdemeanor offenses, pursuant to Rule 11B-27.0011(4)(b), FAC., but where there was not a violation of Section 943.13(4), F.S., the action of the Commission shall be to impose a penalty ranging from probation of certification to suspension of certification. Specific violations and penalties that shall be imposed, absent aggravating or mitigating circumstances, include the following:

<u>Violation</u>	<u>Recommended Penalty Range</u>
1. through 4. No change.	
5. <u>Improper exhibition of a weapon</u> (790.10, F.S.)	Probation of certification with training <del>Reckless display of firearm</del>
6. through 12. No change.	

(c) For the perpetration by the officer of an act or conduct, as described in Rule 11B-27.0011(4)(c), FAC., if such act or conduct does not constitute a crime described in paragraphs (5)(a) and (b) of this rule section, the action of the Commission shall be to impose the following penalties, absent aggravating or mitigating circumstances, ~~include the following:~~

<u>Violation</u>	<u>Recommended Penalty Range</u>
1. through 8. No change.	
(d) No change.	

(6) The Commission shall be entitled to deviate from the disciplinary guidelines in this rule section, upon a showing of aggravating or mitigating circumstances by evidence presented to the Commission, if pursuant to Section 120.57(2), F.S., or to an Administrative Law Judge, if pursuant to Section 120.57(1), F.S., prior to the imposition of a final penalty. The Commission shall base a deviation from the disciplinary guidelines upon a finding of one (1) or more of the following ~~aggravating or mitigating circumstances:~~

- (a) through (b) No change.
- (7) No change.

(c) Placement on a probationary status for a period not to exceed 2 years and subject to ~~the~~ terms and conditions imposed by the Commission. The Commission shall impose one or more of the following terms and conditions of probation shall include the following, but are not limited to:

- 1. Periodic reports from the officer, supervisor, or counselor; indirect or direct supervision by ~~Commission staff~~ or a Commission-approved supervisor.

2. Furnishing urine samples and consents to the release of analysis results of random or scheduled urine drug tests, at the officer's expense and personal appearance(s) before the Commission.

3. through 4. No change.

~~5. Maintaining employment.~~

~~5.6.~~ Refraining from violations of Sections 943.13(4) and (7), F.S.

~~6.7.~~ The payment of restitution for damages or loss created by the officer's misconduct.

~~8. Any other terms or conditions as appropriate.~~

7.9. The effective date of any period of probation imposed on a respondent by the Commission shall begin fifteen days from the filing date of the Final Order, unless such probation is to follow a period of prospective suspension. Commission staff will monitor the probation status of each officer to ensure compliance with conditions of probation. Commission staff shall ~~also~~ report to the Commission satisfactory completion of probation, as well as any violations of the conditions of probation. If the officer violates any of the conditions of probation, Commission staff shall report the violations to the Commission for consideration of further disciplinary action, pursuant to paragraph (3) of this rule section, and Section 943.1395(7)(c), F.S.

(d) through (e) No change.

(8) through (9) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented ~~120.60(5), 120.62, 943.12(2), (3), 943.1395(8)(5)-(7)~~ FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-27.007 Denial of Certification.

Should the Commission find that an applicant for certification fails to meet the qualifications established pursuant to Section 943.13(1) through (10), F.S., or any rules promulgated thereunder, the Commission shall notify the applicant by forwarding ~~submitting~~ a statement of denial, and shall forward a copy to the agency that submitted the application for certification. The statement of denial shall specify the basis for Commission action, and shall be forwarded to the applicant pursuant to the procedures of Rule Chapter 120, F.S., Administrative Procedure Act, and the Uniform Rules of Procedure, Rule Chapter 28, FAC.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 120.60, 120.62, 943.1395 FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.07, Amended 7-7-99, \_\_\_\_\_.

11B-27.010 Default.

~~In the event the respondent, who has been served with an Administrative Complaint, or an applicant, who has been served with a Statement of Denial, fails to respond within 30 calendar days from the date of service, as set forth in the Explanation of Rights, such failure shall be considered a waiver of the respondent's rights to a hearing pursuant to Section 120.569, F.S., and a default may be entered, but only~~



examination questions and answers; and create the new rule language for the Application-Based Officer Certification Examination process.

SUMMARY: To delete unnecessary rule language; to revise and move rule language in (a)-(d) of Rule 11B-30.006(3), FAC., to 11B-30.008, FAC., which is more appropriate language for Rule 11B-30.008, FAC.; to revise the deadline dates for receipt, by Commission staff, of the "initial request" to sit for the Certification Examination, which shall not exceed 21 days (Section K-1.3 of the Commission's Policies and Procedures Manual reflects this change); to make grammatical revisions consistent with rule language; to revise rule language regarding "when an application to sit for the first re-examination shall be received by Commission staff" (Sections K-1.3 and 1.4 of the Commission's Policies and Procedures Manual reflects this change); to add new rule language regarding a second re-examination (Section K-1.4 of the Commission's Policies and Procedures Manual reflects this change); to add new rule language to clarify "that subsequent and successful completion of the full Basic Recruit Training Program is required to pass the certification examination" after three unsuccessful attempts have been made; to require that an applicant re-enroll and successfully complete the Application-Based Training Model if three unsuccessful attempts have been made to pass the examination; to renumber rule paragraphs accordingly; to delete statutory reference to the "Law Implemented" of this rule; to correct Commission staff's address; to comply with Rule 28-106.111, FAC., and change the number of days allowed for a hearing from 30 to 21; to allow an applicant to review their application without the review being for the sole purpose of filing objections; to add rule language to require that only materials provided by Commission staff are allowed during an examination review; to add rule language that requires an applicant who completes the Application-Based Training Model to successfully complete the Application-Based Officer Certification Examination to obtain certification (Section K-1.4 of the Commission's Policies and Procedures Manual reflects this change); to require applicants to comply with the application procedures of Rule 11B-30.006(3), FAC. (Section K-1.7 of the Commission's Policies and Procedures Manual reflects this change), in order to sit for the Application-Based Officer Certification Examination; and to require that an applicant comply with the application procedures of Rule 11B-30.006(3), FAC., for eligibility to sit for a re-examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.173, 943.1397, 943.12(18) FS.

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

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

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

11B-30.006 Application for State Officer Certification Examination, Eligibility Requirements.

(1) The following individuals are eligible to sit for the Officer Certification Examination:

(a) through (b) No change.

(c) Individuals who have successfully completed ~~the Florida Basic Recruit Training Program~~, or a comparable Basic Recruit Training Program in another state, or for the Federal Government, and have served as full-time sworn officers in another state or for the Federal Government for at least one (1) year, and are approved for an exemption from completing a Commission-approved Basic Recruit Training Program pursuant to Rule 11B-35.009 and .010, FAC. Prior to sitting for the State Officer Certification Examination, these individuals shall successfully complete the Officer Certification Examination Qualification Course, appropriate for the discipline for which the individual is seeking certification, at a Commission-certified criminal justice training school pursuant to Rule 11B-35.008, FAC.

(2) No change.

(3) Individuals ~~wishing to apply~~ applying for the initial State Officer Certification Examination shall use the Officer Certification Examination Application form CJSTC-500, April 1, 1994, hereby incorporated by reference. The application form CJSTC-500, may be obtained from a Commission-certified criminal justice training school or the Florida Department of Law Enforcement, Criminal Justice Professionalism Program. Applications to sit for the State Officer Certification Examination shall be received by Commission staff by the established deadline date, which shall not exceed ~~be at least~~ 21 days prior to the published scheduled examination date, pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual,

~~October 13, 1999 January 1999, hereby incorporated by reference. The application shall be accompanied by a \$75 application fee that shall be a cashier's check, money order, or a public agency's instrument made payable to the Criminal Justice Standards and Training Trust Fund, the following:~~

~~(a) Applicants who have completed a Basic Recruit or Cross Training Program, shall submit with the original application, a \$75 application fee, that shall be a cashier's check, money order, or a public agency's instrument made payable to the Criminal Justice Standards and Training Trust Fund.~~

~~(b) Applicants shall bring to the test administration site, proof of successful completion of a Commission-approved Basic Recruit Training Program or Officer Certification Examination Qualification Course appropriate for the discipline for which the individual is seeking certification. Training shall have been completed not more than four (4) years prior to the examination date. The following documentation shall be acceptable:~~

~~1. A Certificate of Completion, or duplicate, that shall contain the name of the Commission-certified criminal justice training school, applicant's name, discipline and training program completed, training completion date, number of hours completed, and signature of the training center director; or~~

~~2. A Letter of Completion submitted in lieu of a Certificate of Completion, which shall be an original letter, on the training school's center letterhead, and signed by the training center director. The letter of completion shall include the discipline and training program completed, the training completion date, and number of hours completed.~~

~~(c) Non active Florida certified officers who have a break in service of more than four (4) years shall submit with the original application, a \$75 application fee, which shall be a cashier's check, money order, or public agency's instrument, made payable to the Criminal Justice Standards and Training Trust Fund. Applicants shall bring to the test administration site:~~

~~1. Proof of graduation from a Commission-approved Officer Certification Examination Qualification Course, in the form of a copy of a Certificate of Completion form, or~~

~~2. A letter from the criminal justice training center director, pursuant to paragraph (2)(b)-(c) of this rule section.~~

~~(d) Individuals who have successfully completed the Florida Basic Recruit Training Program, or a comparable Basic Recruit Training Program in another state or for the Federal Government, and have served as full-time sworn officers in another state or for the Federal Government, for at least (1) one year, shall submit with the original application, a \$75 application fee, which shall be a cashier's check, money order, or public agency's instrument, made payable to the Criminal Justice Standards and Training Trust Fund. Applicants shall bring to the test administration site:~~

~~1. Proof of graduation from a Commission-approved Officer Certification Examination Qualification Course, in the form of a copy of a Certificate of Completion, or~~

~~2. A letter from the criminal justice training center director pursuant to paragraph (2)(b)-(c) of this rule section.~~

~~(4) Should an applicant fail all or part of the examination, the applicant shall be allowed to make application for re-examination. Applications for a first re-examination shall be received by Commission staff by the established deadline date, which shall not exceed 21 days prior to the published scheduled examination date. The application shall be accompanied by a \$75 application fee that shall be a cashier's check, money order, or a public agency's instrument made payable to the Criminal Justice Standards and Training Trust Fund, upon meeting the following conditions:~~

~~(a) Applications for permission to sit for a first re-examination shall be received by Commission staff by the established deadline date, which shall 21 days prior to the published scheduled examination date.~~

~~(b) The items to be submitted with the application for re-examination are, a \$75 application fee, which shall be a cashier's check or a money order made payable to the Criminal Justice Standards and Training Trust Fund, and a copy of the applicant's grade sheet from the previous failed examination.~~

~~(5) Should an applicant fail all or part of the first re-examination, the re-take applicant shall be allowed to make application for a second re-examination. Prior to sitting for the second re-examination making such application, the applicant shall re-take and successfully complete the Basic Recruit Training Course(s) Courses that correspond to the examination section(s) failed. Students re-taking the high-liability training courses are required to complete only the academic portions of the courses.~~

~~(6) Applications for a second re-examination shall be received by Commission staff by the established deadline date, which shall not exceed 21 days prior to the published scheduled examination date. The application shall be accompanied by a \$75 application fee that shall be a cashier's check, money order, or a public agency's instrument made payable to the Criminal Justice Standards and Training Trust Fund. Additionally, applicants requesting a second re-examination shall submit one of the following with the completed application: Applications for permission to sit as an applicant for a second re-examination, shall be received by Commission staff by the established deadline date, which shall 21 days prior to the published scheduled examination date.~~

~~(a) A Certificate of Completion that includes the name of the Commission-certified criminal justice training school, the applicant's name, the discipline for which certification is being sought, the name(s) and common course number(s) of the remedial course(s) completed and completion date of each individual course, and the signature of the training center director; or~~

(b) If the remedial training has not been completed at the time of application, an original letter on the training school's letterhead signed by the training center director, which shall specifically identify the discipline and original training program completed, name(s) and common course number(s) of the remedial course(s) taken, and expected completion date of each individual course.

~~(7) The items to be submitted with the application are:~~

~~(a) A \$75 application fee, which shall be a cashier's check or money order made payable to the Criminal Justice Standards and Training Trust Fund, and~~

~~(b) A copy of the applicant's grade sheet from the last re-examination. Applicants shall bring to the administration site, documentation required by paragraph (2)(b) of this rule section.~~

~~(c) A Certificate of Completion or duplicate that provides the following information:~~

~~1. The name of the Commission-certified criminal justice training school.~~

~~2. The applicant's name.~~

~~3. The discipline for which certification is being sought.~~

~~4. Name(s) and CJD number(s) of the remedial course(s) completed and completion date of each individual course.~~

~~5. The signature of the training center director, or~~

~~6. A Letter of Completion, which shall be an original letter, on the training school's center letterhead signed by the training center director, and shall specifically identify the discipline and training program completed, name(s) and CJD number(s) of the remedial course(s) taken, and completion date of each individual course.~~

~~(7)(8) If an applicant fails to successfully pass the State Officer Certification Examination after three attempts, the applicant may not sit for the examination again until the applicant has re-enrolled in and successfully complete completed the full Basic Recruit Training Program, and satisfied all requirements for successful completion within the discipline for which the applicant is seeking certification.~~

~~(8)(9) The applicant may request rescheduling to sit for the examination if either of the following conditions exist:~~

~~(a) through (c) No change.~~

~~(9)(10) Any requests for applicant rescheduling authorized pursuant to paragraph (8)(6) of this rule section, shall be submitted in writing to Commission staff. Unless otherwise stated, rescheduling granted in this rule section remains subject to all requirements for eligibility, pursuant to paragraphs (1)-(6) of this rule section, however, no additional application fee shall be charged.~~

~~(10)(11) If a mechanical fault, natural event, or other problem associated with the administration or grading of the examination occurs, Commission staff shall permit rescheduling of all or part of the examination without further application by, or cost to the applicant. The applicant shall~~

receive a letter of rescheduling within 30 working days of discovery of the problem associated with the administration or grading of the examination. Re-scheduling of the examination, pursuant to this rule section, does not constitute a re-examination pursuant to Section 943.1397(2), F.S.

~~(11)(12) Commission-certified criminal justice training schools may order officer certification examination supplies by completing a Training School Examination Supplies Request form CJSTC-514, revised January 21, 1999, hereby incorporated by reference, and submit to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Certification Examination Section.~~

~~(12)(13) All forms and the Criminal Justice Standards and Training Commission Policies and Procedures Manual referenced in this rule chapter, may be obtained by contacting the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Director's Office, Forms and Manual Liaison.~~

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18), 943.1397, 943.173 FS. History--New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99.

11B-30.007 Notification of Applicants.

(1) through (3) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.173, 943.12(18) FS. History--New 1-10-94, Amended 1-2-97, 7-7-99.

11B-30.008 Examination Administration.

(1) Commission staff shall refuse admission of applicants to sit for the examination for any individual who does not present a valid driver's license, a criminal justice agency photo I.D., or a Florida Identification Card issued by the Department of Highway Safety and Motor Vehicles.

(2) Applicants sitting for the initial examination shall bring to the test administration site proof of successful completion of a Commission-approved Basic Recruit Training Program or Officer Certification Examination Qualification Course appropriate for the discipline for which the individual is seeking certification. The following documentation shall be acceptable:

(a) A Certificate of Completion that shall contain the name of the Commission-certified criminal justice training school, applicant's name, discipline and training program completed, training completion date, number of hours completed, and signature of the training center director; or

(b) A Letter of Completion submitted in lieu of a Certificate of Completion, which shall be an original letter, on the training school's letterhead, signed by the training center director. The letter of completion shall include the discipline and training program completed, the completion date, and number of hours completed.



(3) Applicants sitting for the first re-examination are only required to show identification pursuant to paragraph (1) of this rule section.

(4) Applicants sitting for the second re-examination shall additionally show proof of successfully completing the required remedial course(s). One of the following may be accepted:

(a) A Certificate of Completion that includes the name of the Commission-certified criminal justice training school, the applicant's name, the discipline for which certification is being sought, the name(s) and common course number(s) of the remedial course(s) completed and completion date of each individual course, and the signature of the training center director; or

(b) An original letter on the training school's letterhead signed by the training center director, which shall specifically identify the discipline and training program completed, name(s) and common course number(s) of the remedial course(s) taken, and completion date of each individual course.

(5)(4) During all examinations, applicants shall follow the instructions of the examination administrator. Failure to comply with the administrator's instructions shall result in disqualification from the examination session, and forfeiture of the application fee.

~~(2) Commission staff shall refuse admission of applicants to sit for the examination for any individual who does not present a valid driver's license or a criminal justice agency photo I.D., or a Florida Identification Card issued by the Department of Highway Safety and Motor Vehicles.~~

(6)(3) An applicant shall not be admitted to the examination administration after the door to the examination site is closed. The applicant shall forfeit the examination fee and may re-apply to Commission staff to sit for the examination, and shall again have to comply with all of the provisions of Rule 11B-30.006, FAC.

(7)(4) All examination booklets, answer sheets, and other examination papers and materials are the sole property of Commission staff. An applicant shall not remove any of the examination booklets, answer sheets, or other examination papers or materials from the examination room, or retain or reproduce the materials in whole, or in part, by any means or method whatsoever.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18); 943.173 FS. History--New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-30.010 Persons Charged with Violations – Right of Hearing.

(1) An applicant charged by Commission staff with a violation of Rule 11B-30.009(2) or (3), FAC., may, within 21 ~~30~~ days of receipt of notice of being charged with such violation, request a hearing by filing a written request with Commission staff.

(2) The applicant's request shall specify the nature of the dispute with Commission staff. Upon filing a timely request, the applicant shall be provided a hearing pursuant to Section 120.569, F.S.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18); 943.173 FS. History--New 1-10-94, Amended 7-7-99, \_\_\_\_\_.

11B-30.011 Grade Notification.

(1) Commission staff shall notify the applicant of the examination results approximately 30 days after the examination date.

(2) Applicant(s) failing the State Officer Certification Examination shall be notified of the subject area(s) failed, along with the requirements for re-examination and the review procedures.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18); 943.173 FS. History--New 1-10-94, Amended 1-2-97, 7-7-99.

11B-30.012 Applicant Review of Examination Questions, Answers.

(1) through (2) No change.

(3) Applicants who have taken the State Officer Certification Examination may request and receive an appointment for review of their examination. Applicants may review their examination ~~for the purpose of filing objections to the examination~~, subject to the following conditions:

(a) The Officer Certification Examination Grade Review Request form CJSTC-510, revised October 19, 1998, hereby incorporated by reference, shall be received by Commission staff within 45 calendar days from the applicant's examination date. The request shall include a copy of the applicant's grade notification. Applicants failing to meet the deadline shall be allowed to review their examination, but shall not be allowed to file objections.

(b) No change.

(c) At the examination review, the applicant shall be permitted to record on forms provided by Commission staff, all objections to the examination under review. Such forms shall remain in the custody of Commission staff, and shall be evaluated pursuant to the procedures outlined in paragraph (3)(h) of this rule section. No material of any kind shall be used during the review except those provided by Commission staff.

(d) through (i) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18); 943.173 FS. History--New 1-10-94, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-30.013 Challenge to Examination Results.

(1) Pursuant to Section 120.57(1), F.S., an applicant may request a formal hearing before the Division of Administrative Hearings regarding a denial of credit for challenges to examination questions, under the following terms and conditions:

(a)(2) The hearing request shall be filed with Commission staff no later than 45 calendar days after the examination administration date.

(b)(3) If the applicant has elected to review the examination to submit objections pursuant to Rule 11B-30.012, FAC., the request for a hearing shall be filed by Commission staff no later than 30 calendar days after the date on the letter notifying the applicant of Commission staff's evaluation decision regarding the objections.

(c)(4) The request shall state all disputed facts, procedural or substantive facts of the issue, and may include specific question numbers, only if written objections were submitted to those question numbers at the time of the initial review.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(18); 943.173 FS. History--New 1-10-94, Amended 1-2-97, 7-7-99,\_\_\_\_\_.

11B-30.014 Application-Based Officer Certification Examination.

(1) Any applicant successfully completing the Application-Based Training Model pursuant to Rule 11B-35.0022, F.A.C., shall be required to pass the Application-Based Officer Certification Examination for the discipline in which certification is being sought.

(2) Applicants shall comply with the provisions of Rule 11B-30.006(3), FAC., when applying for the Application-Based Officer Certification Examination.

(3) Applicants who fail the examination shall be permitted two re-examinations. When applying for the re-examination, applicants shall comply with the provisions of Rule 11B-30.006(3), FAC.

(4) If an applicant fails to pass the Application-Based Officer Certification Examination after three attempts, the applicant shall not sit for the examination again until re-enrolling in and successfully completing the Application-Based Training Model for the discipline in which certification is being sought.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.173, 943.12(18) FS. History--New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Program Director A. Leon Lowry, II, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE: Indexing, Management, and Availability of Final Orders

RULE CHAPTER NO.: 11B-34

RULE TITLE: System for Indexing Final Agency Orders

RULE NO.: 11B-34.007

PURPOSE AND EFFECT: Rule 11B-34.007, FAC. is redundant, obsolete or superseded by statute. The repeal of the section is necessary to comport with the statutory requirements of Chapter 120.74, F.S.

SUMMARY: Rule 11B-34.007, FAC. describes the system for the indexing of Final Agency Orders for the Criminal Justice and Standards Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.533(1)(f) FS.

LAW IMPLEMENTED: 120.53(2),(4) FS.

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

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

PLACE: 2331 Phillips Road, Elevator Conference Room, 3rd Floor, Quad C, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308-1489, (850)410-7685

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-34.007 System for Indexing Final Agency Orders.

Specific Authority 120.533(1) FS. Law Implemented 120.53(2)-(4) FS. History--New 12-13-92, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: General Counsel Michael Ramage, Officer of General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 1, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Training Programs	11B-35
RULE TITLES:	RULE NOS.:
General Training Programs and Requirements and Specifications	11B-35.001
Basic Recruit Training Programs; Law Enforcement, Correctional, and Correctional Probation	11B-35.002
Basic Recruit Training Programs; Student to Instructor Ratios and Minimum Requirements	11B-35.0021
Basic Recruit Training Programs; Student Performance in Comprehensive Examination or Examinations	11B-35.0022
Basic Recruit Training Programs; Student Transfer	11B-35.0023
Basic Recruit Training Programs; Student Performance in High-Liability Proficiency, Knowledge, Skills, and Abilities	11B-35.0024
Basic Recruit Training Programs; Law Enforcement and Correctional Auxiliary Training Program	11B-35.003
Basic Recruit Training Programs; Cross-Over Training for Law Enforcement, Correctional, and Correctional Probation Officers	11B-35.004
Career Development Training Program	11B-35.005
Advanced Training Program	11B-35.006
Specialized Training Program	11B-35.007
Officer Certification Examination Qualification Course Requirements	11B-35.008
Criminal Justice Training School Requirements for Administration and Security of Examinations	11B-35.0085
Exemption from Basic Recruit Training for Out-of-State or Federal Officers, Definitions and Applicability	11B-35.009
Exemption from Basic Recruit Training for Out-of-State or Federal Officers; Policy and Exemption Application Procedures	11B-35.010
PURPOSE AND EFFECT: To revise rule language pertaining the following subject areas: Form revisions, funding of Basic Recruit Training Courses, audit of training courses, grammatical revisions, sequencing of Basic Recruit Training Courses, correction of required course hours and course names, instructor to student ratio, 38-Hour Preparation for Defensive Tactics Course, score achievement of 80% for high-liability proficiency skills comprehensive examinations or examinations, High-Liability Training Courses for auxiliary	

officers, vehicle operations and documentation requirements for auxiliary officer training, in-service training requirements, DARE Training Center, procedures for advanced training courses, and single or multiple employments.

SUMMARY: To delete obsolete rule language; to add “dismissed” to form CJSTC-67 to reflect when a student has been dismissed from a training program; to add “proficiency checklist and performance reports” to the list of records to be audited; to renumber rule paragraphs accordingly; to move rule language, regarding radar and laser operator performance reports, to Rule 11B-35.006(7), FAC.; to clarify rule language in Rule 11B-35.001(7), FAC., concerning “student attendance”; to remove unnecessary references to the CJS&T Commission Policies and Procedures; to revise statutory references in the “Specific Authority” and “Law Implemented” of this rule; to delete rule language regarding sequencing of the Commission’s Basic Recruit Training Courses pursuant to Section 120.536, F.S.; to revise the number of required course hours for the “Criminal Justice Legal 2 (CJD\_701) course; to clarify current rule language regarding firearms training; to provide the instructor to student ratio requirements for instructing the new 38-Hour Preparation for Defensive Tactics Course (Section E-1.2 of the Commission’s Policies and Procedures Manual reflects this change); to require a student to achieve a score of at least 80% on the course’s comprehensive examination or examinations for high-liability proficiency skills pursuant to 11B-35.0024, FAC.; to clarify that if a student did not complete training at the same training school submitting the Training Report form CJSTC-67, that training school may require a student to demonstrate proficiency in any High-Liability Training Course; to make grammatical revisions; to add descriptive rule language to clarify existing rule language; to clarify that the Auxiliary Officer Prerequisite Course shall be completed at a Commission-certified criminal justice training school; to specify that the applicable High-Liability Training Courses shall be completed for certification as an auxiliary officer; to remove the inapplicable hourly requirement for High-Liability Training Courses for certification as an auxiliary officer; to add rule language to affirm that proficiency demonstration in “vehicle operations” is an employing agency requirement for auxiliary training; to clarify existing rule language regarding the High-Liability Training Courses and documentation of such courses; to remove obsolete rule language regarding in-service training requirements; to correct Course Number 098’s title; to document the physical location of the DARE Training Center; to delete Rule 11B-35.006(7), FAC., which refers to obsolete course approval procedures for Advanced Training Courses; to renumber paragraphs accordingly; to move existing rule language, regarding the Radar and Laser Operator forms, from Rule 11B-35.001(6)(d)9. and 10., FAC. to Rule 11B-35.006(7)(a) and (b), FAC. (Sections C-3.4 and 3.5 of the Commission’s Policies and Procedures Manual reflects this change); to delete the obsolete Tactical Policing Course; to

change “corrections officer” to “correctional officer” pursuant to Chapter 943; to clarify existing rule language regarding single or multiple employment; and to make grammatical, clarification, and update revisions to Section “E” of the Commission’s Policies and Procedures Manual.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.12(1),(2), 943.14(3) FS.

LAW IMPLEMENTED: 943.12(4),(5),(8), 943.13(2), 943.131 (2), 943.1395(3), 943.17, 943.17(1)(a),(b),(c), 943.173, 943.175 FS.

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

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

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, FL 32308-1489

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308-1489, (850)410-8615

THE FULL TEXT OF THE PROPOSED RULES IS:

11B-35.001 General Training Programs; Requirements and Specifications.

(1) through (2) No change.

(3) Instructors ~~and lecturers~~ who teach Commission-approved Basic Recruit, Career Development, Advanced, and Specialized Training Programs at a Commission-certified criminal justice training school, shall be certified by the Commission pursuant to Rule Chapter 11B-20, FAC.

(4) through (5) No change.

(6) Commission-approved training program reporting requirements for training center directors are as follows:

(a) through (b) No change.

(c) The training center director or designee shall forward a completed Training Report form CJSTC-67, revised February 18, 1998, hereby incorporated by reference, to the Criminal Justice Professionalism Program, Bureau of Standards,

following the completion of a course. Effective September 1, 1999 ~~September 1, 1998~~, the information on a CJSTC-67 form shall be required to be electronically transmitted via the Commission’s Automated Training Management System (ATMS) ~~(ATMS2)~~. Commission staff shall maintain student training files and verify all completed training courses.

(d) The training center director or designee shall ensure that records for all Commission-approved Basic Recruit, Advanced, and Specialized Training Courses are maintained within the Commission-certified criminal justice training school. Each course ~~funded by the Criminal Justice Standards and Training Trust Fund~~, shall be subject to audit by Commission staff. Such records shall include:

1. through 4. No change.

5. Applicable proficiency checklist and performance reports.

~~6.5.~~ A list of Commission-certified criminal justice training instructors, or instructors exempt from general instructor certification pursuant to Rule 11B-20.001(3)(a)-(e), FAC.

~~7.6.~~ Attendance records.

~~8.7.~~ Course outlines or schedules.

~~9.8.~~ Training Report form CJSTC-67.

~~9. Radar Operator Performance Report form CJSTC-8, July 1, 1995, hereby incorporated by reference.~~

~~10. Laser Operator Performance Report form CJSTC-9, July 1, 1995, hereby incorporated by reference.~~

(7) Attendance: A student shall not be considered to have successfully completed a Commission-approved training course, ~~from any session of such course~~, if there is an unexcused absence, from any session of such course, ~~has been documented in the student course file.~~

(8) Attendance Records Requirements:

(a) through (b) No change.

(c) The training center director shall maintain documentation in class files that specifies the reason for any excused student absence(s). Any make-up work required of a student as the result of an excused absence, shall be maintained in the student’s file ~~documented pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual.~~

(d) No change.

(9) Florida 4-year accredited colleges and universities approved by the Commission to offer the Correctional Probation Officer Basic Recruit Training Program shall:

(a) Report to the Commission when a student has successfully completed the Commission-approved objectives curriculum for the Correctional Probation Officer Basic Recruit Training Program.

(b) through (c) No change.

(10) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-35.002 Basic Recruit Training Programs; Law Enforcement, Correctional, and Correctional Probation.

(1) There is established by the Criminal Justice Standards and Training Commission, Basic Recruit Training Programs, which are listed in the Criminal Justice Standards and Training Commission Policies and Procedures Manual, revised October 13, 1999, January 1999, hereby incorporated by reference. These programs provide the minimum required employment skills necessary for officer certification pursuant to Section 943.10(1)-(3), F.S.

(2) No change.

(3) Basic Recruit Training Program course requirements are as follows:

(a) through (d) No change.

~~(e) Institutional sequencing of Commission approved Basic Recruit Training Courses shall be determined by Commission certified criminal justice training schools in conjunction with their Regional Training Councils.~~

(4) Basic Recruit Training Programs. The Commission-approved curricula for courses in the Commission-approved Basic Recruit Training Programs shall be on file in the Criminal Justice Professionalism Program. Effective February 4, 1999, such programs shall include the following courses:

Minimum Hours

(a) through (c) No change.

(d) Associates of Science Criminal Justice Combination Academy Track

Criminal Justice Legal 1	CJD_700	54.0
Criminal Justice Legal 2	CJD_701	<u>52.0</u> <del>53.0</del>
Criminal Justice Communications	CJD_702	62.0
Interpersonal Skills 1	CJD_703	66.0
*Criminal Justice Defensive Tactics	CJD_704	106.0

\*Includes the 38-hour Preparation for Defensive Tactics Course, effective 7/1/98

Criminal Justice Weapons	CJD_705	64.0
Medical First Responder	CJD_254	48.0
(Options: CJT_362 or EMS_1059)		
Law Enforcement Legal 3	CJD_720	32.0
Law Enforcement Patrol	CJD_721	64.0
Law Enforcement Traffic	CJD_722	46.0
Vehicle Operations	CJD_723	32.0
Law Enforcement Investigations	CJD_724	64.0
Interpersonal Skills 2	CJD_740	50.0
Emergency Preparedness	CJD_741	26.0
Correctional Operations	CJD_742	64.0
Total		830.0

(e) through (h) No change.

(5) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99,\_\_\_\_\_.

11B-35.0021 Basic Recruit Training Programs; Student to Instructor Ratios and Minimum Requirements.

Student to instructor ratios for a Commission-approved Basic Recruit Training Program are as follows:

(1) For instruction of criminal justice weapons, no more than six (6) students for each Commission-certified firearm instructor actively engaged in training on a firearms range, conducting live firearm training.

(2) No change.

(3) For instruction of defensive tactics, no more than eight (8) students for each Commission-certified defensive tactics instructor while actively engaged in defensive tactics training or a performance evaluation. For instruction of the 38-Hour Preparation for Defensive Tactics Course, the student to instructor ratio shall be (2) two instructors for each class for the first (20) students actively engaged. Each additional 20 students, or any portion thereof, shall require an additional instructor.

(4) No change.

Specific Authority 943.03(4), 943.12(1),(2), 943.14(3) FS. Law Implemented 943.12(5), 943.17 ~~943.14(3)~~ FS. History—New 12-13-92, Amended 1-2-97, 7-7-99,\_\_\_\_\_.

11B-35.0022 Basic Recruit Training Programs; Student Performance in Comprehensive Examination or Examinations.

(1) To successfully complete a Commission-approved Basic Recruit Training Course, exclusive of the demonstration of high-liability proficiency skills other than a High Liability Training Course, pursuant to 11B-35.0024, FAC., a student shall achieve a score of at least 80 percent on the course's comprehensive examination or examinations, which is intended to measure the student's acquisition of knowledge, skills, and abilities.

(2) To successfully complete an Application-Based Training Model, pursuant to Rule 11B-35.002(4)(f), (4)(g), or (4)(h), FAC., a student shall, ~~in addition to passing the comprehensive examination or examinations,~~ demonstrate knowledge, skills, and abilities in all assessments included within the curriculum.

~~(3)~~(2) The training center director or designee is responsible for the development, maintenance, and administration of the comprehensive examination or examinations for each of the Commission-approved Basic Recruit Training Courses. The training center director may develop, maintain, and administer additional academic tests for any such courses, and is not limited to only the utilization of the comprehensive examination or examinations. Commission-certified criminal justice training schools shall maintain all academy basic recruit training course examinations in compliance with the administration, confidentiality, and security requirements, pursuant to Rule 11B-35.0085(2) and (3), FAC.

~~(4)(3)~~ Training center directors may administer only one re-examination for each of the comprehensive examination or examinations for Commission-approved Basic Recruit Training Courses, if the training center director determines that one of the following conditions exists:

~~(5)(4)~~ Each Commission-certified criminal justice training school shall develop its own re-examination policy that documents the justification for re-examination and is approved by the Regional Training Council. Such training school shall maintain its re-examination policy on file for Commission and student review.

~~(6)(5)~~ The training center director shall approve all re-examinations and maintain appropriate documentation on file for Commission review.

~~(7)(6)~~ A student may petition the training center director to request consideration for a re-examination.

~~(8)(7)~~ If a student does not successfully pass either the comprehensive examination or examinations, or if necessary, its re-examination, the student shall be deemed to have failed that particular Basic Recruit Training Course.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(4), 943.17 FS. History--New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.0023 Basic Recruit Training Programs; Student Transfer.

(1) through (3) No change.

(4) When a student has successfully completed courses included in a Commission-approved Basic Recruit Training Program at two or more Commission-certified criminal justice training schools, and has met all requirements for completion of such training program, the training school where the student has successfully completed the greatest number of courses in that program, shall, upon receipt of the student records from the other training school(s), submit a Training Report form CJSTC-67 to Commission staff. The training school submitting the Training Report form CJSTC-67, may require the student to demonstrate proficiency in any High-Liability Training Course, not completed at that school, pursuant to Rule 11B-35.0024(1), FAC. The training school submitting the Training Report form CJSTC-67, shall provide to the student written evidence of the student's successful completion of the Basic Recruit Training Program.

(5) through (6) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.17 FS. History--New 12-13-92, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.0024 Basic Recruit Training Programs; Student Performance in High-Liability Proficiency, Knowledge, Skills, and Abilities.

(1) through (2) No change.

(3) Proficiency skills and minimum student performance requirements have been established for each High-Liability Training Course. All performance requirements are available

to interested and affected persons, and may be obtained by contacting Commission staff at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program. Documentation shall be made available for inspection upon request by a Commission representative. A Commission representative shall make available for inspection, documentation related to performance requirements.

(4) through (5) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(4),(5), 943.17 FS. History--New 2-17-93, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.003 Basic Recruit Training Programs; Law Enforcement and Correctional Auxiliary Training Program.

(1) Law Enforcement and Correctional Auxiliary Basic Recruit Training Programs are created to train individuals who are applicants for employment or appointment by criminal justice agencies, with or without compensation, to assist or aid full-time or part-time officers.

(2) For certification as an auxiliary officer, an individual shall meet the requirements outlined in Section 943.13, F.S. FAC, successfully complete the Auxiliary Officer Prerequisite Course at a Commission-certified criminal justice training school, and complete the following applicable high-liability proficiency skills in a Commission-approved high-liability training courses Basic Recruit Training Program for which certification is being sought:

	<u>Total Hours</u>
(a) Criminal Justice Weapons	64.0
(b) *Criminal Justice Defensive Tactics	106.0
(c) Vehicle Operations ( <u>employing agency requirement</u> )	32.0

\*Includes the 38-hour Preparation for Defensive Tactics course, effective 7/1/98

(3) High-Liability Training Courses shall be taught by a Commission-certified criminal justice training instructor; whether taught at a Commission-certified criminal justice training school an academy or agency, pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual.

(4) A Commission-certified criminal justice training school shall submit a Training Report form CJSTC-67 to Commission staff upon an individual's completion of the Law Enforcement or Correctional Auxiliary Officer Prerequisite Course. In addition, the training school or agency shall document a student's successful completion of the applicable high-liability proficiency skills. Regardless of where the high-liability training is completed the employing agency shall maintain the training documentation, pursuant to the Criminal Justice Standards and Training Commission Policies and Procedures Manual.

(5) The Basic Recruit Training Programs include:

(a) No change.

(b) Correctional Auxiliary Officer Prerequisite Course, effective January 1, 1997:

<u>Topic Areas</u>	<u>Minimum Hours</u>
Administration	1
Legal	24
Report Writing	4
Safety Issues	4
Interpersonal Skills	5
Security Procedures and Inmate Supervision	4
Equipment	2
Facility Movement	4
Correctional Operation and Intake Procedures	1
Inmate Property	2
Search Procedures	3
Medical First Responder	48
Total Hours	102

~~\*Effective January 1, 1997, the number of hours required for the delivery of high liability training in vehicle operations, criminal justice weapons, and criminal justice defensive tactics was removed. All objectives in the Commission curricula must be successfully completed by the student.~~

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(5), 943.17(1)(a) FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.004 Basic Recruit Training Programs; Cross-Over Training for Law Enforcement, Correctional, and Correctional Probation Officers.

(1) The Commission recognizes the lateral movement of individuals between criminal justice disciplines. In an effort to provide ease of movement and to reduce duplication of instructional content, the Commission has established Cross-Over Training Programs. Individuals entering Commission-approved Cross-Over Training Programs shall comply with Section 943.1395(3), F.S., and Rule 11B-27.002(2), FAC. Each program recognizes the individual’s previous completion of training courses, and only the high-liability proficiency skills demonstration ~~in a Commission-approved Basic Recruit Training Program~~ for which the individual has not previously taken in a Commission-approved Basic Recruit Training Program shall be required ~~Course~~.

(2) through (3) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.12(5), 943.17(1)(a) FS. History—New 12-13-92, Amended 9-5-93, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.005 Career Development Training Program.

There is established by the Criminal Justice Standards and Training Commission a program of Career Development Training Courses, which shall be limited to training courses related to promotion to a higher rank or position.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.17(1)(c) FS. History—New 12-13-92, Amended 1-2-97, 7-7-99.

11B-35.006 Advanced Training Program.

(1) There is established by the Criminal Justice Standards and Training Commission an Advanced Training Program, which shall be limited to training courses that enhance an officer's knowledge, skills, and abilities for the job the officer performs. The training courses within this program shall include ~~specific specified~~ training courses that the Commission shall develop, design, implement, maintain, evaluate, and revise, or other ~~specific specified~~ training courses that are offered by Commission-certified criminal justice training schools which have been approved by the Commission, and are taught by Commission-certified training instructors.

(2) No change.

(3) Advanced Training Courses shall include one major topic, shall be at least 40 hours long, may be used by the officer to satisfy mandatory retraining requirements, or eligibility ~~which are eligible~~ for salary incentive payments when delivered through a Commission-certified criminal justice training school, ~~and may be used to meet agency in-service training requirements.~~

(4) The following is a complete list of Commission-approved Advanced Training Courses:

<u>Course</u>	<u>Course Name</u> <u>Number</u>	<u>Hours</u>
006	Line Supervision	80 hours
007	Middle Management	80 hours
011	Developing and Maintaining a Sound Organization	40 hours
012	Planning the Effective Use of Financial Resources	40 hours
013	Building and Maintaining a Sound Behavioral Climate	40 hours
016	Narcotics Identification and Investigation	40 hours
019	Criminal Law	40 hours
020	Case Preparation and Court Presentation	40 hours
032	Special Tactical Problems	40 hours
033	Sex Crimes Investigation	40 hours
036	Injury and Death Investigation	40 hours
047	Interviews and Interrogations	40 hours
050	Stress Awareness and Resolution	40 hours
051	Field Training Officer	40 hours
053	Crisis Intervention	40 hours
054	Organized Crime	40 hours
055	<del>RADAR Speed Measurement Operators</del> Training Course for Law Enforcement Officers	40 hours
057	Discipline and Special Confinement Techniques	40 hours
058	Youthful Offender Program	40 hours
068	Advanced Report Writing and Review	40 hours
072	Fire Fighting for Correctional Officers	40 hours
073	Human and Community Relations	40 hours
074	Drug Abuse Awareness and Education	40 hours

077	Underwater Police Science and Technology	80 hours
080	Computer Applications in Criminal Justice	40 hours
085	Emergency Preparedness for Correctional Officers	40 hours
087	Advanced Traffic Accident Investigation	80 hours
088	Traffic Accident Reconstruction	80 hours
090	School Resource Officer	40 hours
091	Domestic Intervention	40 hours
093	Hostage Negotiations	40 hours
094	Drug Abuse Resistance Education (D.A.R.E.)	80 hours
	FDLE instructed only	
095	Laser Speed Measurement Operators Training Course for Law Enforcement Officers	40 hours
096	Drug Abuse Resistance Education (D.A.R.E.)	40 hours
094 & 097	Drug Abuse Resistance Education (D.A.R.E.),	40 hours
098	Traffic Homicide Investigation Course*	80 hours

\*The previous Traffic Homicide Investigation course number 039 became inactive effective July 1, 1998.

(5) Course number 094, Drug Abuse Resistance Education (D.A.R.E.), may be offered only through the certified state D.A.R.E training center. The Florida certified state D.A.R.E training center is the Florida Criminal Justice Executive Institute located within the Florida Department of Law Enforcement. D.A.R.E course numbers are: Course #094 (80 hours), or #094 split with #097 (40 hours) for salary incentive, and #096 (40 hours) for mandatory retraining.

(6) No change.

~~(7) To develop a Commission-approved Advanced Training Course, a criminal justice agency or Commission-certified criminal justice training school shall follow course approval procedures outlined in the Criminal Justice Standards and Training Commission Policies and Procedures Manual, which shall include the following:~~

- ~~(a) Foreword.~~
- ~~(b) Course Outline.~~
- ~~(c) Course Narrative.~~
- ~~(d) Course Goals and Objectives.~~
- ~~(e) Assessment Instrument and Examination.~~
- ~~(f) Bibliography and Reference Materials.~~
- ~~(g) Instructor Manual.~~

~~(7)(8) To successfully complete a Commission-approved Advanced Training Course, a student shall comply with student attendance, performance, and course documentation requirements, pursuant with the Criminal Justice Standards and Training Commission Policies and Procedures Manual.~~

(a) A Radar Operator Performance Report form CJSTC-8, July 1, 1995, hereby incorporated by reference, must be completed for the Radar Speed Measurement Training Course for Law Enforcement Officers.

(b) A Laser Operator Performance Report form CJSTC-9, July 1, 1995, hereby incorporated by reference, must be completed for the Laser Speed Measurement Operators Training Course for Law Enforcement Officers.

~~(8)(9) Criminal Justice Standards and Training Trust Fund monies may be expended to conduct Commission-approved Advanced Training Courses. Commission requirements for use of trust fund monies shall be expended pursuant to the requirements of Rule Chapter 11B-18, FAC.~~

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.17(1)(b) FS. History—New 12-13-92, Amended 1-10-94, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.007 Specialized Training Program.

(1) No change.

~~(2) Officers shall have successfully completed a Commission-approved Basic Recruit Training Program to enroll in a course developed from any of the following Commission-established categories for a Specialized Training Program are:~~

(a) through (h) No change.

~~(i) Tactical Policing.~~

~~(j) Inmate Supervision and Control.~~

(3) through (6) No change.

(7) Criminal Justice Standards and Training Trust Funds may be expended to conduct Commission-approved Specialized Training Courses. Commission requirements for use of trust fund monies shall be expended pursuant to the requirements of Rule Chapter 11B-18, FAC. Completion of a Commission-approved Specialized Training Course shall be documented by completing a Specialized Training Documentation form CJSTC-16, and when applicable, completion of a Specialized Training Documentation Supplemental form CJSTC-16A, July 1, 1989, hereby incorporated by reference.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.175 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.008 Officer Certification Examination Qualification Course Requirements.

(1) Individuals applying for certification who are exempt from completing a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S. and Rule 11B-35.010, FAC., or individuals applying for re-activation of a certification who have become inactive pursuant to Section 943.1395(3), F.S., and Rule 11B-27.0026(1), FAC., are required to successfully complete one of the following training courses that relates to the applicable discipline for which the individual is applying:

<u>Course Title</u>	<u>Course Number</u>
---------------------	----------------------

(a) No change.



(b) ~~Correctional Corrections~~ Officer Certification Examination Qualification Course: 510

Topic Areas

- 1. through 6. No change.
- (c) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.131(2), 943.1395(3) FS. History—New 1-10-94, Amended 1-2-97, 7-7-99, \_\_\_\_\_.

11B-35.0085 Criminal Justice Training School Requirements for Administration and Security of Examinations.

Security and confidentiality of examinations shall be maintained by authorized criminal justice training center directors in the following manner:

- (1) through (3) No change.

Specific Authority 943.12(1),(2) FS. Law Implemented 943.173 FS. History—New 7-7-99.

11B-35.009 Exemption from Basic Recruit Training for Out-of-State or Federal Officers; Definitions and Applicability.

- (1) through (2) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.131(2) FS. History—New 1-2-97, Amended 7-7-99.

11B-35.010 Exemption from Basic Recruit Training for Out-of-State or Federal Officers; Policy and Exemption Application Procedures.

- (1) through (3) No change.
- (4) Applicant Experience. An employing agency defined in Rule 11B-35.009(1)(a), FAC., on behalf of an applicant seeking exemption, shall verify that the applicant has served as a full-time sworn officer for one year.

- (a) No change.
- (b) Single or multiple employments. An applicant may qualify for exemption from a Commission-approved Basic Recruit Training Program for more than one discipline if concurrently employed full-time for at least one year ~~with a single or aggregate of prior full-time sworn officer employments~~ with another state or states, or with the Federal Government, or both. However, the aggregate periods of full-time sworn officer experience shall be at least one year, pursuant to Rule 11B-35.009(1)(g), FAC. The applicant may not claim full-time sworn officer experience from more than two (2) previous officer employments.
- (c) through (d) No change.

(e) Submission of documentation for Commission review. Upon verification of an applicant's exemption from a Commission-approved Basic Recruit Training Program pursuant to this rule section, an employing agency, defined in Rule 11B-35.009(1)(a), FAC., on behalf of an applicant seeking exemption, shall submit to Commission staff a completed Equivalency-of-Training for Out-of-State and Federal Officers form CJSTC-76, revised September 2, 1998, hereby incorporated by reference. All supporting

documentation verifying the applicant's comparable basic recruit training and previous experience described in subparagraphs (a) and (b) of this rule section, shall be maintained on file by the employing agency, and submitted for review upon request of Commission staff. Commission ~~s~~Staff shall notify the agency, in writing, of the exemption or non-exemption of the officer, within 30 working days. If the exemption is denied by Commission staff, the applicant shall be granted a hearing pursuant to Section 120.57, F.S.

- (f) No change.

Specific Authority 943.03(4), 943.12(1),(2) FS. Law Implemented 943.131(2) FS. History—New 1-2-97, Amended 7-7-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ms. Donna Hunt, Operations and Management Consultant, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Program Director A. Leon Lowry, II, Florida Department of Law Enforcement, Criminal Justice Professionalism Program

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE CHAPTER TITLE: Criminal History Records      RULE CHAPTER NO.: 11C-6

Dissemination Policy      RULE NOS.: 11C-6.003

RULE TITLES: System Security and Public Access      11C-6.003

Procedures for Requesting Criminal      11C-6.004

History Records      11C-6.004

Access to Criminal Justice Information for      11C-6.005

Research or Statistical Purposes      11C-6.005

Sale and Delivery of Firearms      11C-6.009

PURPOSE AND EFFECT: To update the rules to reflect changes in criminal history records dissemination and retention of certain firearm records and to comport with the statutory requirements of Chapter 120.74, F.S.

SUMMARY: Proposed revisions to Rules 11C-6.003-6.005 and 11C-6.009, FAC., address and update procedures and fees for obtaining computerized criminal histories through internet access and procedures for obtaining criminal history records under the National Child Protection Act (Foley Act); revise the record retention schedule for certain firearm records from four years to five years; and update the statutory history section of the rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 790.065, 943.03(4), 943.05(2)(d), 943.053, 943.056, 943.057 FS.

LAW IMPLEMENTED: 790.65, 943.05, 943.051, 943.053, 943.056, 943.057 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11C-6.003 System Security and Public Access.

(1) through (5) No change.

Specific Authority 943.03(4), ~~943.05(2)(d)~~, 943.053 FS. Law Implemented 119.07, 943.05(2); 943.053 FS. History--New 12-9-76, Formerly 11C-6.03, Amended 7-7-99.

11C-6.004 Procedures for Requesting Criminal History Records.

(1) through (2) No change.

(3) Fees

(a) There shall be no charge for conducting record checks under (2)(a) through (c).

(b) A processing fee of \$15 shall be charged for each subject inquired upon under subsections (2)(d) through (f) unless the Executive Director of the Department determines that conducting the record check would be in the interest of law enforcement or criminal justice or if the fee is otherwise waivable, as provided in subsection 943.053(3), F.S.

(c) A processing fee of \$15.00 shall be charged for each subject inquired upon under subsections (2)(d) through (f) via the internet. This fee shall be assessed based on the inquiry regardless of whether the results show no criminal history record or some possible records. When an inquiry on one subject is made and more than one person is presented as possibly the same person, the customer will receive one

criminal history record as a result of the \$15.00 payment. If the customer wants additional criminal history records from the list of persons presented for this same inquiry, a processing fee of \$8.00 shall be charged for each additional criminal record.

(4) Entities requesting criminal history records under the National Child Protection Act of 1993, as amended, must complete for each individual criminal history check, fingerprint card as well as the following forms in accordance with the instructions provided: Qualified Entity Application and Questionnaire (NCPA 1; Rev. July 1, 1999); Criminal History Record Check User Agreement (NCPA 2; Rev. July 1, 1999); Criminal History Record Check Waiver Agreement and Statement (NCPA 3; Rev. July 1, 1999); and Dissemination Log (NCPA 4, Rev. July 1, 1999). These forms are incorporated by reference.

Specific Authority 943.03(4), 943.053(3), ~~943.05(2)~~, 943.056 FS. Law Implemented 943.053(3), 943.056 FS. History--New 12-30-76, Amended 11-7-83, Formerly 11C-6.04, Amended 9-1-88, 4-1-93, 7-7-99.

11C-6.005 Access to Criminal Justice Information for Research or Statistical Purposes.

(1) through (9) No change.

Specific Authority 943.03(4), ~~943.05(2)(d)~~, ~~943.0525~~, 943.053(1), 943.057 FS. Law Implemented ~~119.07~~, ~~943.0525~~, 943.053, 943.057 FS. History--New 11-12-81, Formerly 11C-6.05, Amended 7-7-99.

11C-6.009 Sale and Delivery of Firearms.

(1) through (12) No change.

(13) All records where the transfer was approved must be maintained by dealers for 20 years as required by Title 27, C.F.R., Part 178. All records where the transfer was non-approved must be kept by dealers in a secure area and kept confidential for five (5) four (4) years. Dealer ATF Form F-4473[5300.9] Part 1 (10/98)(10/97) where the transfer was non-approved. Records must be made available to federal, state, county and municipal law enforcement agencies in connection with their official duties upon request during business hours or other reasonable times if the dealer has no regular business hours.

(14) through (20) No change.

Specific Authority 790.065, 943.03(4) FS. Law Implemented 790.065 FS., Title 18, U.S.C., Chapter 44, and Title 27, C.F.R., Part 178. History--New 6-2-91, Amended 7-7-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Services**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:

Criminal History Records; Expunction  
 and Sealing Policy and Procedures                      11C-7

RULE TITLES:                                      RULE NOS.:

Procedures and Court-Ordered Expunctions                      11C-7.006

Procedures on Court-Ordered Sealings                      11C-7.007

Administrative Expunction Procedures                      11C-7.008

PURPOSE AND EFFECT: Amendments reflect various housekeeping changes pursuant to s. 120.74, F.S.

SUMMARY: Proposed revisions to Rules 11C-7.006-7.008, FAC., update the language and procedures pertaining to the submission and processing of court-ordered expunctions and court-ordered sealing of criminal history record(s).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.05(2)(d), 943.051(2), 943.0581, 943.0585, 943.059 FS.

LAW IMPLEMENTED: 943.0581, 943.0585, 943.059 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11C-7.006 Procedures on Court-Ordered Expunctions.

(1) Prior to petitioning the court to expunge a criminal history record, the subject must apply to the Department for a certificate of eligibility for expunction. The application for the certificate of eligibility must include:

(a) through (d) No change.

(e) A certified copy of the disposition of the charge or charges to which the petition to expunge pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) No change.

(5) The Department will send the subject, ~~via certified mail, return receipt requested,~~ a Certificate of Eligibility (form number FDLE 40-022, September 1998), incorporated here by reference, if the specified criminal history record meets the requirements for expunction. If the specified criminal history record does not meet the requirements for expunction, the Department will send the subject, ~~via certified mail, return receipt requested,~~ a letter stating the reason for ineligibility with an explanation of appeal rights.

(6) Upon receipt of a certified court order to expunge a criminal history record, the arresting agency shall:

(a) Make a positive association between the individual and the arrest covered by the court order and the arrest record generated by it; if the arrest record can be identified within the agency's records.

(b) Forward the Certificate of Eligibility, a certified copy of the court order, and a letter of transmittal to the Department. The letter of transmittal shall make specific reference to identifying information, including:

1. Name;
2. Alias/Maiden Name(s);
3. Sex;
4. Race;
5. Date of Birth;
6. Social Security Number (If Available);
7. Date or Dates of Arrest;
8. Arrest Number or Numbers and Original Charges;
9. FDLE Number and FBI Number (If Known).

The letter of transmittal shall be signed by the chief law enforcement officer of the agency or the authorized designee.

Specific Authority 943.03(4), 943.0585(2) FS. Law Implemented 943.0585 FS. History--New 8-5-92, Amended 7-7-99, \_\_\_\_\_.

11C-7.007 Procedures on Court-Ordered Sealings.

(1) Prior to petitioning the court to seal a criminal history record, the subject must apply to the Department for a certificate of eligibility for sealing. The application for the certificate of eligibility must include:

(a) through (c) No change.

(d) A certified copy of the disposition of the charge or charges to which the petition to seal pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (4) No change.

(5) The Department will send the subject, ~~via certified mail, return receipt requested,~~ a Certificate of Eligibility (form number FDLE 40-022), if the specified criminal history record meets the requirements for sealing. If the specified criminal history record does not meet the requirements for sealing, the Department will send the subject, ~~via certified mail, return receipt requested,~~ a letter stating the reason for ineligibility with an explanation of appeal rights.

(6) Upon receipt of a certified court order to seal a criminal history record, the arresting agency shall:

(a) Make a positive association between the individual and the arrest covered by the court order and the arrest record generated by it; if the arrest record can be identified within the agency's records.

(b) Forward the Certificate of Eligibility, a certified copy of the court order, and a letter of transmittal to the Department. The letter of transmittal shall make specific reference to identifying information, including:

1. Name;
2. Alias/Maiden Names;
3. Sex;
4. Race;
5. Date of Birth;
6. Social Security Number (If Available);
7. Date or Dates of Arrest;
8. Arrest Number or Numbers and Original Charges;
9. FDLE Number and FBI Number (If Known).

The letter of transmittal shall be signed by the chief law enforcement officer of the agency or the authorized designee.

Specific Authority 943.03(4), 943.059(2) FS. Law Implemented 943.059 FS. History--New 8-5-92, Amended 7-7-99,\_\_\_\_\_.

11C-7.008 Administrative Expunction Procedures.  
(1) through (5) No change.

Specific Authority 943.03, 943.05(2)(e); 943.0581 FS. Law Implemented 943.0581 FS. History--New 8-5-92.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Local Law Enforcement Assistance**

RULE CHAPTER TITLE: DNA Database Collection  
RULE CHAPTER NO.: 11D-6

RULE TITLES: Definitions  
Procedure  
RULE NOS.: 11D-6.001  
11D-6.003

PURPOSE AND EFFECT: Proposed revisions to Rules 11D-6.001 and 6.003, FAC., update the rule language pertaining to the collection of blood samples for submission to the DNA Database maintained by the Florida Department of Law Enforcement pursuant to s. 120.74, F.S.

SUMMARY: The amendments to Rule 11D-6.001 and Rule 11D-6.003, FAC. remove redundant language that is superseded by statute concerning the collection of blood samples for the DNA Database maintained by the Florida Department of Law Enforcement. Statutory references are added to update the definition of "offender."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.325(9)(d) FS.

LAW IMPLEMENTED: 943.325 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11D-6.001 Definitions.

As used in Rule 11D-6.003, F.A.C., the following definitions apply:

~~(1) Under the direction of shall mean with the supervision and approval of and the assumption of responsibility for.~~

~~(1)(2)~~ 'Blood sample' shall mean a specimen of whole blood, at least 7 cc in volume.

~~(2)(3)~~ 'Offender' shall mean a person meeting any of the criteria specified in ss. 943.325(1), 943.325(10)(c), 943.325(11), 947.1405(7), 948.03(5)(a)8., or 948.03(10), F.S.

Specific Authority 943.03(4), 943.325(9)(d) FS. Law Implemented 943.325 FS. History--New 7-4-90, Amended 7-6-99, \_\_\_\_\_.

11D-6.003 Procedure.

~~When an offender, as defined in Rule Section 11D-6.001(3), is convicted, the agency responsible by law for collection of the blood samples shall cause the blood sample to be drawn and submitted to the Department of Law Enforcement upon sentencing or disposition, but prior to the offender's release, in accordance with these procedures. The Sheriff or Officer in Charge of the county correctional facility will have such responsibility when the offender is sentenced to incarceration within the county correctional facility or is given a disposition, such as probation or community control, other than incarceration within a state correctional facility. The Department of Corrections will have such responsibility when the offender is sentenced to incarceration within a state correctional facility. The Department of Juvenile Justice will have such responsibility when the offender is a juvenile committed to the custody or supervision of that agency. Compliance should be accomplished in the following manner:~~

(1) The subject offender must be positively identified in the manner specified by the FDLE Request for DNA Investigative Support Database Entry Form (FDLE Form - DNA-1, Date February 1, 1999 and incorporated by reference) prior to taking the blood samples from such offender.

(2) When positive identification of the offender is accomplished, two (2) blood samples shall be taken from the offender in the manner described in s. 943.325(2), F.S. by or under the direction of a physician, registered nurse, licensed practical nurse, or duly licensed clinical laboratory technician associated with the county or state agency having custody of the offender.

(3) through (5) No change.

Specific Authority 943.03(4), 943.325(9)(d) FS. Law Implemented 943.325 FS. History--New 7-4-90, Amended 7-6-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Division of Staff Services

RULE CHAPTER TITLE: Division of Staff Services  
RULE CHAPTER NO.: 11F-1

RULE TITLES: Division Director  
RULE NOS.: 11F-1.001

Duties and Powers of Division  
11F-1.002

Division Organization  
11F-1.003

PURPOSE AND EFFECT: The proposed repeal of Rules 11F-1.001 through 11F-1.003, FAC., inclusive, is necessary to eliminate administrative rules that are redundant, obsolete, or superseded by statute or rule, and to comport with the statutory requirements of Chapter 120, Florida Statutes.

SUMMARY: Rules 11F-1.001, 11F-1.002 and 1F-1.003, FAC., which describe the department chain of command and major subordinate programs, are repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.53, 943.03, 943.03(4) FS.

LAW IMPLEMENTED: 20.201(2)(e), 120.53, 120.53(1)(a), 943.29, 943.381 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11F-1.001 Division Director.

Specific Authority 120.53, 943.03 FS. Law Implemented 120.53, 943.29 FS. History--New 11-28-75, Formerly 11F-1.01, Repealed \_\_\_\_\_.

11F-1.002 Duties and Powers of Division.

Specific Authority 120.53(1)(a), 943.03(4) FS. Law Implemented 20.201(2)(e), 120.53(1)(a), 943.381 FS. History--New 11-28-75, Formerly 11F-1.02, Amended 1-6-91, Repealed \_\_\_\_\_.

11F-1.003 Division Organization.

Specific Authority 120.53(1)(a), 943.03(4) FS. Law Implemented 20.201(2)(e), 120.53(1)(a), 943.381 FS. History--New 11-28-75, Formerly 11F-1.03, Amended 1-6-91, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Medical Examiners Commission

RULE CHAPTER TITLE: Organization  
RULE TITLES: Structure, Purpose  
District Medical Examiners, Associate Medical Examiners

RULE CHAPTER NO.: 11G-1  
RULE NOS.: 11G-1.001  
11G-1.002

PURPOSE AND EFFECT: The Department's rule chapter concerning the organization of the Medical Examiners Commission is amended to update statutory citations and language pursuant to s. 120.74, F.S.

SUMMARY: The amendments to Rules 11G-1.001-.002, FAC. update statutory citations relating to specific powers and duties and remove the reference to a format that had been used for certain record keeping procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 406.04 FS.

LAW IMPLEMENTED: 112.313, 406.02, 406.06, 406.16, 406.17 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11G-1.001 Structure, Purpose.  
(1) through (2) No change.

Specific Authority ~~943.03(4)~~, 406.04, ~~406.17~~ FS. Law Implemented 406.02, 406.06, 406.17 FS. History--New 10-18-81, Formerly 11G-1.01, Amended 7-6-99.

11G-1.002 District Medical Examiners, Associate Medical Examiners.

(1) through (3) No change.

(4) The District Medical Examiner shall file with the Commission office, ~~in a format prescribed by the Commission~~, a copy of the letter of appointment, resignation, or removal of each Associate Medical Examiner.

(5) through (11) No change.

Specific Authority 406.04 FS. Law Implemented 112.313, ~~120.53(1)~~, 406.02, 406.06, 406.17 FS. History--New 10-18-81, Formerly 11G-1.02, Amended 4-11-88, 12-26-88, 8-28-91, 2-23-93, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Medical Examiners Commission

RULE CHAPTER TITLE: Standard Investigation Procedures  
RULE TITLES: Determination of Jurisdiction, Preliminary Procedures

RULE CHAPTER NO.: 11G-2  
RULE NOS.: 11G-2.001  
11G-2.002

PURPOSE AND EFFECT: The Department's rule chapter concerning the organization of the Medical Examiners Commission is amended to update statutory citations and language pursuant to s. 120.74, F.S.

SUMMARY: The amendments to Rule 11G-2.001-.001, FAC. update statutory citations relating to rulemaking authority, specific powers and duties and delete a provision concerning authority to release a body due to lack of statutory authority to establish such procedure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 406.04 FS.

LAWS IMPLEMENTED: 316.065, 381.0031, 382.008, 383.3362, 406.04, 406.11, 406.13, 406.14, 406.145 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11G-2.001 Determination of Jurisdiction, Preliminary Procedures.

(1) through (5) No change.

Specific Authority 943.03(4); 406.04 FS. Law Implemented 406.04, 406.11, 406.12, 406.13 FS. History—New 10-18-81, Amended 7-10-85, Formerly 11G-2.01, Amended 8-27-87, 11-24-87, 10-14-96, 7-6-99.

11G-2.002 Identification.

(1) through (3) No change.

(4) The medical examiner shall retain unidentified remains and preserve them in accordance with the law. ~~The medical examiner may request approval from the Commission to dispose of the remains.~~

(5) No change.

Specific Authority 406.04 FS. Law Implemented 406.11, 406.13, 406.145 FS. History—New 10-18-81, Formerly 11G-2.02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF LAW ENFORCEMENT**

**Office of Executive Investigations**

RULE CHAPTER TITLE: Office of Executive Investigations

RULE CHAPTER NO.: 11L-1

RULE TITLES: Policy and Purpose

RULE NOS.: 11L-1.001

Definitions

11L-1.002

Procedures for Requesting Security

11L-1.003

and Transportation

11L-1.004

Conditions for Approving Requests

11L-1.004

PURPOSE AND EFFECT: The proposed repeal of Rules 11L-1.001 through 11L-1.004, FAC., inclusive, is necessary to eliminate administrative rules that are redundant, obsolete, or superseded by statute or rule, and to comport with the statutory requirements of Chapter 120, Florida Statutes.

SUMMARY: The Rules pertaining to the Office of Executive Investigations are repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03 FS. LAW IMPLEMENTED: 281.20 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11L-1.001 Policy and Purpose.

Specific Authority 943.03 FS. Law Implemented 281.20 FS. History--New 9-5-84, Formerly 11L-1.01, Repealed.

11L-1.002 Definitions.

Specific Authority 943.03 FS. Law Implemented 281.20 FS. History--New 9-5-84, Formerly 11L-1.02, Repealed.

11L-1.003 Procedures for Requesting Security and Transportation.

Specific Authority 943.03 FS. Law Implemented 281.20 FS. History--New 9-5-84, Formerly 11L-1.03, Repealed.

11L-1.004 Conditions for Approving Requests.

Specific Authority 943.03 FS. Law Implemented 281.20 FS. History--New 9-5-84, Formerly 11L-1.04, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF LAW ENFORCEMENT

Office of Inspector General

RULE CHAPTER TITLE: Violent Crime Council RULE CHAPTER NO.:

Emergency Account 11N-1 RULE TITLE: RULE NO.:

Procedures for Emergency Funding 11N-1.004 PURPOSE AND EFFECT: The modifications will make it easier to complete and review the form.

SUMMARY: The amendment to rule 11N-1.004(1) modifies form 20.003, which is used to request funds from the Violent Crime Council Emergency Account.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 943.03(4), 943.042 FS.

LAW IMPLEMENTED: 943.031, 943.042 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS 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., Tuesday, June 6, 2000

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Fern Rosenwasser, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

11N-1.004 Procedures for Emergency Funding.

(1) Requests for emergency funding up to the maximum of \$25,000 shall be made by a detailed written request demonstrating how emergency funding criteria established in this rule are satisfied and certifying that the requesting agency cannot initiate or continue the investigation without immediate supplemental funding. The request shall be accompanied by Form FDLE 20-003, Violent Crime Emergency Account Application Cover Sheet, revised 4/99, effective October 1995, hereby incorporated by reference, and shall be mailed to the chairperson of the Florida Violent Crime Council, c/o Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302. This form can be obtained by written request to the above address.

(2) through (4) No change.

Specific Authority 943.03(4), 943.042 FS. Law Implemented 943.031, 943.042 FS. History--New 3-10-94, Amended 10-10-95.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel, Florida Department of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000



**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: Publications, Rules and Interagency

RULE NO.: 40E-4.091

Agreements Incorporated by Reference

**PURPOSE AND EFFECT:** The purpose and effect of this proposed rule amendment is to modify Section 7.4 of the document entitled, "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996" incorporated by reference in Rule 40E-4.091, FAC. Specifically the language relating to side slope requirements for wet retention/detention and stormwater attenuation areas is amended. Alternative side slope criteria for golf course wet retention/detention areas adjacent to tee areas, bunkers & greens is added.

**SUMMARY:** The proposed rule amendment addresses wet retention/detention and stormwater attenuation area side slopes. Slopes shall be designed with side slopes no steeper than 4:1 (horizontal:vertical) from top of bank to a minimum of 2 feet below the control elevation. The proposed rule provides that constructed side slopes steeper than 3.5:1 (horizontal:vertical) shall be considered a substantial deviation during the consideration of operation permit issuance. A new section is added setting forth alternative side slope criteria for golf course wet retention/detention areas adjacent to tee areas, bunkers & greens.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The SERC concludes that all persons applying for Environmental Resource Permits incorporating wet retention/detention and attenuation areas and/or conveyances will potentially be affected by the proposed rule. If a project is designed to comply with current criteria, it will also comply with the proposed criteria. The major cost saving to those directly affected comes through greater likelihood that projects constructed to meet the new criteria will be accepted and granted operation permits. This will reduce the burden on applicants in construction administrative costs and costs associated with reconstructing non-compliant slopes. Actual cost savings realized will be highly variable and dependent upon a number of site-specific conditions.

Minor cost savings to the SFWMD may be realized because the proposed rule builds in an allowable range for side slopes. Compliance with the revised criterion may improve thereby reducing enforcement costs.

Since no significant costs are imposed by the proposed rule, the requirements will not adversely impact small business.

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

**SPECIFIC AUTHORITY:** 373.044, 373.113, 373.171, 373.413 FS.

**LAW IMPLEMENTED:** 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.426 FS.

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

**TIME AND DATE:** 8:30 a.m., June 15, 2000

**PLACE:** South Florida Water Management District Headquarters, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Ken Todd, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6874 or (561)682-6874 (internet: ktodd@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

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

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – 2000 November 1996"

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-1-97, 12-3-98, \_\_\_\_\_.

(The following represents proposed changes to section 7.4 of the document entitled "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996" incorporated by reference in Rule 40E-4.091, F.A.C.)

7.4 Wet Retention/Detention Area Dimensional Criteria (As Measured at or from the Control Elevation) –

(a) through (c) No change.

(d) Side Slopes for Wet Retention/Detention and Attenuation Areas – for purposes of public safety, water quality enhancement and maintenance, all wet retention/detention areas shall be designed with ~~have~~ side slopes no steeper than 4:1 (horizontal:vertical) from top of bank out to a

minimum depth of two feet below the control elevation, or an equivalent substitute. Constructed side slopes steeper than 3.5:1 (horizontal:vertical) shall be considered a substantial deviation during the consideration of operation permit issuance. Side slopes shall be topsoiled, and stabilized through seeding or planting nurtured or planted from 2 feet below to 1 foot above the control elevation, to promote vegetative growth. Side slope Littoral zone vegetation growth survival shall be a consideration of operation permit issuance. Side slope dimensional criteria for above ground impoundments are set forth in Appendix 6.

(e) Alternative Side Slope Criteria for Golf Course Wet Retention/Detention Areas Adjacent to Tee Areas, Bunkers, and Greens.

The design and final constructed side slopes adjacent to tee areas, bunkers, and greens contiguous to golf course wet retention/detention areas shall be no steeper than 2:1 (horizontal:vertical) for the area above the permitted control elevation. For purposes of this rule, the tee area is limited to an area specifically constructed and designated as the location from which a golfer makes his/her first shot toward a designated hole. The green is the area of shortest grass around the hole. Bunkers (sand traps) consist of a prepared area of ground, often a hollow, from which turf or soil has been removed and replaced with sand-like material.

For those portions of the wet retention/detention areas adjacent to tee areas, bunkers, and greens with final constructed side slopes steeper than 3.5:1 (horizontal:vertical), the final constructed side slopes below the control elevation shall not be steeper than 8:1 (horizontal:vertical) to a depth of two feet below the control elevation or equivalent substitute. Side slopes shall be topsoiled and stabilized through seeding or planting from 2 feet below to 1 foot above the control elevation. Side slope vegetation growth survival shall be a consideration of operation permit issuance.

(f)(e) Bulkheads – Bulkheads shall be allowed for no more than 40 percent of the shoreline length, but compensating littoral zone must be provided based on appropriate maximum allowable side slope including local government requirements.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terrie Bates, Interim Deputy Executive Director, Water Resources Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 28, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE TITLE: Annual Assessment on Gross Florida Payroll

RULE NO.: 61G7-5.002

PURPOSE AND EFFECT: The purpose of this amendment is to decrease the annual fee assessment due on the amount of Gross Florida Payroll by 25%.

SUMMARY: Employee Leasing Companies are required to pay an annual assessment on Gross Florida Payroll. The fee due is determined based upon the preceding calendar year's gross Florida payroll of the Company or group.

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: 468.522 FS.

LAW IMPLEMENTED: 468.526 FS.

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

TIME AND DATE: 9:00 a.m., May 25, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.002 Annual Assessment on Gross Florida Payroll.

(1) Effective April 1, 1992, the Department of Business and Professional Regulation shall assess each Employee Leasing Company and each Employee Leasing Company Group an annual assessment fee based upon the preceding calendar year's gross Florida payroll of the company or group. The assessment shall be due on April 1 of each year and shall become delinquent after April 30. For new applicants the initial assessment shall be due with the licensure application. Funds collected under this assessment are to be made payable to the Board and to be deposited into the Professional Regulation Trust Fund as created within the Department. The annual assessment fee shall be calculated in accordance with the following table:

Amount of Gross Florida Payroll	Assessment Fee Due
less than \$250,000 .....	<u>\$144.00</u> <u>\$188.00</u>
\$250,000 – \$500,000 .....	<u>\$254.00</u> <u>\$338.00</u>
\$500,001 – \$1,000,000 .....	<u>\$380.00</u> <u>\$507.00</u>
\$1,000,001 – \$2,500,000 .....	<u>\$535.00</u> <u>\$713.00</u>
\$2,500,001 – \$5,000,000 .....	<u>\$689.00</u> <u>\$919.00</u>
\$5,000,001 – \$7,500,000 .....	<u>\$844.00</u> <u>\$1,125.00</u>
\$7,500,001 – \$10,000,000 .....	<u>\$998.00</u> <u>\$1,332.00</u>
\$10,000,001 – \$15,000,000 .....	<u>\$1,154.00</u> <u>\$1,538.00</u>
\$15,000,001 – \$20,000,000 .....	<u>\$1,308.00</u> <u>\$1,744.00</u>
\$20,000,001 – \$30,000,000 .....	<u>\$1,462.00</u> <u>\$1,950.00</u>
\$30,000,001 – \$40,000,000 .....	<u>\$1,617.00</u> <u>\$2,157.00</u>
\$40,000,001 – \$50,000,000 .....	<u>\$1,829.00</u> <u>\$2,438.00</u>
greater than \$50,000,000 .....	<u>\$2,039.00</u> <u>\$2,719.00</u>

(2) through (4) No change.

Specific Authority 468.522 FS. Law Implemented 468.526 FS. History—New 7-15-92, Formerly 21EE-5.002, Amended 4-25-94, 6-10-96, 6-22-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anthony Spivey, Executive Director, Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Post-Licensing Education for Active and Inactive Broker and Salesperson Licensees

RULE NO.: 61J2-3.020

PURPOSE AND EFFECT: The Commission is amending the rule to allow real estate licensees, who fail the post-licensing end of course examination, to retake the examination once prior to requiring them to retake the post-licensing course.

SUMMARY: The Commission determined that licensees may to retake the post-licensing end of course examination once prior to requiring them to retake the post-licensing course.

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

Any person who wishes to provide information regarding the Statement of Estimated Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this Notice.

SPECIFIC AUTHORITY: 475.05, 475.17 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182 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: 8:30 a.m., June 21, 2000

PLACE: Office of the Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.020 Post-Licensing Education for Active and Inactive Broker and Salesperson Licensees.

(1) through (7) No change.

(8)(a) Students failing a Commission prescribed post-licensing education end of course examination must wait at least 30 days from the date of the original examination to again take the end of course examination ~~repeat the Commission prescribed or approved course prior to being eligible to again take the end of course examination.~~ Within one year of the original end of course examination, a student may retake the prescribed end of course examination a maximum of one time. Otherwise, students failing the Commission prescribed end of course examination must repeat the Commission prescribed course prior to being eligible to again take the end of course examination. Students retaking the end of course examination must be administered a different form of the end of course examination.

(b) Make-up classes to enable a student to take the prescribed end of course examination, ~~which are~~ due to student or family illness; may not extend more than 30 days beyond the class scheduled end of course examination without approval of the Commission. Make-up classes must be the classes missed by the student and must consist of the original Commission prescribed course material.

(9) through (10) No change.

Specific Authority 475.05, 475.17 FS. Law Implemented 475.04, 475.17, 475.182 FS. History—New 1-1-89, Amended 1-4-90, 6-28-93, Formerly 21V-3.020, Amended 8-2-95, 12-30-97, 2-24-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2000



THE FULL TEXT OF THE PROPOSED RULES IS:

64B7-30.002 Disciplinary Guidelines.

- (1)(a) through (u) No change.
- (v) 455.624(1)(q) \$250 fine & suspension  
violating any provision of Chapter 455, Part II or failure to comply with a lawfully issued subpoena of the department
- (w) 455.624(1)(u) \$1,000 fine & revocation  
engaging or attempting to engage a patient or client in verbal or physical sexual activity
- (x) 455.624(1)(w) \$500 fine  
Failing to report to the Board in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction
- (y) 455.624(1)(w) \$500 fine  
Failing to report to the Board in writing on or before October 1, 2000, any convictions, findings of guilt or pleas of nolo contendere that occurred prior to July 1, 1999, not previously reported to the Board
- (z) 455.624(1)(x) \$500 fine & revocation  
using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers or persons involved in accidents, or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in such accidents
- (2) through (8) No change.

Specific Authority 455.627(1),(3), 480.035(7) FS. Law Implemented 455.627(1),(3), 480.046, 480.047 FS. History—New 3-26-87, Formerly 21L-30.002, Amended 9-30-93, 12-12-93, 8-16-94, 10-1-95, 2-5-96, 5-12-96, 5-29-97, Formerly 61G11-30.002, Amended 2-18-98, 11-4-98,\_\_\_\_\_.

64B7-30.004 Citations.

- (1) through (3)(g) No change.
- (h) First-time failure of the licensee to satisfy continuing education requirements established by the Board: Fine of \$250.00, and one hour of continuing education for each hour not completed or completed late. These continuing education hours are to be completed within three months of the date of citation issuance. Violations of Rule 64B7-28.001(2) by licensees shall result in a penalty of \$250 and completion of the required continuing education.
- (i) through (j) No change
- (k) Tendering a check that is dishonored by the institution upon which it is drawn shall result in a penalty of \$250.00.

Specific Authority 455.617 FS. Law Implemented 455.617 FS. History—New 1-1-92, Amended 11-15-92, Formerly 21L-30.004, Amended 9-30-93, 12-12-93, 4-21-97, Formerly 61G11-30.004, Amended 8-16-98, 7-18-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2000

**DEPARTMENT OF HEALTH**

**Board of Optometry**

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

PURPOSE AND EFFECT: The proposed rule amendment is intended to reduce the number of examination questions from 100 to 80.

SUMMARY: The proposed rule amendment reduces the number of examination questions from 100 to 80.

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

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE 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) The examination shall consist of 80 ~~100~~ questions which test the applicant's knowledge of general and ocular pharmacology with particular emphasis on the topical application and side effects of pharmaceutical agents. Each

question on the examination shall be given equal weight. A raw score of 70 correct answers shall be required to pass the certification examination.

(2) through (4) No change.

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 3-21-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE TITLE: Rural Hospital Capital Improvement Grant  
RULE NO.: 64E-19.001

PURPOSE AND EFFECT: Rural Hospital Improvement Grant Application Procedures. This rule will establish criteria for awarding remaining grant funds exclusively for the support and assistance of statutory rural hospitals. This rule will satisfy the requirement section of 395.6061(3), Florida Statutes.

SUMMARY: The 1999 legislature has amended section 395.6061(3), Florida Statutes to require the implementation of Rural Hospital Grant Application Procedures. The rule establishes and outlines a mechanism for statutory rural hospitals to apply for rural hospital capital improvement funds appropriated by the legislature.

STATEMENT OF ESTIMATED REGULATORY COSTS: None 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: 395.6061(3) FS.

LAW IMPLEMENTED: 395.6061(3) FS.

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

TIME AND DATE: 10:00 a.m., June 9, 2000

PLACE: Division of Emergency Medical Services and Community Health Resources, 4025 Esplanade, Room 301, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Walsh, Health Services and Facilities Consultant, Division of Emergency Medical Services and Community Health Resources, Office of Rural Health, 4052 Bald Cypress Way, Bin C15, Tallahassee, Florida 32399, (850)245-4340, extension 2705, or fax (850)414-6470

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-19.001 Rural Hospital Capital Improvement Grant Application Procedures.

In order to apply for a rural hospital capital improvement grant, applicants must submit DH Form 1432A, March 2000, Rural Hospital Capital Improvement Grant Application contained in Rural Hospital Capital Improvement Grant Program, Application & Guidelines, March, 2000. This form and guidelines are incorporated by reference and available from the department.

Specific Authority 395.6061(3) FS. Law Implemented 395.6061 FS. History--New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Walsh, Health Services and Facilities Consultant  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Art Clawson, Division Director, Division of Emergency Medical Services and Community Health Resources  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 8, 1999, October 15, 1999  
Purchase Order # X05593

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

**DEPARTMENT OF REVENUE**

NOTICE OF CABINET AGENDA ON JUNE 27, 2000  
The Governor and Cabinet, on June 27, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-25.004, FAC. (Contract Auditor Prerequisites); Rule 12-25.005, FAC. (Selection Procedures for Contract Auditors); Rule 12-25.0054, FAC. (Applicants Ranking Committee); Rule 12-25.0056, FAC. (Applicant Ranking Process); and Rule 12-25.0058, FAC. (Dispute Resolution). These proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on November 5, 1999 (Vol. 25, No. 44, pp. 5025-5031) and the workshop was held on November 22, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 739-745) and a public hearing was conducted on March 14, 2000. No comments were received at the hearing conducted on March 14, 2000. Written comments were received from the Joint Administrative Procedures Committee regarding the proposed amendments to Rules 12-25.005, 12-25.0054, and 12-25.0056, FAC., regarding a contract audit firm substituting audit team members; concerning forms used by the Department during the applicant ranking and selection

procedures; and, regarding procedures for performance evaluations and the awarding of bonus scores. In response to these comments, a Notice of Change will be published in the next available edition of the Florida Administrative Weekly.

**DEPARTMENT OF REVENUE**

RULE NOS.:	RULE TITLES:
12-25.005	Selection Procedures for Contract Auditors
12-25.0056	Applicant Ranking Process

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed amendments to Rule Chapter 12-25, FAC., as published in Vol. 26, No. 7, pp. 739-745, February 18, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee regarding the ability of a contract audit firm to substitute contract team members, and the Department's discretion to perform a special performance evaluation of how a contract audit firm conducted an audit, plus the Department's authority to award a bonus score to a contract audit firm which develops significant improvements in audit techniques.

Paragraph (j) of subsection (6) of Rule 12-25.005, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

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

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

~~2. The substituted firm member has approximately at least~~ 2.4- The substituted firm member has approximately at least the same number of months of professional experience, the same general educational background, and the same general position level within the firm; and

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

Paragraph (c) of subsection (7) of Rule 12-25.0056, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(c) The Contract Manager will ~~is authorized to~~ perform a special performance evaluation at any point, based on the contract firm's actions as discussed in subparagraphs 1. through 3. failure to comply with contract terms, Department policies and procedures, or the Contract Manager's express written instructions. The special performance evaluation will be weighted at 10 percent of the total hours used as the

denominator in the calculation discussed in this subsection assigned under the subject contract, and will be included in the ranking process.

Subsection (13) of Rule 12-25.0056, FAC., has been repealed, so that, when adopted, the subsection will read as follows:

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

**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed creation of Rule 12B-7.0225, FAC., Computation of Phosphate Rock Tax Rate. The proposed creation of this rule was noticed for a rule development workshop in the Florida Administrative Weekly on February 4, 2000 (Vol. 26, No. 5, pp. 426-427) and the workshop was held on February 22, 2000. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 7, 2000 (Vol. 26, No. 14, pp. 1633-1634) and a public hearing was conducted on May 1, 2000. No comments were received at the hearing conducted on May 1, 2000; no written comments were received by the Department.

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 981444-TP

RULE NO.:	RULE TITLE:
25-4.110	Customer Billing for Local Exchange Telecommunications Companies

**NOTICE OF PUBLIC SERVICE COMMISSION AGENDA ON JUNE 6, 2000**

The Florida Public Service Commission notifies all interested persons that the above rule has been scheduled for the agenda conference for the following time and place:

TIME AND DATE: 9:30 a.m., Tuesday, June 6, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider comments filed pursuant to the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Caldwell, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6175

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, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 981444-TP

RULE NOS.:	RULE TITLES:
25-24.490	Customer Relations; Rules Incorporated
25-24.845	Customer Relations; Rules Incorporated

**NOTICE OF PUBLIC SERVICE COMMISSION  
AGENDA ON JUNE 6, 2000**

The Florida Public Service Commission notifies all interested persons that the above rule has been scheduled for the agenda conference for the following time and place:

TIME AND DATE: 9:30 a.m., Tuesday, June 6, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider comments filed pursuant to the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Caldwell, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6175

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, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-208.504	Criteria for Assignment to Staff Housing
33-208.508	Staff Housing Inspections

**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. 26, No. 16, April 21, 2000, issue of the Florida Administrative Weekly:

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

(1) through (4) No change.

(5) Any occupant of staff housing, including officers quarters, state mobile homes and personally owned mobile homes, who is not on the priority or non-priority list shall be permitted to remain an occupant of staff housing provided that he or she abides by the provisions of this rule. This rule provision shall apply to all occupants who reside in any type of staff housing prior to and on the effective date of this amendment.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Amended 9-5-89, Formerly 33-26.004, Formerly 33-208.504, Amended \_\_\_\_\_.

33-208.508 Staff Housing Inspections.

(1) No change.

(2) The ~~appropriate~~ service center responsible for providing support to institutions in the service area shall keep a current inventory of all staff housing and state-owned equipment and furnishings which shall be used during inspections.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Formerly 33-26.008, Formerly 33-602.508, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.:	RULE TITLE:
33-601.604	Determination of Credit When Inmate is Released in Error

**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. 26, No. 11, March 17, 2000, issue of the Florida Administrative Weekly:

33-601.604 Determination of Credit When Inmate is Released in Error.

(1) When an inmate is released in error (prior to satisfaction of the sentence) ~~either by the court, county facility or the Florida Department of Corrections and the release is brought to the attention of the Department,~~ the facts surrounding the release will be collected.

(2) ~~If and when the inmate is returned to the department,~~ The inmate will be interviewed by the classification staff to obtain the inmate's version of the release.

(3) A fact finding due process hearing will be held to determine if the inmate is due credit for the time out of custody. Credit will be applied if it is determined that the release involved when released in error through no fault of the inmate.



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

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

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 44, November 5, 1999 issue of the Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractor's Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0771

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-3.003  
RULE TITLE: Examination for Licensure

**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. 26, No. 8, February 25, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (5) shall now read as follows:

64B4-3.003 Examination for Licensure.

(1) through (4) No change.

(5) PART II – THEORY AND PRACTICE

(a) CLINICAL SOCIAL WORKERS

1. through 2. No change.

(b) MENTAL HEALTH COUNSELORS

1. through 2. No change.

(c) MENTAL HEALTH COUNSELORS

The National Clinical Mental Health Counseling Examination (NCMHCE) shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

(d) MARRIAGE AND FAMILY THERAPISTS

1. through 2. No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-1758

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.009  
RULE TITLE: Parenteral Conscious Sedation  
**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. 26, No. 9, March 3, 2000, issue of the Florida Administrative Weekly. The Board, at a public meeting on April 13, 2000, in Miami, Florida, voted to change Subsection (3)(e) of this rule to read as follows:

(e) As of July 1, 2000, the facility must have defibrillator equipment appropriate for the patient population being treated.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.010  
RULE TITLE: Pediatric Conscious Sedation  
**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. 26, No. 9, March 3, 2000, issue of the Florida Administrative Weekly. The Board, at a public meeting on April 13, 2000, in Miami, Florida, voted to change Subsection (3)(f) of this rule to read as follows:

(f) As of July 1, 2000, the facility must have defibrillator equipment appropriate for the patient population being treated.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-2.008  
RULE TITLE: Clinical Training  
**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Nursing hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 7, 2000 at 2:00 p.m., or as soon thereafter as can be heard, at the Jupiter Beach Resort, 5 North A1A, Jupiter Beach, Florida 33427. The rule was originally published in Vol. 26, No. 15, of the April 14, 2000, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-9.001  
RULE TITLE: Continuing Education  
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. 26, No. 10, March 10, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (4) shall now read as follows:

(4) The Board will accept up to twelve contact hours, including internet or computer based courses, for home study during a biennium, provided they meet the requirements as described in subsection (6).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.005  
RULE TITLE: Licensure by Examination:  
Supervised

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Psychology hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 30, 2000 at 9:00 a.m., at Embassy Suites, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555. The rule was originally published in Vol. 26, No. 9, of the March 3, 2000 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game 304 Specifics  
RULE NO.: 53ER00-17

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 304, "SHARK FRENZY" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-17 Instant Game 304 Specifics.

(1) Name of Game. Instant Game Number 304, "SHARK FRENZY."

(2) Price. SHARK FRENZY Lottery tickets sell for \$1.00 per ticket.

(3) SHARK FRENZY Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning SHARK FRENZY Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any SHARK FRENZY Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The prize symbols and prize symbol captions in SHARK FRENZY are as follows:

INSERT GRAPHICS

(5) Determination of Prize Winners.

(a) The holder of a ticket having three like amounts exposed in the play area shall be entitled to a prize of the amount shown, or if three "TICKET" symbols are exposed in the play area, shall be entitled to a prize of a \$1.00 ticket. Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$5.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$2,000.



(b) The holder of a ticket having a number exposed in the "YOUR SCORE" play area that is greater than the number exposed in the "THEIR SCORE" play area for the same attack and that has "SUNGLASSES" shown as the corresponding prize, shall be entitled to a prize of one pair of "Men in Black™" sunglasses.

(c) The holder of a ticket having a number exposed in the "YOUR SCORE" play area that is greater than the number exposed in the "THEIR SCORE" play area for the same attack and that has "T-SHIRT" shown as the corresponding prize, shall be entitled to a prize of one "Men in Black™" T-shirt.

(d) The holder of a ticket having a number exposed in the "YOUR SCORE" play area that is greater than the number exposed in the "THEIR SCORE" play area for the same attack and that has "VACATION" shown as the corresponding prize, shall be entitled to a prize of a Universal Orlando<sup>SM</sup> Vacation package. The vacation prize package shall include hotel accommodations, room and tax only, for up to four people in a maximum of one room for two nights, complimentary 2-Day Escape Passes<sup>SM</sup> for four people valid for admission to Universal Studios® and Islands of Adventure<sup>SM</sup>, a non-exclusive VIP tour of Islands of Adventure<sup>SM</sup> for up to four people, eight complimentary CityWalk Party Passes<sup>SM</sup> valid for CityWalk®, three complimentary self-parking passes, and \$500 in cash. The vacation package does not include travel, meals, incidentals, tips, telephone calls, or any other personal expenses incurred during the trip.

(9) Merchandise Redemption.

(a) A T-shirt or sunglasses prize may be claimed by completing the information section on the back of a winning MEN IN BLACK™ ALIEN ATTACK™ instant ticket and submitting it:

1. In person to any Florida Lottery District Office on or before the 60th day after the official end of Instant Game Number 306; or

2. By mail in an envelope postmarked on or before the 60th day after the official end of Instant Game Number 306 to the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, FL 32399-4045.

A winner should allow six to eight weeks for delivery of T-shirt or sunglasses prizes claimed by mail. The risk of loss and late delivery of a ticket submitted by mail remains with the player.

(b) A vacation prize package shall be claimed by:

1. Completing the information section on the back of a winning MEN IN BLACK™ ALIEN ATTACK™ instant ticket and a Winner Claim Form DOL-173-2, Revised 07/93, or DOL 173-S, Revised 05/95. The forms are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, FL 32399-4045, any Lottery district office, or Lottery retailer; and

2. Submitting the winning ticket and the completed Winner Claim Form to the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, FL 32399-4045. A winning ticket and corresponding claim document may be submitted in person at Lottery Headquarters or may be mailed in an envelope postmarked on or before the 60th day after the official end of game date for Instant Game Number 306. The risk of loss and late delivery of a ticket submitted by mail remains with the player. Any claims received in a Lottery district office for a vacation prize package will be forwarded to Lottery Headquarters for processing.

(c) The Lottery will award vacation prize packages no later than thirty (30) days following receipt of a completed Release Form DOL 400, which the Lottery will mail to the claimant. Release Form DOL 400, revised 4/24/00, is incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, FL 32399-4045. The \$500 cash portion of the prize package will be paid at the time a winning ticket is validated at Lottery Headquarters.

(d) Travel must be completed no later than June 30, 2001, or the vacation prize package will be forfeited. Winner travel arrangements must be made a minimum of twenty-one (21) days prior to the winner's travel and are subject to availability. Blackout dates or other restrictions may apply to winner travel arrangements. All unclaimed and/or unused prize packages, including theme park passes, will remain the property of Universal Orlando<sup>SM</sup>. A winner must be 18 years of age or older unless accompanied by a parent or legal guardian who is at least 21 years of age. Prize packages are non-transferable.

(e) If a winner is identified as owing an outstanding debt to a state agency or child support collected through a court in an amount less than the cash portion of the prize, the prize, less the amount owed, shall be awarded. If the winner is identified as owing an outstanding debt to a state agency or child support collected through a court in an amount greater than the cash portion of the prize, the winner's entire cash portion of the prize will applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize.

(f) Cash will not be awarded in lieu of stated merchandise prizes.

(10) Number and Size of Prizes. The value, number of prizes, and odds of winning in Instant Game Number 306 are as follows:

IF YOUR AGENT SCORE BEATS THEIR ALEIN SCORE IN THE SAME ATTACK, WITH PRIZE(S) OF:

TICKET	WIN	NUMBER IN 42 POOLS OF 120,000 TICKETS	ODDS
\$2	\$2	604,800	1 in 8.33
\$1 x 4	\$4	403,200	1 in 12.50
\$2 + \$2	\$4	369,600	1 in 13.64
\$4	\$4	268,800	1 in 18.75
\$1 x 10	\$10	67,200	1 in 75.00
\$2 + \$4 x 2	\$10	33,600	1 in 150.00
\$2 x 10	\$20	33,600	1 in 150.00
\$1 + \$2 + \$3 x 3 + \$4 x 2	\$20	16,800	1 in 300.00
T-shirt (retail value \$16)	T-shirt	16,800	1 in 300.00
\$5 x 10	\$50	50,000	1 in 100.80
\$5 x 2 + \$20 x 2	\$50	2,730	1 in 1,846.15
Sunglasses (retail value \$99)	Sunglasses	420	1 in 12,000.00
\$10 + \$20 x 2 + \$50	\$100	1,100	1 in 4,581.82
\$10 x 10	\$100	126	1 in 40,000.00
\$100 x 5	\$500	126	1 in 40,000.00
\$500	\$500	126	1 in 40,000.00
Vacation (retail value \$1,568)	Pkg + \$500	5	1 in 1,008,000.00
\$1,000 x 10	\$10,000	2	1 in 2,520,000.00
\$10,000	\$10,000	2	1 in 2,520,000.00

(11) For reorders of Instant Game Number 306, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(12) The over-all odds of winning any prize in Instant Game Number 306 are 1 in 2.70.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1), 24.115 FS. Law Implemented 24.105(10)(a),(b),(c), 24.115 FS. History—New 4-27-00.

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

EFFECTIVE DATE: April 27, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: On-Line Retailer Responsibilities

RULE NO.: 53ER00-20

SUMMARY OF THE RULE: The emergency rule replaces 53ER94-29, FAC., and sets forth provisions regarding the responsibilities of an on-line retailer.

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:

53ER00-20 On-Line Retailer Responsibilities.

(1) The Lottery shall contract with specified retailers to sell on-line lottery tickets from on-line terminals provided to retailers by the Lottery or its vendors. Retailers shall attend

such training sessions as the Lottery shall require to ensure that all retailers and their employees are properly trained in the operation of the on-line terminal prior to their on-line terminal being activated to sell on-line tickets.

(2) All equipment provided to the retailer by the Lottery or its vendors shall remain the property of the Lottery or its vendors, and retailers shall acquire no interest whatsoever in the equipment.

(3) There are two types of on-line terminals that may be provided to a Retailer by the Lottery; one type requires a dedicated data line and the other type operates on a standard telephone line.

(a) If the on-line terminal provided by the Lottery to the Retailer is the type that requires a dedicated data line, prior to its installation the Retailer shall provide a grounded electrical circuit dedicated for use with the on-line terminal. The circuit must meet the following electrical requirements: 115 volts AC, single phase; 60 HZ nominal, with a 15-ampere breaker. The circuit shall have a dedicated quadruple three-prong electrical outlet located within six unobstructed feet of the terminal. The circuit must remain operational twenty-four hours a day.

(b) If the on-line terminal provided by the Lottery to the Retailer is the type that operates on a standard telephone line, prior to its installation, the Retailer shall provide a grounded duplex three-prong electrical outlet located within six unobstructed feet of the terminal. Retailer shall also provide a standard single business line and an RJ11 telephone jack within six unobstructed feet of the terminal. Retailer may use the telephone line for other purposes when not in use by the on-line terminal.

(4) Retailers shall locate a telephone within six unobstructed feet of the on-line terminal.

(5) Retailers shall provide a minimum amount of space as determined by the Lottery at the location of the on-line terminal for proper ventilation, maintenance, and material loading and removing.

(6) If the on-line terminal installed for use by Retailer is of the type that requires a dedicated data line, Retailer shall pay a weekly service charge to the Lottery. The current service charge is \$10.00 per week and may be amended from time to time.

(7) Retailers shall pay all electrical utility charges in connection with operation of the on-line terminal.

(8) Retailers shall use due diligence and care when operating the on-line terminal and shall immediately notify the Lottery's designated VENDOR HOTLINE of any phone line or on-line terminal malfunction, such as the issuance of an invalid ticket, the inability to cancel a ticket or the non-issuance of a ticket.

(9) Upon display of proper identification, Retailers shall provide access to Lottery or vendor personnel for service.

(10) Retailers shall be responsible for the physical security of the on-line terminal.

(11) The Lottery is authorized to recover the cost of any damage to on-line terminals in excess of normal wear and tear.

(12) Retailers shall not attempt to perform any mechanical or electrical maintenance or repairs on the on-line terminal except as authorized by the Lottery or its vendors.

(13) Retailers shall change ribbons, replenish ticket stock, and clear paper jams as required on the on-line terminal.

(14) Retailers shall provide a space for the play station provided by the Lottery at a location approved by the Lottery. Retailers shall maintain an adequate supply of pencils, play slips, claim forms, and brochures for use by players as provided by the Lottery or authorized vendor. Material not authorized by the Lottery shall not be displayed at or dispensed from the play station.

(15) Settlement Package. Retailers shall complete the on-line settlement package each week. Those packages shall be made available for pickup by the Lottery Sales Representative or vendor of the Lottery as determined by the Lottery. The on-line settlement package shall contain the entire package prepared by the retailer summarizing the previous week's on-line activities and shall contain the following:

- (a) The on-line settlement form;
- (b) Any pay transactions greater than five dollars (\$5.00) which include sell tickets and pay tickets;
- (c) Cancellation transactions which include the sell ticket and the refund ticket;
- (d) Sign on ticket.

(16) Upon violation of these rules by a retailer, the Lottery is authorized to terminate or restrict the retailer's authority to sell lottery tickets.

(17) This emergency rule replaces 53ER94-29, F.A.C.

Specific Authority 24.112(1), 24.105(2)(a), 24.109(1) FS. Law Implemented 24.112(1) FS. History--New 4-28-00, Replaces 53ER94-29.

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

EFFECTIVE DATE: April 28, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Change in Retailer Business Location or Ownership  
RULE NO.: 53ER00-21

SUMMARY OF THE RULE: The emergency rule replaces 53ER94-21, FAC., and sets forth provisions regarding a change in a retailer's business location or ownership.

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:

53ER00-21 Change in Retailer Business Location or Ownership.

(1) No Certificate of Authority or retailer contract is assignable or transferable between persons or locations.

(2) To avoid an interruption or termination of lottery ticket sales, any change in ownership or location of a retailer's place of business shall be preceded by the filing and approval of a Retailer Application as provided in section 53ER95-48, F.A.C., and the issuance of a new Certificate of Authority. For the Lottery to authorize continued sales following a change of ownership, the retail location in question must have met the applicable minimum sales criteria set forth in 53ER00-22 or 53ER00-23, F.A.C., as applicable.

(3) Any of the following will be considered a change of ownership:

- (a) Sale of the business;
- (b) Change in the form of ownership of the business;
- (c) Change of general partners in a limited or general partnership; or
- (d) Death of a sole proprietor.

(4) A retailer shall notify the Lottery immediately of the occurrence or pending occurrence of any of the change of ownership conditions listed in the preceding subsection; and shall immediately notify the Lottery of a filing for bankruptcy by the retailer or any person listed on the retailer's application.

(5) A retailer that is a corporation shall immediately notify the Lottery of any change of managing officers or directors, and of transfers of 10 percent or more of its corporate stock. Notification shall be given by filing a retailer application and following the procedures set out in rule 53ER95-48, F.A.C. Applications for approval of a change of location shall be submitted as provided in rule 53ER95-48, F.A.C. If as a result of its investigation the Lottery determines that any new officer, director or shareholder of 10 percent or more of the corporate stock would have caused the initial retailer application to be denied, the retailer will be given an opportunity to sever its relationship with the officer, director or shareholder. If the retailer does not sever the relationship, the Lottery shall terminate the retailer contract. A non-refundable background investigation fee of \$25 per person investigated shall accompany the notice of change by the retailer.

(6) This emergency rule replaces emergency rule 53ER94-21, F.A.C.

Specific Authority 24.112(1), 24.109(1) FS. Law Implemented 24.112 FS. History--New 4-28-00, Replaces 53ER94-21.

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

EFFECTIVE DATE: April 28, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Minimum Sales Requirements for Retailers with LT700 Terminals  
 RULE NO.: 53ER00-22

SUMMARY OF THE RULE: The emergency rule replaces 53ER96-13, FAC., and sets forth the minimum sales requirements for on-line retailers with LT700 terminals.

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:

53ER00-22 Minimum Sales Requirements for Retailers with LT700 Terminals.

(1) Subsection 24.112(1), Florida Statutes, requires that the Lottery specify terms and conditions for contracting with retailers who will best serve the public interest and promote the sale of Lottery tickets. Because there is a finite number of on-line lottery terminals available for placement in contracted retail locations throughout the State, Lottery retailers who have been selected for placement of a terminal shall make all reasonable efforts to maximize sales of on-line tickets. Such efforts will result in maximum revenues for Education as well as maximum profits for retailers. The provisions of this rule shall apply to an on-line retailer with an LT700 terminal.

(2) Retailers who have been on-line sellers for at least 6 months, and whose on-line ticket sales average falls below \$800 per week for the 4 consecutive Lottery accounting weeks prior to the first of each month shall be subject to loss of on-line retailer status and removal of the on-line terminal from their place of business.

(3) In deciding whether or not to remove a terminal for placement in another retail location with higher sales potential, the Lottery will consider the public's convenience (whether the terminal is in a remote location or whether there are other terminals available within a reasonable distance); whether there are extenuating circumstances that have adversely impacted sales volume (for example, the retailer's business is seasonal; road construction has caused a temporary decrease in normal sales volume; or other factors that are temporary in nature); the impact, if any, on the status of a corporate (multi-location) retailer if a terminal is removed from one of the corporate's retail locations; and the impact, if any, on the overall level of participation of small and minority businesses as Lottery retailers.

(4) Retailers whose on-line retailer contract addendum is terminated for minimum sales reasons shall be permitted and encouraged to remain a Lottery instant ticket retailer.

(5) This emergency rule replaces 53ER96-13, F.A.C.

Specific Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(2) FS. History—New 4-28-00, Replaces 53ER96-13.

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

EFFECTIVE DATE: April 28, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Minimum Sales Requirements for Retailers with Integra™, or OmniLink™, or Instant Terminals  
 RULE NO.: 53ER00-23

SUMMARY OF THE RULE: The emergency rule sets forth the minimum sales requirements, as applicable, for on-line retailers with either an Integra™ or an OmniLink™ terminal and instant-only retailers.

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:

53ER00-23 Minimum Sales Requirements for Retailers with Integra™, or OmniLink™, or Instant Terminals.

(1) Subsection 24.112(1), Florida Statutes, requires that the Lottery specify terms and conditions for contracting with retailers who will best serve the public interest and promote the sale of lottery tickets. Because there is a finite number of lottery terminals available for placement in contracted retail locations throughout the State, Lottery retailers who have been selected for placement of a terminal shall make all reasonable efforts to maximize sales of tickets. Such efforts will result in maximum revenues for Education as well as maximum profits for retailers. The provisions of this rule, as applicable, shall apply to on-line retailers with either an Integra™ or an Omnilink™ terminal and shall apply to instant-only retailers.

(2) Once an on-line retailer has sold tickets for a minimum period of six months, the Lottery, on a monthly basis, will determine a retailer's compliance with the applicable minimum sales requirements set forth in paragraphs (a) and (b) below. This determination will be made by averaging the retailer's on-line sales for a specific number of consecutive Lottery accounting weeks preceding the first of each month. The number of consecutive Lottery accounting weeks averaged shall be determined by the duration of the retailer's on-line ticket sales as follows:

<u>Duration of On-line Retailer Sales:</u>	<u>Number of Consecutive Accounting Weeks Included in Monthly Sales Average:</u>
<u>26-51 weeks</u>	<u>26-51 (running number that increases with the number of weeks the retailer sells on-line tickets)</u>
<u>1 year or greater</u>	<u>52</u>

(a) The minimum sales requirement for a retailer with an Integra™ terminal is as follows:

1. On-line sales must average at least \$1,200 per week, except as provided in subparagraph (2)(a)2., below.

2. If the retailer's combined on-line and instant sales average is at least \$1,700 per week, of which the on-line portion of the sales average is at least \$1,000 per week, the retailer shall be in compliance with the minimum sales requirement.

(b) The minimum sales requirement for an on-line retailer with an OmniLink™ terminal is as follows:

1. On-line sales must average at least \$500 per week, except as provided in subparagraph (2)(b)2., below.

2. If the retailer's combined on-line and instant sales average is at least \$800 per week, of which the on-line portion of the sales average is at least \$400 per week, the retailer shall be in compliance with the minimum sales requirement.

(c) An on-line retailer who does not meet the applicable minimum sales requirements set forth above, shall be subject to replacement of the existing on-line terminal with a type of terminal that is more consistent with the retailer's volume of sales (either an OmniLink™ or OmniPoint™ terminal, as applicable), or shall be subject to removal of the on-line terminal from its place of business and termination of the retailer contract pursuant to 53ER94-60(2)(f), F.A.C.

(3) Once an instant-only retailer has sold tickets for a minimum period of six months, the Lottery, on a monthly basis, will determine an instant-only retailer's compliance with the minimum sales requirement of at least \$300 per month. This determination will be made by averaging the retailer's instant ticket sales for a specific number of consecutive months preceding the first of each month. The number of consecutive months included in the average is determined by the duration of the retailer's instant ticket sales as follows:

<u>Duration of Instant Retailer Sales</u>	<u>Number of Consecutive Months Included in Monthly Average</u>
<u>6-11 months</u>	<u>6-11 (running number that increases with the number of months the Retailer sells instant tickets)</u>
<u>1 year or greater</u>	<u>12</u>

If an instant-only retailer does not meet the minimum sales requirement, the retailer shall be subject to removal of the terminal from its place of business and termination of its retailer contract pursuant to 53ER94-60(2)(f), F.A.C.

(4) In deciding whether or not to remove a terminal from one location for placement in another retail location with higher sales potential, the Lottery will consider the public's convenience (whether the terminal is in a remote location or whether there are other terminals available within a reasonable distance); whether there are extenuating circumstances that have adversely impacted sales volume (for example, the retailer's business is seasonal; road construction has caused a temporary decrease in normal sales volume; or other factors

that are temporary in nature); the impact, if any, on the status of a corporate (multi-location) retailer if a terminal is removed from one of the corporate's retail locations; and the impact, if any, on the overall level of participation of small and minority businesses as Lottery retailers.

Specific Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(2) FS. History—New 4-28-00.

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

EFFECTIVE DATE: April 28, 2000

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

### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that, pursuant to Section 120.542, Florida Statutes, on April 28, 2000, the State Board of Independent Colleges and Universities issued an Order Granting Petition for Waiver, for the petition filed by the National Institute of Oriental Medicine, seeking a waiver from the provisions of Rule 6E-2.002(2)(f), FAC. The petition was filed with the Board on January 31, 2000. The Department published its notice of receipt of the petition in the February 25, 2000 edition of the Florida Administrative Weekly.

Rule 6E-2.002(2)(f), Florida Administrative Code, relates to the issuing of degrees by a college or university when attaining a Level II license. NOIM's petition requested a waiver of that rule in order to permit it to award the degree of Master of Oriental Medicine to students who graduated during the 1997 calendar year (when NOIM received accreditation) through the time that it received its Level II license in October of 1999. The Board's Order Granting Petition for Waiver granted the relief sought by the petitioner, finding that an undue hardship would result from a strict application of the rule, and that the rule's purpose has been accomplished by other means.

A copy of the Department's Order Granting Request for Waiver may be obtained from: Office of the Executive Director, State Board of Independent Colleges and Universities, The Koger Center, Turner Building, Room 200, 2586 Seagate Drive, Tallahassee, Florida 32301.

For additional information, contact Cindy Bellia at (850)488-8695.

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received an Amended Emergency Petition for Waiver dated April 27, 2000 from the City of Tampa. The petitioner seeks a waiver, with respect to its Series



P9A Florida Communities Trust grant application, from the literal interpretation of one aspect 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 DCA00-WAI-181, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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NOTICE IS HEREBY GIVEN that the Department of Community Affairs has received a Petition for Waiver dated May 2, 2000 from the City of Gainesville. The petitioner seeks a waiver from the literal interpretation of Rule 9K-4.0031(9), 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 DCA00-WAI-183, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### **PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that on April 17, 2000, the Florida Public Service Commission has received a Petition from Telaleasing Enterprises, Inc. (Docket No. 000445-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The location of the pay telephone station is as follows: Gator Linton Square, 1449 South Congress Avenue, Delray Beach, Florida. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice.

A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850 or by calling (850)413-6770.

For additional information, contact: Felicia R. Banks, Esq., Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862 or telephone (850)413-6191.

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NOTICE IS HEREBY GIVEN that on April 17, 2000, the Florida Public Service Commission received a Petition from Telaleasing Enterprises, Inc. (Docket No. 000447-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone station is as follows: Gator Linton Square, 1563 S. Congress Ave, Delray Beach, Florida 33444.

Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice.

A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850 or by calling (850)413-6770.

For additional information, contact: Patricia Christensen, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862 or telephone (850)413-6220.

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NOTICE IS HEREBY GIVEN that on April 18, 2000, the Florida Public Service Commission received a Petition from BellSouth Public Communications, Inc. (Docket No. 000449-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The location of the pay telephone station is as follows: Newson's Grocery, 3209 Overland Road, Apopka, Florida.

Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice.

A copy of the Petition may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850 or by calling (850)413-6770.

For additional information, contact: Wayne D. Knight, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862 or telephone (850)413-6232.

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#### **WATER MANAGEMENT DISTRICTS**

The St. Johns River Water Management District announces its intent as required by Section 403.201(3), Florida Statutes, and 40C-1.1002(5), Florida Administrative Code, to grant a request for variance. The District received a petition for variance from Warren T. Michael, Jr. on March 15, 2000, pursuant to Sections 373.414(17) and 403.201(1)(c), Florida Statutes. The Petitioner requested relief from Rule 40C-4.302(1)(c), Florida Administrative Code, and Section 12.2.5(c), Applicant's Handbook: Management and Storage of Surface Waters, adopted by reference in Section 40C-4.091, Florida Administrative Code, to construct a two-slip boat dock and boardwalk for access in the Matanzas River in St. Johns County. This variance is sought in conjunction with a St. Johns River Water Management District Permit application number 40-109-56595-1 to authorize construction of a surface water management system for a bed and breakfast establishment jointly serving as the family residence. The Project is located

in an area of the Matanzas River classified by the Department of Environmental Protection as Class II Waters that are conditionally approved for shellfish harvesting. Rule 40C-4.302(1)(c), Florida Administrative Code, and Section 12.2.5(c), Applicant's Handbook, set forth additional conditions for permit issuance for regulated activities in Class II waters that are classified as "approved, restricted, conditionally approved or conditionally restricted for shellfish harvesting." Section 12.2.5(c) expressly provides for denial of permits for regulated activities located directly in Class II waters approved for shellfish harvesting, but allows the construction of single family, two-slip boat docks that meet certain criteria enumerated in subsection 12.2.5(c) 1-7, Applicant's Handbook. The variance and permit will allow Petitioner to build a two-slip boat dock like those allowed for single family residences. The Petition for Variance and permit application file is available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays at St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177. Request for copies or inspection of the permit application file should be made to Cynthia A. Chritton, Office of General Counsel, at the above address.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The Capitol Center Planning Commission hereby gives notice that on May 2, 2000, it received a petition on behalf of Paradigm Café, from Will Sturges, AIA, CSI, seeking a waiver or variance of Rules 60F-3.005(5)(a) and 60F-3.006(1)(d), FAC., pursuant to Section 120.542, F.S. The Petitioner seeks a waiver of Rule 60F-3.005(a), with respect to the requirement that no such structure may be enlarged or altered in a way which increases its non-conformity. Petitioner also seeks a waiver of Rule 60F-3.006(1)(d) which establishes minimum building setbacks for the O-I and O-G Districts. Petitioner wishes to be exempt from these standards in order to accommodate existing uses, as well as new construction of a rear wall. The Commission will discuss this matter on May 23, 2000, at The City Hall, The Tallahassee Room, 300 S. Adams, Tallahassee, Florida, at 9:30 a.m., or shortly thereafter. Written comments on this petition should be filed with Trent Price, Director, Capitol Center Planning Commission, Department of Management Services, 4030 Esplanade Way, Suite 360, Tallahassee, FL 32399-0950, within 14 days of publication of this notice.

For a copy of the petition, contact: Trent Price, Director, Capitol Center Planning Commission, at the above address or telephone (850)488-4739.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Cosmetology hereby gives notice that it received a petition for variance or waiver filed by Frances Hunnings. The Petitioner sought a waiver of Rule 61G5-20.002(4), FAC. which requires a cosmetology salon to contain a minimum of two hundred (200) square feet of floor space. Based on its review of the facts and circumstances presented in the petition, the Board GRANTED a TEMPORARY VARIANCE pursuant to the Order filed in this matter.

A copy of the order can be obtained from Julie Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Variance or Waiver on April 27, 2000 from Alachua County, Florida.

Applicable Rule: Section 64E-2.030(1), FAC.

Requested Action: To grant a variance or waiver to the deadline for filing their grant application; accept the signed and completed Assurance Form as complete and timely; and grant Petitioner an extension of time to file a petition for administrative hearing to contest the denial of the grant application, or otherwise toll the deadline to file such a petition.

Any interested person or agency may submit written comments on this petition until close of business May 26, 2000. Comments must be addressed to Ms. Pam Lesley, Sr. Management Analyst, Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738.

P.O. X00699

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

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration  
 Department of Veterans' Affairs  
 Department of Highway Safety and Motor Vehicles  
 Department of Law Enforcement  
 Department of Revenue  
 Department of Education  
 Administration Commission

Florida Land and Water Adjudicatory Commission  
Board of Trustees of the Internal Improvement Trust Fund  
Department of Environmental Protection

DATE AND TIME: May 23, 2000, 9:00 a.m.

PLACE: County Administration Building, County  
Commission Chamber, First Floor, 1660 Ringling Boulevard,  
Sarasota, Florida

PURPOSE: Regular scheduled meeting of the Governor and  
Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215, F.S. and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental

budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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#### DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services** announces a meeting of the State Library Council, which is open to the public.

DATE AND TIME: Friday, June 9, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, First Floor, Board Room, 500 South Bronough Street, Tallahassee, Florida

PURPOSE: As authorized by Section 257.02, F.S., and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

For further information, contact: The Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, telephone (850)487-2651 or Suncom 277-2651.

Pursuant to Chapter 286.26, Florida Statutes, any persons with handicaps wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

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The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

DATE AND TIME: Tuesday, May 23, 2000, 1:30 p.m.

PLACE: Everglades Regional Office, 8535 Northlake Boulevard, West Palm Beach, FL 33412, (561)625-5130

PURPOSE: To hold an Orientation meeting to determine potential artwork sites for Art in State Buildings Project No. DMS 9700/6000, Florida Fish and Wildlife Conservation Commission, Regional Office, West Palm Beach County, Florida

COMMITTEE: Art Selection Committee

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

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#### DEPARTMENT OF LEGAL AFFAIRS

The Finance and Budget Committee of the **Florida Commission on the Status of Women** will hold a conference call on:

DATE AND TIME: May 31, 2000, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

PURPOSE: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

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The Annual Report Committee of the **Florida Commission on the Status of Women** will hold a conference call on:

DATE AND TIME: May 31, 2000, 3:00 p.m.

PLACE: Please call (850)414-3300, for instructions on participation

PURPOSE: To discuss general issues

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

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The **Florida Commission on the Status of Women** will hold a meeting.

DATES AND TIMES: June 5, 2000, 1:00 p.m. – 5:00 p.m.; June 6, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: St. John's River Community College, Student Center, Community Room, St. Augustine, FL, (904)808-7412

PURPOSE: To discuss general issues.

Please call (850)414-3300, for instructions on participation.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

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#### DEPARTMENT OF EDUCATION

The **Florida Department of Education** announces a public meeting to which all interested parties are invited to attend.

DATES AND TIME: May 18-19, 2000, 9:00 a.m.

PLACE: 107 West Gaines St., Room 124, Collins Building, Tallahassee, Florida 32399-0400

**PURPOSE:** To conduct a meeting of the Florida Council of Student Financial Aid Advisors.

A copy of the agenda may be obtained by writing: Bureau of Student Financial Assistance, Department of Education, Attention: Mario Butler, 325 West Gaines Street, 124 Collins Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the American Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency by contacting Mario Butler, (850)922-7178, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the agency by calling (850)488-4095.

The **State Board of Nonpublic Career Education** announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 19, 2000, 9:00 a.m.

**PLACE:** Ramada Inn Gulfview, 521 South Gulfview Boulevard, Clearwater, Florida 33767

**PURPOSE:** Consider licenses for appropriate schools, cases for licensure as specified in the agenda and other general Board business.

Any person who decides to appeal a decision of the Board with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: State Board of Nonpublic Career Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

**DATE AND TIME:** Friday, May 19, 2000, 9:30 a.m. – 12:30 p.m.

**PLACE:** Room 1703/07, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: K-16 Articulation, Florida Department of Education, 401 Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)922-0344 or Suncom 292-0344.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, May 26, 2000, 9:00 a.m.

**PLACE:** Music Building Auditorium, FSDB Campus, St. Augustine, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, 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.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

**DATE AND TIME:** Thursday, May 25, 2000, 9:00 a.m. – 1:00 p.m.

**PLACE:** University of Miami, Lowe Art Museum, Miami, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Commission will review the actions of the 2000 Legislature and discuss its study assignments for the coming year.

For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The Planning Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

**DATE AND TIME:** Thursday, May 25, 2000, 1:00 p.m. (or upon adjournment of the Full Commission) – 4:00 p.m.

**PLACE:** University of Miami, Lowe Art Museum, Miami, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will discuss occupational supply and demand data in selected fields.

For further information contact: Dr. Pat Dallet, Assistant Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The **Florida Community Colleges Risk Management Consortium** announces a meeting to which all persons are invited:

**DATE AND TIME:** Friday, May 19, 2000, 9:15 a.m. – 12:00 Noon

**PLACE:** AmeriSuites, Orlando Airport, Orlando, Florida

PURPOSE: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, or by telephoning (352)955-2190, Ext. 2.

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#### DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Tuesday, June 6, 2000, 1:00 p.m.; Wednesday, June 7, 2000, 8:30 a.m.

**PLACE:** The Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida

**PURPOSE:** June 6, 2000 – The Criminal and Juvenile Justice Information Systems Council will discuss ideas and identify priorities for the vision and direction of the Criminal Justice Network (CJNet) to be proposed at the Council meeting.

June 7, 2000 – The Criminal and Juvenile Justice Information Systems Council meeting will focus on the CJNet proposals and determine priorities and plans for the 2000-2002 period. The Criminal and Juvenile Justice Information Systems Council will also conduct its regular meeting to discuss state and national issues in areas of criminal and juvenile justice information and information systems.

Individuals with a disability as defined by the Americans with Disabilities Act (ADA) may call Senior Management Analyst, Bonnie Cox, (850)410-7126, about accommodations that would enable attendance.

A copy of the agenda may be obtained by writing: Senior Management Analyst, Bonnie Cox, Florida Department of Law Enforcement, Division of Criminal Justice Information Systems, Strategic Planning and Systems Integrity, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-7126, Suncom 210-7126.

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The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

**DATE AND TIME:** Thursday, June 8, 2000, 1:00 p.m. – Open

**PLACE:** Broward Community College, Criminal Justice Institute, 3501 Southwest Davie Road, Fort Lauderdale, Florida 33314

**PURPOSE:** To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by calling: Brenda S. Presnell, (850)410-8648, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

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#### DEPARTMENT OF TRANSPORTATION

Notice is hereby given that the Florida **Department of Transportation** will offer the opportunity for a public hearing concerning the proposed jurisdictional roadway transfer and access management classification for Pierce Boulevard, Court Street and Chestnut Street in the City of Clearwater. The City of Clearwater has requested the transfer of SR 60/Cleveland Street/Gulf-to-Bay Boulevard off the State Highway System onto the City of Clearwater Road System and the transfer of Pierce Boulevard/Chestnut/Court Streets off the City of Clearwater Road System and onto the State Highway System. The hearing will be held on:

**DATE AND TIME:** May 31, 2000, 6:00 p.m. – 8:00 p.m.

**PLACE:** City Commission Chambers, Clearwater City Hall, 112 South Osceola Avenue, 3rd Floor, Clearwater, Florida

All persons interested on this subject please contact: Charles A. Q. Gray, Jr., Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, Tampa, Florida 33612, Phone (813)975-6439 or 1(800)226-7220, Ext. 7796.

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The **Department of Transportation**, Turnpike District announces a public hearing to which all persons are invited.

**DATE AND TIMES:** June 6, 2000, 6:00 p.m. – informal open house; 7:00 p.m. – formal public hearing

**PLACE:** Boyd Anderson High School, Auditorium, 3050 N. W. 41st Street, Lauderdale Lakes, FL 33309

**PURPOSE:** This hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is also being held in accordance with the Federal-Aid Highway Act of 1968, as amended, 23 U.S.C. 128, 40 C.F.R. 1500-1508, C.F.R. 771 and Section 339.155, Florida Statutes, and is also consistent with the Americans With Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the preliminary design, social, economic and environmental effects of Financial Project ID 232254-1 and Federal Aid Project Number TNPk-002-Y, otherwise know as the Florida's Turnpike and Commercial Boulevard Project Development and Environment Study. This study area includes: the Turnpike, beginning at Oakland Park Boulevard and continuing north to Cypress Creek/McNab Road; along Commercial Boulevard, beginning at Rock Island Road and

continuing east through the S.R. 7 intersection; and along S.R. 7, from south of the Commercial Boulevard intersection north to Bailey Road.

The proposed improvements will require right-of-way acquisition. There are no business or residential relocations associated with the project. Wetlands may be given special consideration under Executive Orders 11990 and 11988. A Toll Rate Rule Development Workshop will be held as part of the PD&E Study Public Hearing to allow the public an opportunity to comment on the development of proposed toll rates for this section of the Florida's Turnpike.

Anyone needing project or Public Hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or contact Ms. Catherine Bradley by telephone, (850)488-4671. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Catherine Bradley, P. E., Florida Department of Transportation, Turnpike District, 1211 Governor's Square Boulevard, Suite 100, Tallahassee, Florida 32301.

**STATE BOARD OF ADMINISTRATION**

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited. This will be primarily a conference call.

DATE AND TIME: Wednesday, May 31, 2000, 2:00 p.m. – 3:00 p.m.

PLACE: The Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida, (conference call) (850)488-5776, Suncom 278-5776.

PURPOSE: To rulemaking procedures and to discuss the general business of the Council.

Anyone wishing a copy of the agenda should contact: Anne Bert, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Patti Elsbernd, (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** and the Florida Parole Commission Qualifications Committee announce that a public meeting will be held to which all persons are invited.

DATE AND TIME: Friday, May 19, 2000, 11:00 a.m.

PLACE: Aviation Authority Boardroom, Orlando Airport, One Airport Boulevard, Orlando, Florida

PURPOSE: To conduct its organizational meeting and initiate the selection process for the position of Parole Commissioner.

Any person who decides to appeal a decision of the Florida Parole Commission or the Florida Parole Commission Qualifications Committee 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, Attention: Mr. Frank Trueblood, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, Telephone (850)488-3417, Suncom 278-3417.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency by sending the notice no later than five working days prior to the proceeding to the address given on the notice.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 24, 2000, 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 two working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a customer meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO.: 991437-WS – Application for increase in water rates in Orange County by Wedgefield Utilities, Inc.

DATE AND TIME: Wednesday, May 31, 2000, 6:00 p.m.

PLACE: Wedgefield Golf Course and Country Club, 20550 Maxim Parkway, Orlando, Florida 32833

PURPOSE: To give customers and other interested persons an opportunity to offer comments on the quality of service the utility provides, the proposed rate increase and to ask questions and comment on other issues.

A copy of the agenda for any meeting may be obtained by writing: Director of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Florida Partnership for School Readiness, **Executive Office of the Governor** announces the following public meeting to which all persons are invited.

DATE AND TIME: May 30, 2000, 9:00 a.m. – 5:00 p.m.  
 PLACE: The Knott Building, Room 412, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Partnership for School Readiness.

A copy of the agenda may be obtained by contacting: Kristin Gilmore, Florida Partnership for School Readiness, Executive Office of the Governor, Room 131, Knott Building, Tallahassee, Florida 32399, (850)488-0337.

The **Office of the Film Commissioner** and the **Florida Film Advisory Council** and its committees will convene in the third meeting of the Council. This is a public meeting to which all persons are invited.

DATE AND TIME: Sunday, May 21, 2000, 2:00 p.m.  
 PLACE: Mediterrean Room West, Wyndham Miami Beach Resort, 4833 Collins Avenue, Miami, Florida 33140  
 PURPOSE: To review projects and the activities of staff and committees since the February 29th meeting of the Council.

A copy of the agenda may be obtained by writing: Mrs. Rebecca Dirden-Mattingly, Commissioner, Office of the Film Commissioner, State of Florida, Executive Office of the Governor, Bloxham Building, Suite G-14, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

**REGIONAL PLANNING COUNCILS**

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee  
 DATE AND TIME: May 25, 2000, 6:00 p.m.  
 PURPOSE: To conduct the regular business of the Executive Committee.  
 MEETING: Regional Planning Committee  
 DATE AND TIME: May 25, 2000, 6:00 p.m.

PURPOSE: To prepare an Evaluation and Appraisal Report for the North Central Florida Strategic Regional Policy Plan.

MEETING: Finance Committee  
 DATE AND TIME: May 25, 2000, 6:30 p.m.  
 PURPOSE: To develop the budget for FY 2000-2001.

MEETING: Clearinghouse Committee  
 DATE AND TIME: May 25, 2000, 6:30 p.m.  
 PURPOSE: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council  
 DATE AND TIME: May 25, 2000, 8:00 p.m.

PURPOSE: To conduct the regular business of the North Central Florida Regional Planning Council.  
 PLACE: Holiday Inn Restaurant, Lake City, Florida

Any person deciding to appeal any decision of the Council or its committees with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made.

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67th Place, Suite A, Gainesville, Florida 32653-1603.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Planning Council**, Economic Development Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, May 24, 2000, 10:00 a.m.  
 PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL  
 PURPOSE: Monthly meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)363-6350, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.



NOTICE OF CANCELLATION – The **Southwest Florida Regional Planning Council** announces that the following meeting has been canceled:

DATE AND TIME: May 18, 2000, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917

The next regular meeting is scheduled for June 15, 2000, 9:30 a.m.

The **South Florida Regional Planning Council** announces the following Workshop meeting to which all persons are invited.

MEETING: State Road Seven Business and Property Owners Key Stakeholders Workshop

DATE AND TIME: Wednesday, May 24, 2000, 6:00 p.m. – 10:00 p.m.

PLACE: International Game Fish Association Headquarters, 300 Gulf Stream Way, Dania Beach, FL 33004

PURPOSE: The South Florida Regional Planning Council is on contract with the Broward County Metropolitan Planning Organization to convene a dialogue among Broward County, the Cities of Hollywood and Miramar, the Town of Davie, The Seminole Tribe of Florida, the Florida Department of Transportation and key business and property owners along the State Road Seven corridor from Orange Drive in Broward County to the Broward/Miami-Dade County line. The purpose of this meeting is to discuss issues relating to redevelopment options for the corridor and to exchange information about current and proposed local government plans as well as the desires and concerns of business and property owners.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces the following Clean Cities meetings to which all persons are invited.

First Meeting: Clean Cities Coalition Market Development Subcommittee

DATE AND TIME: Monday, June 5, 2000, 11:00 a.m.

PLACE: Diabetes Research Institute Foundation, 3440 Hollywood Boulevard, Suite 100, Hollywood, FL 33021

Second Meeting: Clean Cities Coalition Meeting

DATE AND TIME: Monday, June 5, 2000, 1:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: The Gold Coast Clean Cities Coalition consists of Broward, Martin, Miami-Dade, Monroe and Palm Beach Counties. The Coalition was formed through Governor's Executive Order to accelerate the widespread use of cleaner, alternatively fueled fleet vehicles in Southeast Florida. The purpose of these meetings is to discuss relevant Coalition issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** announces the following public meeting:

MEETING: Budget/Personnel Committee

DATE AND TIME: May 22, 2000, 11:30 a.m. – 1:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Stuart, FL 34996

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Budget/Personnel Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

**REGIONAL TRANSPORTATION AUTHORITIES**

The **Central Florida Regional Transportation Authority** (LYNX) announces the following public meeting of the Governing Board of the Authority to which all persons are invited.

DATE AND TIME: May 25, 2000, 2:30 p.m.

PLACE: Educational Leadership Center, Board Room, 1st Floor, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: Regularly Scheduled Board Meeting.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order.
2. Presentations, if any.
3. Approval of Minutes.
4. Consent Items.
5. Action Items.
6. Chairman's Report.
7. Executive Director's Report.
8. Other Business.

A copy of the detailed agenda may be obtained by contacting: Sandy Bazinet, Assistant Secretary, Central Florida Regional Transportation Authority, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a Premiums and Benefits Committee meeting to which the public is invited.

DATE AND TIME: Thursday, May 18, 2000, 11:00 a.m. – 2:00 p.m.

PLACE: 8019 Bayberry Road, Jacksonville, Florida

PURPOSE: To discuss issues of interest to the committee.

For further information about this telephone conference, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, telephone number (850)487-2613, two days prior to the date of the meeting.

In the event meeting time and/or place changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152. You may call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announce Board and Committee meetings to which the public is invited.

DATES AND TIMES: Thursday, June 1, 2000, 10:00 a.m.; Friday, June 2, 2000, 8:00 a.m. – 12:30 p.m.

PLACE: TBA, Orlando, Florida

PURPOSE: On the morning of June 1, 2000, the Board will engage in internal Board development. In the afternoon the Fraud and Premiums & Benefits Committees will meet. On June 2, 2000, the Board will hold a regular business meeting.

For a copy of the agenda or for further information, contact: Julie Douthit, #100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, call (850)487-2613.

In the event meeting time and/or place changes, notice will be posted on bulletin board at 2574 Seagate Drive, #100, Marathon Bldg., Tallahassee, Florida 32399-2152, call (850)487-2613.

Persons with a disability or handicap requiring reasonable accommodation should contact Becky Thomas in writing or by telephone at the above address or telephone number at least two business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Becky Thomas using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation** announces a joint meeting of its Employee Advisory Committee and Employer Advisory Committee to which the public is invited.

DATE AND TIME: Friday, May 26, 2000, 9:00 a.m. – 11:00 a.m.

PLACE: Hotel Royal Plaza, 1905 Hotel Plaza Boulevard, Lake Buena Vista, Florida

**PURPOSE:** The purpose of this meeting is to provide a forum for the discussion of the Workers' Compensation issues affecting both employees and employers.

For further information about this meeting contact: Rosa Smiley, 203R Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399, Telephone (850)487-1810.

Persons with a disability or handicap requiring reasonable accommodations should contact Rosa Smiley in writing at the above address or by telephone at least three business days in advance of the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact Rosa Smiley using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation**, Special Disability Trust Fund Advisory Committee announces a meeting to which the public is invited.

**DATE AND TIME:** Tuesday, June 6, 2000, 10:00 a.m. – 11:30 a.m.

**PLACE:** Division of Worker's Compensation, 2728 Centerview Drive, Forest Building, Room 301-F, Tallahassee, FL

**PURPOSE:** The purpose of the meeting is to discuss the Special Disability Trust Fund workloads, provide an update on the Fund, provide an update on the Special Disability Trust Fund Privatization Commission and discuss the privatization issues and any other issues relevant to the Fund.

For further information regarding the meeting, please contact: Annemarie Craft, 535 John Knox Road, Tallahassee, Florida 32399-4104, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Carolyn Walker by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Annemarie Craft using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation**, Special Disability Trust Fund Advisory Committee announces a telephonic meeting to which the public is invited.

**DATE AND TIME:** Tuesday, June 6, 2000, 11:30 a.m. – 12:00 p.m.

**PLACE:** Tallahassee, FL

**PURPOSE:** The purpose of the meeting is to discuss cases request for settlement approval for \$500,000 or more.

Persons wishing to attend the phone conference must call Carolyn Walker on or before Thursday, June 1, 2000, (850)488-4896.

For further information regarding the meeting, please contact Carolyn Walker, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Carolyn Walker by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Carolyn Walker using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Division of Blind Services** and the Rehabilitation Council for the Blind announces the following meeting:

**DATES AND TIMES:** June 9, 2000, 8:30 a.m. – 5:00 p.m.; June 10, 2000, 8:30 a.m. – 12:00 p.m.

**PLACE:** Fort Lauderdale Marriott North, 6650 N. Andrews Avenue, Fort Lauderdale, FL 33309, (954)771-0440

**PURPOSE:** Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger Center, Tallahassee, FL 32399, (850)488-1330, or through the Florida Telephone Relay system at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

## **WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces the following meetings to which all persons are invited:

**MEETING:** District Lands Committee

**DATE AND TIME:** May 25, 2000, 10:30 a.m. – 11:30 a.m., CDT

**PURPOSE:** To discuss District lands issues.

**MEETING:** Administration, Budget and Finance Committee

**DATE AND TIME:** May 25, 2000, 11:30 a.m., CDT

**PURPOSE:** Workshop on FY 2000/2001 budget issues.

**MEETING:** Governing Board Meeting

**DATE AND TIME:** May 25, 2000, 1:30 p.m., CDT

**PURPOSE:** To consider District business.

**MEETING:** Public Hearing on Regulatory Matters

**DATE AND TIME:** May 25, 2000, 1:45 p.m., CDT

**PURPOSE:** To consider regulatory matters.

**MEETING:** Public Hearing on Land Acquisition Matters

**DATE AND TIME:** May 25, 2000, 2:00 p.m., CDT

**PURPOSE:** To consider land acquisition matters.

**PLACE:** Pensacola City Hall, Council Chambers, 180 Governmental Center, Pensacola, Florida

A copy of these agendas can be obtained by contacting: Carolyn Wise, NFWFMD, Route 1, Box 3100, Havana, Florida 32333, (850)539-5999.

Appeal from any NFWFMD Board decision requires a record of the proceedings. Although Governing Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following Facilities/Planning/Construction Committee meeting:

DATE AND TIME: Wednesday, May 24, 2000, 9:30 a.m.

PLACE: St. Johns River Water Management, Orlando Service Center, 618 East South Street, Orlando, FL 32807

PURPOSE: To discuss project construction and contractual matters of the District.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Mrs. Sharon Whitener, Administrative Support Coordinator, Department of Operations and Land Resources, (904)329-4281.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **South Florida Water Management District** pursuant to Rule 28-102.003(3), Fla. Admin. Code, announces that two emergency public meetings were held to which all interested parties were invited:

DATE AND TIME: April 19, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: SFWMD Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

DATE AND TIME: April 25, 2000, 10:00 a.m. – 12:30 p.m.

PLACE: SFWMD Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PRIOR NOTICE WAS EFFECTUATED BY: Pursuant to Rule 28-102.003(2), Fla. Admin. Code, the SFWMD published notices of the times, dates, places and purposes of the April 19, 2000 and April 25, 2000 emergency public meetings in The Palm Beach Post on April 17, 21 and 24, 2000 and via Press Releases to all daily and weekly newspapers located and publishing within the jurisdiction of the SFWMD, all television and radio stations broadcasting within the jurisdiction of the SFWMD and environmental and development entities on April 17 and 21, 2000 as well as posting on the SFWMD's web site.

PURPOSE: The emergency public meetings were held to identify potential short term operating strategies for Lake Okeechobee, including the benefits and consequences of immediately lowering lake levels. The April 19, 2000 meeting was conducted by SFWMD staff as a public forum to disseminate information to the public and to obtain input from the public on these issues. The April 25, 2000 meeting of the Governing Board was held for the same purposes and to take action on these issues. These emergency meetings were held in accordance with the provisions of Rule 28-102.003, Fla. Admin. Code, and were necessary to protect the public health and welfare, the ecology of Lake Okeechobee and the water resource objectives of Chapter 373, Fla. Stat.

ACTIONS TAKEN: At the April 19, 2000 emergency meeting conducted by SFWMD staff, strategies were identified regarding the short term operation of Lake Okeechobee and the water resource objectives of Chapter 373, Fla. Stat. At the April 25, 2000 emergency meeting, the Governing Board of the SFWMD approved Resolution No. 00-31 authorizing the Executive Director to lower and keep the water level of Lake Okeechobee at 13.0 feet N.G.V.D. for the purpose of protecting the public health, safety and welfare. The Executive Director was authorized to execute the directives of the Governing Board via implementation of a shared adversity plan.

A copy of Resolution No. 00-31 with the attachments and SFWMD plan may be obtained by contacting: Penelope Bell, (561)682-6320 or pbell@sfwmd.gov.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. The above-identified Governing Board meeting was 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.

**SPACEPORT FLORIDA AUTHORITY**

The **Florida Commercial Space Financing Corporation** announces a Teleconference to which the public is invited.

DATE AND TIME: May 25, 2000, 2:30 p.m. – 3:30 p.m.

PLACE: Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920

**PURPOSE:** General board business meeting and ratification of agreements.

For more information, contact Karri Burns, (321)730-5301, Ext. 1144. The Teleconference will be available at the office of Florida Commercial Space Financing Corporation.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF MANAGEMENT SERVICES**

The State Technology Office, **Department of Management Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 17, 2000, 10:00 a.m. – 12:00 Noon

**PLACE:** Room 182, Betty Easley Center, 4050 Esplanade Way, Tallahassee, FL

**PURPOSE:** Chief information Officers Council.

A copy of the agency may be obtained upon request: State Technology Office, Room 335, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida 32399-0001, Phone (850)410-4777, E-Mail christm@eog.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency noted above at least 48 hours before the meeting by contacting Mary Christopher, (850)410-4777. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

**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:** June 28, 2000, 1:00 p.m. – 4:00 p.m.

**PLACE:** The Hurston Complex, Conference Rooms C and D, First Floor, 400 West Robinson Street, Orlando, Florida 32801

**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:** Richard Thrawl, Research Associate, Bureau of Timeshare, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 400 West Robinson St., Suite 502, Orlando, Florida 32801, (407)835-3424, or Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Clemons Bldg., Tallahassee, Florida 32399-2202.

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).

The **Board of Auctioneers** announces the following general business meeting to which all persons are invited.

**DATE AND TIME:** Friday, June 23, 2000, 1:00 p.m. (EST) or soon thereafter

**PLACE:** Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

**PURPOSE:** General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or by calling Daryl Dempsey, (850)488-5189.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting Daryl Dempsey, (850)488-5189. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The Florida **Electrical Contractors' Licensing Board** is having an Official Board and Committee Meeting via Telephone Conference Call to which all interested persons are invited.

**DATE AND TIME:** April 28, 2000, 2:00 p.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Electrical Contractor's Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771, Phone (850)922-8044, Fax (850)922-2918, Meet Me Number (850)414-1709, (SC) 994-1709

PURPOSE: Official Board Meeting.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Susan McAleer, Electrical Contractors' Licensing Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Susan McAleer using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Notice is hereby given that the **Electrical Contractors' Licensing Board** held an emergency meeting, via telephone conference call, Meet Me Number (850)488-0979.

DATE AND TIME: Friday, April 28, 2000, 2:00 p.m.

REASON WHY AN EMERGENCY MEETING WAS NECESSARY: Due to recent legislative activity, there was concern that there would be a disruption of processing the applications for licensure of electrical contractors unless a decision was made to withdraw a rule recently noticed for adoption. Any such disruption would threaten the health, safety and welfare of the citizens of the State of Florida.

NOTIFICATION OF INTERESTED PARTIES: This meeting was noticed by a press release, prepared and distributed to all news media available at the Press Center. This meeting was also noticed by faxing interested parties, their representatives and the various professional organizations which represent members of the professions implicated in the rule being considered at the meeting.

ACTION TAKEN: This meeting resulted in the Electrical Contractors' Licensing Board taking action to withdraw Rule 61G6-5.0035 as previously noticed for adoption.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: May 16, 2000, 1:30 p.m. or the soonest thereafter

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 by (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: May 17, 2000, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Official business of Commission. Among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF CORRECTION – The **Department of Environmental Protection** announces a correction to the Notice of Workshop regarding proposed amendments to Rule 62-212.600, FAC., which appeared in the May 5, 2000, issue of the Florida Administrative Weekly, Vol. 26, No. 18. Specifically, the notice published in the May 5, 2000, issue of the Florida Administrative Weekly, indicated that the workshop would be held on May 18, 2000, at the Hillsborough

County EPC, 2nd Floor, Conference Room, 1410 North 21st Street, Tampa, Florida, from 1:30 p.m. – 4:30 p.m. The correction location of this meeting will be:  
 PLACE: Hillsborough County Commission, 601 E. Kennedy, County Center, 2nd Floor, Board Room, Tampa, Florida

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: May 25, 2000, 8:00 a.m. – 6:00 p.m.  
 PLACE AND PURPOSE: The location and agenda has not been determined

Please contact the Commission office for verification of meeting location.

If an accommodation is needed for a disability in order to participate in this activity, please notify Cathy Mills, (850)488-2996 or 1(800)955-8771, at least seven days prior to the event.

Further information may be obtained by writing or calling: Elizabeth Elliott, Governor’s Commission for the Everglades, 1550 Madruga Ave., Suite 412, Coral Gables, FL 33146 or (305)669-6973.

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: May 25, 2000, 9:00 a.m.  
 PLACE: Conference Room 609, Twin Towers Building, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: The regularly scheduled meeting of the ERC will include briefings and approvals. Briefings include: Rules Under Development; Rules Under Appeal; Proposed changes to 62-709, FAC., Criteria for the Production and Use of Compost Made from Solid Waste; and summary of new environmental legislation. Rule proceedings include: Chapter 62-524, FAC., New Potable Water Wells Permitting in Delineated Areas. As requested by the ERC, there will also be an update on the Everglades phosphorus criterion. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9717.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection** announces a business plan meeting of the Bureau of Petroleum Storage Systems (BPSS) to which all participants in preapproval petroleum cleanup and the general public are invited.

DATE AND TIME: Thursday, June 1, 2000, 9:00 a.m. – not later than 4:00 p.m.

PLACE: Radisson Hotel, Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812

PURPOSE: Discuss the Department’s business plan pertaining to petroleum preapproval cleanup.

For a copy of the agenda or more information contact: Roger W. Rook, Department of Environmental Protection, BPSS, 2600 Blair Stone Road, MS 4575, Tallahassee, FL 32399-2400, (850)921-0896, Fax (850)414-7797 or E-Mail roger.rook@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to contact Mr. Rook at the above address at least 48 hours before the meeting.

The **Acquisition and Restoration Council (ARC)**, as defined in Section 259.035, Florida Statutes, announces the following calendar for their public hearings/meetings to which all interested parties are invited.

MEETING: Public Hearing  
 DATE AND TIME: May 22, 2000, 9:00 a.m.  
 MEETING: Council Meeting  
 DATE AND TIME: May 26, 2000, 9:30 a.m.

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Conference Room A, Tallahassee, Florida

PURPOSE: Conducting business of the Council, including the review of land acquisition proposals and management plans and proposed interim management uses of state-owned lands.

To obtain additional information, please contact the Office of Environmental Services, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 140, Tallahassee, Florida 32399-3000, (850)487-1750.

Persons requiring special accommodations due to a disability or physical impairment should contact: Ms. Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven before the meeting.

The **Department of Environmental Protection, Division of State Lands** announces the following public workshop.

DATE AND TIME: Thursday, June 1, 2000, 7:00 p.m.  
 PLACE: Polk City Elementary School Cafeteria, 125 South Bougainvillea Avenue (One block east of SR 33), Polk City, Florida

PURPOSE: To determine if landowners in the Green Swamp Area of Critical State Concern, have any interest in conveyance of a perpetual conservation easement to conserve the value and character of their property, to conserve and protect the animal and plant populations and prohibit certain further development on their property.

For further information, please contact: Bob Clark, (850)487-1750, Department of Environmental Protection, Office of Environmental Services, 3900 Commonwealth Boulevard, M.S. #140, Tallahassee, Florida 32399-3000.

If an accommodation is needed for a disability in order to participate in this meeting, please notify Wanda Gleaton, (850)487-1750, at least seven days prior to the event.

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## DEPARTMENT OF HEALTH

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2000, 10:30 a.m. – 5:00 p.m.

PLACE: 4025 Esplanade Way, Conference Room 301, Tallahassee, Florida 32311-7829

PURPOSE: A committee appointed by the Bureau of Emergency Medical Services is holding a meeting to assist the Department of Health in implementation of the 1999 trauma legislation and continuation of the study to improve the state's trauma system.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, or by calling Beth Hamilton, (850)245-4440, Ext. 2775.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before May 29, 2000 by contacting Beth Hamilton, (850)245-4440, Ext. 2775. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number XOO699

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The Florida **Department of Health**, Bureau of HIV/AIDS on behalf of the Florida Minority HIV and AIDS Task Force announces two upcoming public forums and business meeting of the Task Force.

MEETING: Public Forum 1

DATE AND TIME: Monday, May 22, 2000, 4:00 p.m. – 8:00 p.m.

PLACE: Belle Glade City Hall, City Commission Chambers, 110 S. W. Ave., East, Belle Glade, Florida 33430 (The contact person is Dianne Carter, phone number (561)996-0100)

MEETING: Business Meeting

DATE AND TIME: Tuesday, May 23, 2000, 9:00 a.m. – 2:00 p.m.

PLACE: Palm Beach County Health Department, 301 Broadway, Riviera Beach, FL 33404 (You may call (561)882-3102 for directions)

MEETING: Public Forum 2

DATE AND TIME: Tuesday, May 23, 2000, 4:00 p.m. – 8:00 p.m.

PLACE: Riviera Beach City Hall, City Commission Chambers, 600 W. Blue Heron Blvd., Riviera Beach, Florida 33404 (The contact person is Michelle Mitchell, phone number (561)845-4000)

PURPOSE: Pursuant to the 1999 Legislature, the Minority HIV/AIDS Task Force was created to "develop and provide specific recommendations to the Governor, the Legislature and the Department of Health on ways to strengthen HIV and AIDS prevention programs and early intervention and treatment efforts in the state's black, Hispanic and other minority communities, as well as ways to address the many needs of the state's minorities infected with HIV and their families." All persons, including representatives of city and county governments, health officials and public and private community organizations are invited to attend.

Written comments for the Task Force to consider may be submitted: Department of Health, Bureau of HIV/AIDS, 4052 Bald Cypress Way, Bin #A09, Tallahassee, Florida 32399-1715.

Persons requiring special accommodations should contact Ronald Henderson, (850)245-4433, by May 17, 2000.

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The Florida **Board of Acupuncture** and Committees will hold the following Meeting to which all persons are invited:

DATES AND TIMES: Thursday, June 1, 2000, 7:00 p.m. – 9:00 p.m.; Friday, June 2, 2000, 9:00 a.m.

PLACE: Embassy Suites, 555 N. Westshore Blvd., Tampa, Florida 33609, (813)875-1555

PURPOSE: To conduct Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, N. E., #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Penny Perkins, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Penny Perkins using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Board of Acupuncture** will hold a Probable Cause Panel meeting to which all persons are invited:



DATE AND TIME: Wednesday, June 2, 2000, 8:30 a.m.  
 PLACE: Embassy Suites, 555 N. Westshore Blvd., Tampa, Florida 33609, (813)875-1555

PURPOSE: To review reconsideration cases.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Mr. Buckhalt using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Mental Health Counseling** announces a telephone conference call. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: May 24, 2000, 3:00 p.m. – 7:00 p.m.

PLACE: Conference Call

PURPOSE: Board business.

All interested parties should contact the board by writing: Sue Foster, Executive Director, Board of Clinical Social Work, Mental Health Counseling and Marriage and Family Therapy, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258, or call (850)487-1129.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)488-0595, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** will hold a Continuing Education Workshop to which all persons are invited:

DATE AND TIME: June 16, 2000, 8:00 a.m.

PLACE: Radisson Plaza Hotel, 60 South Ivanhoe Boulevard, Orlando, FL 32804, (407)425-4455

PURPOSE: To review continuing education rules for possible amendment.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** will hold a Rules Workshop to which all persons are invited:

DATE AND TIME: Friday, June 16, 2000, to begin immediately following the Continuing Education Workshop

PLACE: Radisson Plaza Hotel, 60 South Ivanhoe Boulevard, Orlando, FL 32804, (407)425-4455

PURPOSE: To review rules for possible amendment, including, but not limited to 64B5-17, FAC.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Mr. William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Linda Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** will hold the following meetings to which all persons are invited:

DATE AND TIME: Friday, June 16, 2000, Committees begin immediately following the Rules Workshop

General Business Meeting

DATE AND TIME: Saturday, June 17, 2000, 8:00 a.m.

PLACE: Radisson Plaza Hotel, 60 South Ivanhoe Boulevard, Orlando, FL, (407)425-4455

PURPOSE: To conduct Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Rules Committee announces a meeting to which all persons are invited.

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

PLACE: The Marriott Hotel, 6650 North Andrews Avenue, Ft. Lauderdale, Florida 33309, (954)771-0440

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: Friday, Saturday and Sunday, June 2-4, 2000, 8:00 a.m.

PLACE: The Marriott Hotel, 6650 North Andrews Avenue, Ft. Lauderdale, Florida 33309, (954)771-0440

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Nursing Home Administrators** announces a Telephone Conference for a Probable Cause Panel Meeting to which all interested persons are invited.

DATE AND TIME: May 15, 2000, 10:00 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, FL 32399, Telephone (850)921-5320

PURPOSE: Probable Cause Panel Meeting where probable cause was previously found.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing: Board of Nursing Home Administrators, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-7549, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Board of Orthotists and Prosthetists** will hold a meeting, to which all persons are invited to attend.

DATE AND TIMES: Friday, June 2, 2000, 9:00 a.m. – Full Board meeting; 2:00 p.m. or soon thereafter – Legislative Workshop

PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, Florida 32822, (407)851-6400

PURPOSE: General Board business and Legislative Workshop.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Board of Speech-Language Pathology and Audiology** announces a reconsideration and telephone conference call. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: June 1, 2000, 8:30 a.m. – 11:00 a.m.

PLACE: Conference Call

PURPOSE: Board business.

All interested parties should contact the board by writing: Sue Foster, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258, or call (850)487-1129.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)488-0595, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** announces a meeting of the Technical Review and Advisory Panel to which all persons are invited.

DATE AND TIME: May, 18, 2000, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call meeting, telephone number (850)921-6623 or Suncom 291-6623

PURPOSE: Identify and discuss issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code. This conference call meeting replaces the meeting originally scheduled for this date at 9:00 in Orlando, Florida.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Water and Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

The **Correctional Medical Authority** announces a Budget and Personnel Committee meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: May 25, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: Correctional Medical Authority, Conference Room 235T, E. Charlton Prather, MD Building, 2585 Merchants Row Boulevard, Capital Circle Office Complex, Tallahassee, Florida 32399, (850)245-4044

PURPOSE: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

A Coalition meeting for the **Choice and Control Pilot Projects** in District 4 will be held:

DATE AND TIME: Wednesday, May 17, 2000, 11:00 a.m. – 1:00 p.m.

PLACE: District Office, 3631-B Hodges Boulevard, Jacksonville, FL

If you have any questions please contact: Denese McGehee, (904)922-2440.

A **Coalition Appeals Board** meeting for “A Matter of Choice” in District 1 for Escambia and Santa Rosa Counties will be held:

DATE AND TIME: Saturday, May 20, 2000, 9:00 a.m.

PLACE: West Florida Medical Center, Community Rooms A and B, 8333 North Davis Highway, Pensacola, FL

If you have any questions please contact: Jim Moody, (850)689-7729.

The Florida **Commission on Mental Health and Substance Abuse** announces a meeting to which all persons are invited.

DATE AND TIME: Friday, May 19, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: University of South Florida, St. Petersburg Campus, Campus Activities Center, 2nd Street and 6th Avenue, St. Petersburg, FL 33701

PURPOSE: This meeting’s focus will be Substance Abuse. The agenda will also relate to the functioning, staffing, financing, quality and effectiveness of Florida’s mental health and substance abuse system. Written testimony about mental

health and substance abuse issues may be sent to: Dr. Nancy Bell, Executive Director, 13301 Bruce B. Downs Boulevard, Tampa, FL 33612-3807.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact Sandra Charles prior to the meeting at the address above or telephone (813)974-2751, Suncom 574-2751, or call via the Florida Relay Service, (813)974-4522 (TDD).

A copy of the agenda may be obtained by calling (813)974-2751.

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### TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces scheduling of a Management Board Meeting to which all persons are invited.

DATE AND TIME: Friday, May 12, 2000, 9:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, Florida

PURPOSE: Action will be taken on items related to the FFY00 Annual Work Plan, TBEP mid-year budget amendments and updates on the Tampa Bay Estuary speciality licence plate.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Management Board to any matter considered at the above cited meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The **Tampa Bay Estuary Program** announces scheduling of a Policy Board meeting to which all persons are invited:

DATE AND TIME: Friday, May 12, 2000, 1:30 p.m.

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, Florida

PURPOSE: Action will be taken on items related to the FFY00 Annual Work Plan, TBEP mid-year budget amendments and updates on the Tampa Bay Estuary speciality licence plate.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Policy Board to any matter considered at the above cited meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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### FLORIDA 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, May 12, 2000, 10:00 a.m.

PLACE: Miami Dade Community College, North Campus, 11380 N. W. 27th Avenue, Room 1325, 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, FL 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, May 10, 2000.

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### SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

NOTICE OF CORRECTION – The **Sunshine State Governmental Financing Commission** announces a public meeting, where all interested parties are invited:

DATE AND TIME: Friday, May 12, 2000, 12:30 p.m.

PLACE: Council Chambers, Second Floor, City Hall, City of St. Petersburg, 175 Fifth Street North, St. Petersburg, FL

PURPOSE: Board of Directors Business Meeting.

NOTE: This meeting was prior noticed to begin at 11:00 a.m.

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

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### SUNSHINE STATE ONE-CALL OF FLORIDA

The **Sunshine State One Call of Florida, Inc.** announces its Annual meeting and Board and Committee meetings to which all interested persons are invited.

MEETING: Annual Meeting

DATE AND TIME: May 18, 2000, 9:30 a.m.

MEETING: Board of Directors Meeting

DATE AND TIME: May 18, 2000, 1:30 p.m.

MEETING: Safety and Compliance Committee Meeting

DATE AND TIME: May 19, 2000, 8:00 a.m.

MEETING: Operations Committee Meeting

DATE AND TIME: May 19, 2000, 10:00 a.m. or immediately following the Safety and Compliance Committee Meeting

PLACE: Sunshine State One-Call Center, 11 Plantation Road, DeBary, FL, 1(800)638-4097. Parking for all meetings will be at the DeBary County Club, 300 Plantation Club Drive, DeBary, FL 32713. We will have vans taking guests to and from the call center from this lot.

Golf Tournament

DATE AND TIME: May 19, 2000, 1:00 p.m.

PLACE: DeBary Golf and Country Club, 300 Plantation Club Drive, DeBary, FL 32713

COST: \$75 per person (includes lunch, awards dinner and giveaways) Corporate sponsorships also available.

For more information, contact: Brad, (850)514-9221 or Wendy, 1(800)638-4097.

**GENERAL SUBJECT MATTER TO BE DISCUSSED:** Matters that affect the operation of the call center. Call (407)575-2000, with any questions about the contents of this meeting.

Any person requiring some accommodation at this meeting because of a physical impairment should call the one-call notification center, (407)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the one-call notification center through the Florida Relay Center at 1(800)955-8771.

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### **PINELLAS WAGES COALITION**

The **Pinellas WAGES Coalition** announces the following meeting of the Task Force on SB 2050:

**DATES AND TIMES:** May 22, 2000, 9:00 a.m. – 11:00 a.m.; May 23, 2000, 9:00 a.m. – 12:00 p.m.; May 24, 2000, 9:00 a.m. – 12:00 p.m.

**PLACE:** Pinellas WAGES Coalition/COPI, 13770 58th Street, North, Suite 304, Clearwater, FL 33760

**PURPOSE:** To discuss merging of WAGES Coalition and Workforce Development Board.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Task Force with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

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The **Pinellas WAGES Coalition** announces the following meeting of the Legislative Advocacy Committee:

**DATE AND TIME:** May 22, 2000, 12:30 p.m.

**PLACE:** 13770 58th Street, North, Suite 304, Clearwater, FL 33760

**PURPOSE:** Regular meeting of the Legislative Advocacy Committee.

**ISSUES TO BE DISCUSSED:** Review of legislative issues relative to the Pinellas Coalition.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Legislative Advocacy Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

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### **FLORIDA HEALTH REINSURANCE PROGRAM**

The **Florida Health Reinsurance Program** announces a meeting to which all persons are invited:

**DATE AND TIME:** May 22, 2000, 8:30 a.m.

**PLACE:** Hyatt Regency, Orlando International Airport, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A meeting of the Florida Health Reinsurance Program Board.

A copy of the agenda may be obtained by contacting: Minnie Green, Florida Health Reinsurance Program, (850)422-7766.

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### **BREVARD COUNTY SHORE PROTECTION PROJECT**

**NOTICE IS HEREBY GIVEN** that a Public Workshop will be held for considering evidence bearing on the merits of an erosion control project known as the **Brevard County Shore Protection Project**. The location of the proposed erosion control project is as follows:

Sections 12, 14, 23, 26 and 35, Township 24, South, Range 37 East, and Sections 2, 10, 11, 14, 22, 23, 26 and 35, Township 25, South, Range 37, East: Brevard County, Florida

The Public Workshop will be held:

**DATE AND TIME:** May 23, 2000, 6:30 p.m.

**PLACE:** Large Meeting Room, Cocoa Beach Public Library, 550 N. Brevard Ave., Cocoa Beach, FL 32931

For further information contact: Virginia Barker, Beach Management Coordinator, Brevard County Natural Resources Management Office, 2725 Judge Fran Jamieson Way, Bldg. A, Viera, FL 32905.

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing:

DATE AND TIME: May 23, 2000, 7:30 p.m.  
PLACE: The Large Meeting Room, Cocoa Beach Public Library, 550 N. Brevard Ave., Cocoa Beach, FL 32931

PURPOSE: Considering evidence bearing on the necessity or propriety of an erosion control project known as the Brevard County Shore Protection Project and on the location of a proposed Erosion Control Line for said project, the location of which is as follows:

The proposed Erosion Control Line lies along the eastern shoreline of Brevard County fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in Sections 12, 14, 23, 26 and 35, Township 24 South, Range 37 East, and Sections 2, 10, 11, 14, 22, 23, 26 and 35, Township 25 South, Range 37 East.

Written objections to or inquiries regarding, the proposed Erosion Control Line should be submitted to: Office of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the rights to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNATIONAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA  
JEB BUSH, GOVERNOR

**CITY OF SARASOTA**

Notice is hereby given that the **City of Sarasota** will hold a Public Workshop:

DATE AND TIME: May 24, 2000, 6:00 p.m.  
PLACE: Harley Sandcastle Hotel, 1540 Benjamin Franklin Drive, Sarasota, Florida 34236

PURPOSE: For considering evidence bearing on the merits of an erosion control project known as Lido Key Beach Restoration Project. The location of the proposed erosion control project is as follows:

The proposed Erosion Control Line lies along Lido Key fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in Section 2 and 35, Township 375 and 365, South, Range 17, East.

For further information contact: Ron Milburn, City of Sarasota, Engineering Department, 1565 First Street, Sarasota, Florida 34230, telephone (941)954-4180.

Written objections to or inquiries regarding the proposed Erosion Control Line should be submitted to: Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNATIONAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA  
JEB BUSH, GOVERNOR

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing on:

DATE AND TIME: Wednesday, May 24, 2000, 7:00 p.m.  
PLACE: Harley Sandcastle Hotel, 1540 Benjamin Franklin Drive, Sarasota, FL 34236

PURPOSE: Considering evidence bearing on the necessity or propriety of an erosion control project known as Lido Key Beach Restoration Project and on the location of the proposed Erosion Control Line for said project, the location of which is as follows:

The proposed Erosion Control Line lies along Lido Key fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in Section 35, Township 365 South, Range 17 East, and in Section 2, Township 375 South, Range 17 East, Sarasota County, Florida being more particularly described as follows:

Commencing at the Florida Department of Environmental Protection (DEP) Second Order Station 17-84-A21, having for its coordinates N1080456.523, E470583.947 in the Florida State Plan Coordinate System, North Zone (North American Datum, 1983/90); thence on a grid bearing, North 62 degrees 58 minutes 33 seconds west, a distance of 815.69 feet to a point on the Mean High Water Line, El. = 1.35' (National Geodetic Vertical Datum 1929) as located November 8 thru November 9, 1999, said point being the point of beginning, said point also being the South Project limit line of the Lido Key Beach Erosion Control Line dated August 18, 1993 (See FDEP Mean High Water Survey File No. 1989); thence along said Mean High Water Line the following courses:

South 27 degrees 05 minutes 42 seconds east, a distance of 87.27 feet to a point; Thence South 30 degrees 43 minutes 36 seconds east, a distance of 95.66 feet to a point; Thence South 25 degrees 24 minutes 26 seconds east, a distance of 99.72 feet to a point; Thence South 32 degrees 35 minutes 20 seconds

east, a distance of 136.28 feet to a point; Thence South 28 degrees 03 minutes 34 seconds east, a distance of 165.51 feet to a point; Thence South 31 degrees 22 minutes 40 seconds east, a distance of 137.72 feet to a point; Thence South 30 degrees 09 minutes 32 seconds east, a distance of 176.13 feet to a point; Said point being referenced by field tie of North 82 degrees 59 minutes 45 seconds west, a distance of 177.21 feet to FDEP R-41 CM; Thence South 29 degrees 49 minutes 54 seconds east, a distance of 215.25 feet to a point; Thence South 28 degrees 33 minutes 54 seconds east, a distance of 114.50 feet to a point; Thence South 28 degrees 15 minutes 56 seconds east, a distance of 120.51 feet to a point; Thence South 31 degrees 16 minutes 18 seconds east, a distance of 182.02 feet to a point; Thence South 32 degrees 22 minutes 21 seconds east, a distance of 183.94 feet to a point; Thence South 23 degrees 54 minutes 21 seconds east, a distance of 269.78 feet to a point; Said point being referenced by field tie of South 36 degrees 12 minutes 14 seconds west a distance of 113.89 feet to FDEP R-42 CM; Thence South 22 degrees 25 minutes 45 seconds east, a distance of 302.63 feet to a point; Thence South 50 degrees 34 minutes 17 seconds west, a distance of 19.35 feet to a point; Thence South 27 degrees 26 minutes 04 seconds east, a distance of 66.60 feet to a point; Thence South 48 degrees 10 minutes 22 seconds west, a distance of 7.95 feet to a point; Thence South 38 degrees 35 minutes 07 seconds east, a distance of 68.72 feet to a point; Thence North 53 degrees 52 minutes 31 seconds east, a distance of 8.01 feet to a point; Thence South 42 degrees 24 minutes 24 seconds east, a distance of 4.17 feet to a point; Thence South 50 degrees 00 minutes 20 seconds east, a distance of 62.10 feet to a point; Thence North 51 degrees 17 minutes 25 seconds east, a distance of 40.67 feet to a point; Thence South 23 degrees 44 minutes 08 seconds east, a distance of 121.60 feet to a point; Thence South 16 degrees 11 minutes 30 seconds east, a distance of 179.94 feet to a point; Thence South 45 degrees 10 minutes 26 seconds west, a distance of 29.44 feet to a point; Thence South 49 degrees 55 minutes 42 seconds east, a distance of 12.77 feet to a point; Thence South 68 degrees 07 minutes 23 seconds east, a distance of 49.03 feet to a point; Thence South 38 degrees 27 minutes 30 seconds east, a distance of 49.02 feet to a point; Thence South 58 degrees 52 minutes 40 seconds west, a distance of 4.95 feet to a point; Thence South 37 degrees 06 minutes 20 seconds east, a distance of 10.48 feet to a point; Thence North 52 degrees 31 minutes 48 seconds east, a distance of 75.79 feet to a point; Thence South 30 degrees 19 minutes 33 seconds east, a distance of 48.21 feet to a point; Thence South 48 degrees 12 minutes 37 seconds east, a distance of 52.84 feet to a point; said point being referenced by field tie of South 42 degrees 4 minutes 6 seconds west a distance of 114.89 feet to FDEP R-43 CM; Thence North 68 degrees 18 minutes 59 seconds east, a distance of 64.12 feet to a point; Thence South 54 degrees 42 minutes 44 seconds east, a distance of 59.53 feet to a point; Thence South 66 degrees 43 minutes 34 seconds east, a

distance of 27.55 feet to a point; Thence North 74 degrees 11 minutes 23 seconds east, a distance of 39.95 feet to a point; Thence North 66 degrees 30 minutes 44 seconds east, a distance of 77.90 feet to a point; Thence South 42 degrees 48 minutes 05 seconds east, a distance of 63.43 feet to a point; Thence South 40 degrees 58 minutes 48 seconds east, a distance of 191.01 feet to a point; Thence South 34 degrees 56 minutes 18 seconds east, a distance of 165.74 feet to a point, said point being referenced by field tie of South 16 degrees 45 minutes 32 seconds West a distance of 335.82 feet to FDEP R-44 CM; Thence South 47 degrees 33 minutes 26 seconds East, a distance of 68.92 feet to the point of terminus of said Mean High Water Line, Said point lying South 65 degrees 35 minutes 59 seconds West, a distance of 552.79 feet from COE Second Order Station SABE-64, Said station having for its coordinates N1078136.621, E472428.993, according to the Army Corps of Engineers published coordinates, based on the Florida State Plane Coordinate System, West Zone, NAD 1983/90.

Written objections to, or inquiries regarding the proposed Erosion Control Line should be submitted to: Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

JEB BUSH, GOVERNOR

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance has received a petition for a declaratory statement from Bureau of Safety Services, Palm Beach County. The petition seeks the agency's opinion as to the applicability of Florida Statute 633.557(1) as it applies to the petitioner.

A copy of the petition may be obtained by contacting: Lisa S. Santucci, Esquire, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333, phone (850)413-4126.

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### DEPARTMENT OF REVENUE

NOTICE IS HEREBY GIVEN that the Florida Department of Revenue has received a Petition for Declaratory Statement from South Florida Stadium Corporation.

Petitioner, South Florida Stadium Corporation, formerly known as Robbie Stadium Corporation, qualified for certification pursuant to Section 288.1162, F.S. in 1993. Petitioner now requests that the Department of Revenue determine whether the monthly payments received pursuant to that section and Section 212.20(6)(f)5.a., F.S. must continue until a total of \$60,000,000 has been disbursed when the Department has audited and determined that in excess of that amount has been spent by Petitioner as required in paragraph (7) of Section 288.1162, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)488-0712.

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Mark Osterback. The Petitioner requested that the Department of Corrections amend Rules 33-601.301 through 33-601.314 of the Florida Administrative Code to incorporate language in a staff manual entitled "Inmate Disciplinary Procedures Manual".

The Department denied Inmate Osterback's Petition to Initiate Rulemaking finding that the manual was designed to provide technical assistance to staff in the consistent application of Chapter 33-601 and therefore, its procedural comments and points of emphasis have no place in the rules which set forth standards by which disciplinary proceedings must be conducted.

A copy of the Order may be obtained from: Giselle Lysten Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Tracie Lynn Soberon. The Petitioner requested that the Department of Corrections amend Rule 33-601.310 to provide provisions limiting the number of times a disciplinary report may be rewritten following a successful appeal.

The Department denied Inmate Soberon's Petition to Initiate Rulemaking finding that nothing prohibited the rewriting of disciplinary reports to correct technical errors, since an inmate's due process rights are protected by adherence to guidelines established by Chapter 33-601.310, FAC.

A copy of the Order may be obtained from: Giselle Lysten Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF HEALTH**

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed by Gordon D. McClure, Jr., RN, BSN. The Petitioner seeks the Board's interpretation of section 464.003(3)(a)2., Florida Statutes, as it relates to administering a substitution list of medications in the hospital setting at which the Petitioner is employed.

The Board will consider this petition at the conclusion of the meeting of the Nurse Practice Committee, currently scheduled for 6:00 p.m., August 9, 2000, at the Sheraton Hotel Gainesville, 2900 S. W. 13th Street, Gainesville, Florida 32608.

Copies of the petition may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207.

**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:**

Andrew C. Cupicha, Jaime T. Halscott, Dennis G. Sprenkle, II, Amy J. Florin, and Laura A. Wharton, on their own behalves and on behalf of the Student Body of the University of Central Florida vs. University of Central Florida; Rule No.: 6C7-5.0041; Case No.: 00-1628RP

Florida Association of Nurse Anesthetists vs. Department of Health; Rule No.: 64B8-9.009; Case No.: 00-1622RP

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**



**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: 00L-116, W/O 93717, Replace Substation Transformers, estimated budget: \$325,000-\$350,000, to be opened June 8, 2000, 1:30 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replace exiting 5000 KVA base rated transformers identified as 2H-2, 2C-10 and 6-1, with new 5000 KVA base rated transformers. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331.

A Mandatory Pre-bid Meeting will be held May 18, 2000, 10:00 a.m. in the Physical Plant Division Architecture/Engineering, Conference Room, Building 700, Radio Road, Gainesville, FL.

All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

**NOTICE TO CONSTRUCTION MANAGERS**

Florida International University, on behalf of the State of Florida, Board of Regents announces that construction management services will be required for the project listed below:

Project and Location: Continuing Services Contracts for all sites of Florida International University, Miami, Florida

Project Description: The construction Manager will be the single point of responsibility for performance of the project construction contracts, functioning as an independent contractor, publicly bidding trade contracts.

Continuing Services Contracts are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less. Accordingly, the selected firm(s) minimum bonding capacity should be \$1,000,000. This will be a multiple award contract

for an initial period of one year with an Owner’s option to renew an additional year. Two contracts will be awarded. Campus Service Contracts provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30.

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 and staff and consultants. Finalists will be provided with a list of the final interview evaluation criteria and a copy of the standard SUS construction management agreement for continuing services projects. The final ranking shall be determined based on oral presentations and references. The Selection Committee may reject all proposals and stop the selection process at any time.

**INSTRUCTIONS**

Firms desiring to provide construction management services for this project shall submit a letter of application and a completed State of Florida, Board of Regents “Construction Manager Qualifications Supplement,” (CMQS). Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that 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.

Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Facilities Management, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, telephone (305)348-4000, or by Faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted.

Five (5) bound copies of the required proposal data shall be submitted to: Mary Varela Witham, Facilities Planner/Contract Administrator, Florida International University, Facilities Management, Campus Support Complex, University Park, Miami, Florida 33199.

Submittals must be received by 2:00 p.m., local time, June 9, 2000. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida International University, on behalf of the State of Florida, Board of Regents announces that professional services for Continuing Services Contracts are required in the following discipline(s): Campus Services Mechanical/Electrical Engineer.

Project and Location: All sites of Florida International University, Miami, Florida

Continuing Services Contracts are specific projects for renovations, alterations and additions that have a basic construction budget estimated to be \$1,000,000 or less or studies for which the fee for professional services is \$50,000 or less. This will be a multiple award contract for an initial period of one year with an Owner's option to renew an additional year. Three contracts will be awarded. Campus Service Contracts provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30. Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Board of Regents "Professional Qualifications Supplement (SUSPQS)", dated 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 properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E 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 and the Project Fact Sheet may be obtained by contacting: Facilities Management, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, telephone (305)348-4000, or by Faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted.

Submit qualifications to: Mary Varela Witham, Facilities Planner/Contract Administrator, Florida International University, Facilities Management, Campus Support Complex, University Park, Miami, Florida 33199, by 2:00 p.m., local time, June 9, 2000. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida International University, on behalf of the State of Florida, Board of Regents announces that professional services for Continuing Services Contracts are required in the following discipline(s): Campus Services Cost Consultant/Estimator.

Project and Location: All sites of Florida International University, Miami, Florida

Continuing Services Contracts for professional services provide that consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30.

Professional services are required for the following: Construction Cost Management.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying.

Attach to each letter of application:

1. A completed Board of Regents "Professional Qualifications Supplement (SUSPQS)", dated 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 properly chartered by the Florida Department of State to operate in Florida.

Proximity of location will be a prime factor in the selection of the firm. Professional services required consist of providing Cost Consulting/Estimating services for projects including conceptual or detailed estimating precedent analyses, cost management strategies, cost modeling, scheduling, value engineering/Life Cycle Cost Analyses and construct ability analyses, alternative methods and materials analyses and manpower utilization studies. Services may be required for all

phases of project development including budgeting, programming, design, construction documents, construction and project close out.

Preference may be given to firms holding current certification in cost engineering as issued by the American Association of Cost Engineering.

Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

All submittals are subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., a consultant may not submit a proposal for this project if it is on the convicted vendor list for public entity crime committed within the 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 vendors list.

Professional Qualifications Supplements, descriptive project information and selection criteria may be obtained by contacting: Facilities Management, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, telephone (305)348-4000, or by Faxing a request to (305)348-4010. Requests for meetings by individual firms will not be granted.

Submit qualifications to: Mary Varela Witham, Facilities Planner/Contract Administrator, Florida International University, Facilities Management, Campus Support Complex, University Park, Miami, Florida 33199, by 2:00 p.m., local time, June 9, 2000. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

**INVITATION TO BID**

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

**BID NUMBER:** 21-056B

**BID TITLE:** FOOD CUTTERS, SCALES AND SLICERS FOR CAFETERIAS

**DUE DATE AND TIME:** May 24, 2000, on or before 2:00 p.m.

**LOCATION OF BID OPENING:** Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

**CONTRACT TERM:** October 1, 2000 through December 31, 2001

**ESTIMATED DOLLAR VALUE OF THE BID:** \$75,000.00

**CONTACT PERSON:** Charles V. High, C.P.M., A.P.P.

**TELEPHONE NUMBER:** (954)765-6107

**FAX NUMBER:** (954)768-8911

**E-MAIL:** [chigh@purchasing.broward.k12.fl.us](mailto:chigh@purchasing.broward.k12.fl.us)

**WEBSITE:** <http://www.browardschools.com>

**DEPARTMENT:** Purchasing

**REQUEST FOR PROPOSAL**

The School Board of Broward County, Florida

Competitive sealed RFPs will be received by the Purchasing Department until the date and time shown for the following:

**RFP NUMBER:** 21-015B

**RFP TITLE:** FURNISH, INSTALL, STOCK AND MAINTAIN ICE CREAM VENDING MACHINES FOR CAFETERIAS

**DUE DATE AND TIME:** June 20, 2000, on or before 2:00 p.m.

**WRITTEN QUESTIONS DUE IN THE PURCHASING DEPARTMENT ON OR BEFORE:** May 23, 2000

**LOCATION OF RFP OPENING:** Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

**CONTRACT TERM:** Date of award through June 30, 2003

**ESTIMATED DOLLAR VALUE OF THE BID:** Income based on commissions paid to the School Board

**CONTACT PERSON:** Charles V. High, C.P.M., A.P.P.

**TELEPHONE NUMBER:** (954)765-6107

**FAX NUMBER:** (954)768-8911

**E-MAIL:** [chigh@purchasing.broward.k12.fl.us](mailto:chigh@purchasing.broward.k12.fl.us)

**WEBSITE:** <http://www.browardschools.com>

**DEPARTMENT:** Purchasing

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

**PROJECT TITLE:** Roof Replacement at North Shore Elementary School No. 70 and Normandy Village Elementary School No. 221

**BID NUMBER:** M-86760 and M-86840

**SCOPE OF WORK:** Remove and replace all roofing on Buildings 2 and 3 at North Shore Elementary School No. 70 and Buildings 1 and 5 at Normandy Village Elementary School No. 221

**BIDS:** Bids will be received until 2:00 p.m., Tuesday, June 13, 2000, and immediately thereafter publicly opened, read aloud and recorded in Conference Room No. 513D, 5th Floor Facilities, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207

All roofing contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on June 2, 2000, 10:00 a.m., local time at Normandy Village Elementary School No. 221, 8257 Herlong Rd., Jacksonville, Florida 32210. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All prime bidders shall be licensed state certified roofing contractors and registered corporations, subcontractors shall be licensed contractors as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of Akel, Logan & Shafer, P. A., 110 Riverside Avenue, Jacksonville, Florida 32202-4995. A refundable deposit of seventy five dollars per set is required.

Duval County School Board Point of Contact is: Dale Hughes, Plant Services, (904)381-3873

Contract document for bidding may be examined at Division of Purchasing Services, Duval County Public Schools; F. W. Dodge McGraw Hill Plan Room  
Construction Bulletin  
Construction Market Data, Inc.  
Business Service Center

**MBE**

**PARTICIPATION:** A minimum of 5 percent overall Minority Business Enterprise participation is required.

**METROPOLITIAN PLANNING ORGANIZATIONS**

**REQUEST FOR PROPOSALS**

The Hernando County Metropolitan Planning Organization (MPO) is accepting proposals from qualified agencies or firms for the award of a contract to coordinate transportation services for the transportation disadvantaged in Hernando County, Florida. The Hernando County MPO will be administering the competitive procurement process. The selected contractor will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. A pre-proposal conference will be held May 30, 2000 at the Hernando County

MPO Conference Room, 20 North Main Street, Room 261, Brooksville, FL 34601, 10:00 a.m., to answer questions about the RFP.

Proposals must be received by 4:00 p.m., June 13, 2000 at the office of the Hernando County MPO. Five (5) copies of the technical and cost proposals must be submitted to: Hernando County MPO, ATTENTION: Steve Diez, Transportation Planner II, 20 N. Main Street, Room 262, Brooksville, Florida 34601. One of these copies must be a clean, single sided original that can be used to make additional copies. The outside of the envelope or box containing the Technical Proposal must be marked "TECHNICAL PROPOSAL FOR COMMUNITY TRANSPORTATION COORDINATOR." In addition to the Technical Proposal, an Annual Budget/Cost Proposal and a Fare Proposal must be submitted in a separate sealed envelope. This envelope shall be clearly marked, "ANNUAL BUDGET/COST PROPOSAL AND FARE PROPOSAL." Faxed and electronically mailed responses will not be accepted.

The Hernando County MPO will not accept responsibility for proposals that are not marked and submitted in this manner. Proposals are to remain in effect for ninety (90) calendar days from date of submission. The Hernando County MPO reserves the right to reject any or all proposals, to waive any formality concerning proposals or negotiate changes to the proposals whenever such rejection or waiver or negotiation is in the best interest of the State and transportation disadvantaged.

The Hernando County MPO reserves the right to waive any informality in any proposal, to reject any or all proposals in whole or in part, with or without cause, and/or to accept the proposal that in its judgment will be in the best interest of the Hernando County MPO and its citizens. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Hernando County Metropolitan Planning Organization  
/s/Steve Diez  
Transportation Planner  
Reference #TD RFP

**SPACEPORT FLORIDA AUTHORITY**

**Request for Letters of Interest  
Financing of the Satellite Tracking Stations to  
Support Florida Launches**

The Spaceport Florida Authority invites expressions of interest for the financing of a proposed \$50 million Satellite Tracking Station under a lease purchase agreement. The term of the financing is anticipated to be ten years. Details of the project are now being developed and will be sent to those notifying the Authority of their interest. It is anticipated that the financing will be needed by the third quarter of this year.

Interested persons should submit an expression of interest to: Philip R. Thompson, CFO, Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Letters of interest need to be postmarked not later than May 24, 2000.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INVITATION TO BID**

BID NO. BDRS 43-99/00

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:** WWTP Alternate Effluent Disposal System

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct an alternate effluent disposal system with associated work, which includes a new pump station with controls, force main piping, monitoring wells and piezometers, for the existing wastewater treatment facility at Myakka River State Park

**PARK LOCATION:** Myakka River State Park  
13207 State Road 72  
Sarasota (Sarasota Co.), Florida

**PROJECT MANAGER:** Fred Hand  
Bureau of Design and Recreation Services,  
Telephone Number: (850)488-1141

**MINORITY**

**DIVERSITY:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000, each bidder whose field is governed by Chapters 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, May 12, 2000 at: Myakka River State Park  
13207 State Road 72  
Sarasota, Florida 34241-9542  
Attention: Robert Dye, Park Manager  
Telephone Number: (941)361-6511

**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, June 13, 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.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

**SECURITY ACCESS CONTROL SYSTEM  
REPLACEMENT STUDY AND RELATED WORK**

Services to be furnished shall include, but not be limited to, a study and survey of the existing security access control system (ACS) and closed circuit television (CCTV) system. The study shall be performed on the existing condition of each system and recommendations made regarding options for the replacement and/or upgrade of all related hardware and software. The selected consultant shall also furnish all necessary design services related to fiber optic, electronic and electrical systems required for a new or upgraded ACS and CCTV system. Assistance will be required during the advertising, bid and award phase with basic construction services required during construction. A more detailed scope of services will be included in the formal request for proposals.

Qualified Consultants 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 Design  
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 Design, telephone number (813)870-8704. Only a letter expressing interest in receiving the formal request for proposals is required at this time. Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will be held on Thursday, June 1, 2000, 2:00 p.m., Local Time, at the offices 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 Proposals.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Wednesday, May 17, 2000.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

By: /s/ Louis E. Miller  
Louis E. Miller, Executive Director

**NOTICE TO AUTOMATED GUIDEWAY  
TRANSIT (AGT) SYSTEM MANUFACTURERS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from AGT manufacturers desiring to render Design/Build Services for the following project at Tampa International Airport, Tampa, Florida:

**REPLACEMENT OF THE AIRSIDE  
"E" SHUTTLE (AGT) SYSTEM**

Services to be furnished shall include, but not be limited to, design and construction of an Automated Guideway Transit System including vehicles, station equipment, power distribution equipment, automatic train control equipment and on board public address system. Services shall also include demolition and reconstruction of guideway and emergency walkway, structural modifications, running surface modifications, guideway equipment and end of track buffers. Services also include design and installation of station doors and modification of existing landside station to accommodate the shuttle system. A more detailed scope of services will be included in the formal request for proposals.

Manufacturers desiring consideration for this project must meet certain criteria, which includes but is not limited to the following:

1. Have designed and built a similar system that has been in continuous revenue service for the past five years.
2. System must be capable of transporting a minimum of 7,000 to 8,000 passengers per hour per direction.
3. System must be completely automated and allow for stationary platform to stationary platform boarding.
4. System shall be approximately 800 feet of dual lane shuttle system.
5. Manufacturer shall enter into a five-year maintenance contract.

Anticipate November 2000 contract and November 2002 for complete system in revenue service.

Qualified manufacturers 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 Design  
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 Design, telephone number (813)870-8704. Only a letter expressing interest in receiving the formal request for proposals is required at this time. Subsequent to receiving Letters of Interest, a Request for Proposals will be sent to all respondents and adequate response time set forth in that package.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Friday, May 26, 2000.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

By: /s/ Louis E. Miller  
Louis E. Miller, Executive Director

**BROWARD COUNTY PROPERTY APPRAISER**

**NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES FOR DIGITAL AERIAL  
ORTHOPHOTOGRAPHY**

The Broward County Property Appraiser's Office announces that professional consulting services are required for the project listed below. This project will be developed in conjunction with the Geographic Information System (GIS) for the Property Appraiser's Office. Letters of Interest from qualified firms are to be sent to the Broward County Property Appraiser's Office, Broward County Governmental Center, Room 111, Fort Lauderdale, Florida 33301, ATTN: Keith Gay.

**PROJECT NUMBER:** 08-0501-2000-BCPA  
**PROJECT NAME:** 2000 Digital Aerial Orthophotography  
**PROJECT LOCATION:** Broward County, Florida  
**SERVICES TO BE PROVIDED:** Digital Aerial Ortho rectification and digital production from existing 1"=1667' or 1:20,000 color infrared negatives  
**CLIENT AGENCY:** BROWARD COUNTY PROPERTY APPRAISER'S OFFICE  
**CLIENT CONTACT:** Keith Gay  
Phone: (954)357-6909  
**RESPONSE DUE DATE:** May 22, 2000, 4:00 p.m., EST

The results of this selection will be posted at the Broward County Property Appraiser's Office, Broward County Governmental Center, Room 111, Fort Lauderdale, Florida during regular business hours.

**INSTRUCTIONS**

Interested firms shall submit 3 copies of the following:

1. Letter of interest which indicates the firm's qualifications, related experience, ability and availability of personnel and equipment to perform the work and other information relevant to this project as deemed necessary.
2. Current signed and dated SF forms 254 and 255.
3. Copy of the firm's current Florida Professional Registration license.
4. For Corporations only. If the firm offering services is a corporation, it must be properly chartered with the Florida Department of State and provide a copy of the current Florida Corporate Charter.

Please include one stamped, self-addressed envelope for notice of selection results. Firms submitting must be properly registered at the time of application to practice their profession in the State of Florida. Firms may submit representative samples of similar or related work efforts, with reference information. Responses which do not contain the required

information identified herein, or non-relevant work experience may not be considered. All submitted materials will not be returned and will become part of the project file for this project. The selection of a consultant for this project will be made in accordance with Chapter 60D-2, Florida Administrative Code.

**NORTHEAST FLORIDA STATE HOSPITAL**

**ADVERTISEMENT FOR BIDS**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL PAVING AND/OR ROAD CONSTRUCTION CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES, HEREINAFTER REFERRED TO AS THE OWNER, TO IMPROVE AND/OR CONSTRUCT EXISTING ROADS AND PARKING AREAS WITHIN THE HOSPITAL GROUNDS.

**PROJECT NO:** 1205-Y  
**PROJECT NAME AND LOCATION:** FURNISH ALL LABOR, MATERIALS, EQUIPMENT AND INSURANCE TO IMPROVE STREETS, PARKING AREAS AND CONSTRUCT NEW PARKING AREAS AT NORTHEAST FLORIDA STATE HOSPITAL.

**PRE-BID MEETING:** A MANDATORY PRE-BID MEETING WILL BE HELD FOR ALL INTERESTED BIDDERS ON MAY 23, 2000, 10:00 A.M., LOCAL TIME, AT THE MAINTENANCE OFFICE CONFERENCE ROOM, BUILDING #19, NORTHEAST FLORIDA STATE HOSPITAL, S.R. 121, SOUTH, MACCLENNY, FLORIDA. FAILURE TO ATTEND WILL BE CAUSE FOR DISQUALIFICATION OF BID ENTRY.

**PERFORMANCE, LABOR AND MATERIAL BOND:** IF THE CONSTRUCTION CONTRACT AWARD AMOUNT IS \$100,000.00 OR LESS, A PERFORMANCE, LABOR AND MATERIAL BONDS ARE NOT REQUIRED.

**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:** DATE AND TIME: JUNE 5, 2000, 3:00 P.M., LOCAL TIME

**PLACE:** MAINTENANCE OFFICE CONFERENCE ROOM, BUILDING #19, NORTHEAST FLORIDA STATE HOSPITAL, S.R. 121, SOUTH, MACCLENNY, FLORIDA

**PROPOSAL:** BIDS MUST BE SUBMITTED IN FULL, IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS, BIDDING AND CONTRACTUAL CONDITIONS, WHICH MAY BY EXAMINED AND OBTAINED FROM: NORTHEAST FLORIDA STATE HOSPITAL, ROUTE 1 BOX 519, MACCLENNY FLORIDA 32063-9777, PURCHASING DEPARTMENT, ATTENTION: MR. ALVIN GRIFFIS, PURCHASING AGENT III, (904)259-6211, EXT. 1119.

**NOTE:** FAXED QUOTATIONS WILL NOT BE CONSIDERED

**CONTRACT AWARD:**

THE BID TABULATION AND NOTICE OF AWARD WILL BE POSTED AT 3:00 P.M., LOCAL TIME, JUNE 12, 2000, 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 PER SECTION B-19 OF THE INSTRUCTIONS TO BIDDERS, "NOTICE AND PROTEST PROCEDURES", THE CONTRACT WILL BE AWARDED TO THE QUALIFIED, RESPONSIVE LOW BIDDER IN ACCORDANCE WITH RULE 60D-5 BY THE OWNER.

NOTE: THE STATE OF FLORIDA ENCOURAGES MINORITY BUSINESS ENTERPRISE PARTICIPATION IN ANY BID SOLICITATION.

**GAINESVILLE REGIONAL AIRPORT**

**REQUEST FOR PROPOSALS  
FOR AIRPORT ADVERTISING CONCESSION  
PROPOSAL #00-009**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) seeks competitive proposals from persons or firms interested in performing the advertising display concession at the Gainesville Regional Airport, Passenger Terminal Building.

The selected firm will be awarded the privilege of operating the Airport's display advertising concession for a five (5) year period.

Requirements and instructions for submission of sealed proposals may be obtained from: Gainesville Regional Airport, Airport Accounting Office, 3880 N. E. 39th Avenue, Suite A, Gainesville, FL 32609, (352)373-0271 or (352)373-0249.

A Non-mandatory Pre-Proposal Meeting will be held on June 7, 2000, 10:00 a.m. (local time), in the Airport Administration Office.

Sealed Proposals are due by 3:00 p.m. (local time), June 21, 2000. Any proposal submitted after the time specified will not be considered and will be returned unopened.

Qualified Disadvantaged Business Enterprise (DBE) firms are encouraged to submit proposals.

GACRAA reserves the right to reject any or all proposals, received in response to this Request for Proposals, that are determined not to be in the best interests of the Airport.

**HOUSING AUTHORITY OF THE CITY OF ARCADIA**

**INVITATION TO BID**

Notice is hereby given that the Housing Authority of the City of Arcadia is accepting sealed bids from qualified general contractors for the following:

Contract #1 New Parking Areas at the City of Arcadia  
Housing Development 55-1 and 55-2  
Arcadia, Florida

All bids must be submitted to the:  
Housing Authority of the City of Arcadia  
11 Booker T. Washington Road  
Arcadia, Florida 33821-1248

No later than June 23, 2000, 2:00 p.m., at which time all bids will be publicly opened and read.

In order to insure uniformity, bids must be submitted on the bid tender form enclosed in the Specifications or on an exact photo copy. Bids not submitted in accordance with the terms, conditions, specification and other instructions contained therein may be subject to rejection.

A mandatory Pre-Bid Conference will be held on May 26, 2000, 2:00 p.m. at the site, at which time project representatives will be available to clarify, interpret and assist bidders to better understand the Bid Documents. Contractors arriving after the time set will not be allowed to submit a bid.

Each bid must be accompanied by a certified check, cashier's check, treasurer's check, bank draft or bid bond in the amount of not less than five percent (5%) of the total bid. Bonding companies must be authorized to do business in the State of Florida.

The Plan, Specification and Bid Forms may be examined at the following locations:

- Housing Authority of the City of Arcadia  
11 Booker T. Washington Road  
Arcadia, Florida 33821-1248  
Tel.: (941)494-4343
- Philippi Associates, P. A.  
3637 Fourth Street, N., Suite 230  
St. Petersburg, FL 33704  
Tel.: (727)822-7526

The Housing Authority of the City of Arcadia is recipient of funds provided by the U.S. Department of Housing and Urban Development (HUD). This is a Federally funded project and certain conditions must be adhered to.

The Housing Authority of the City of Arcadia reserves the right to reject any or all bids and to award the contract in its best interest.

The Housing Authority of the City of Arcadia is not responsible for expenses incurred prior to the award of bid.

Should you have any questions, please contact: Robert C. Philippi, Architect, Philippi Associates, P. A., (727)822-7526.

Envelopes must be identified as follows:

BID No.: 2000-2

OPENING DATE: June 23, 2000



**INVITATION TO BID**

Notice is hereby given that the Housing Authority of the City of Arcadia is accepting sealed bids from qualified general contractors for the following:

Contract #2 – Erosion Control at the City of Arcadia  
Housing Development 55-1 and 55-2  
Arcadia, Florida

All bids must be submitted to the:

Housing Authority of the City of Arcadia  
11 Booker T. Washington Road  
Arcadia, Florida 33821-1248

No later than June 23, 2000, 2:00 p.m., at which time all bids will be publicly opened and read.

In order to insure uniformity, bids must be submitted on the bid tender form enclosed in the Specifications or on an exact photo copy. Bids not submitted in accordance with the terms, conditions, specification and other instructions contained therein may be subject to rejection.

A mandatory Pre-Bid Conference will be held on May 26, 2000, 2:00 p.m. at the site, at which time project representatives will be available to clarify, interpret and assist bidders to better understand the Bid Documents. Contractors arriving after the time set will not be allowed to submit a bid.

Each bid must be accompanied by a certified check, cashier's check, treasurer's check, bank draft or bid bond in the amount of not less than five percent (5%) of the total bid. Bonding companies must be authorized to do business in the State of Florida.

The Plan, Specification and Bid Forms may be examined at the following locations:

- Housing Authority of the City of Arcadia  
11 Booker T. Washington Road  
Arcadia, Florida 33821-1248  
Tel.: (941)494-4343
- Philippi Associates, P. A.  
3637 Fourth Street, N., Suite 230  
St. Petersburg, FL 33704  
Tel.: (727)822-7526

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The Housing Authority of the City of Arcadia reserves the right to reject any or all bids and to award the contract in its best interest.

The Housing Authority of the City of Arcadia is not responsible for expenses incurred prior to the award of bid.

Should you have any questions, please contact: Robert C. Philippi, Architect, Philippi Associates, P. A., (727)822-7526.

Envelopes must be identified as follows:

BID No.: 2000-1

OPENING DATE: June 23, 2000

**ENTERPRISE FLORIDA****Defense Infrastructure Grant**

The Enterprise Florida Defense Alliance has released a Request for Proposal of the 1999/00 Defense Infrastructure Grant funds. The funds will be used to assess and evaluate the present and future infrastructure requirements around Florida's military bases.

For a copy of the RFP, please visit [www.floridadefense.org](http://www.floridadefense.org).

## Section XII Miscellaneous

**DEPARTMENT OF LEGAL AFFAIRS**

The Department of Legal Affairs, Bureau of Advocacy and Grants Management announces that the review team orientations, site visits, oral presentations and deliberation meetings for the 2000/2001 Victims of Crime Act (VOCA) Grant process will be held throughout each judicial circuit in the State of Florida, between May 30, 2000 and June 23, 2000. The orientations, site visits, presentations and deliberation meetings are public meetings and as such, all persons are invited to attend.

For information on specific dates, times and locations you may call (850)414-3380.

**DEPARTMENT OF BANKING AND FINANCE**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notices. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 2, 2000):

**APPLICATION TO MERGE**

Constituent Institutions: Belle-Tel Credit Union, 206 Hillcrest Street, Orlando, Florida 32801 and Lake County Schools Credit Union, 15120, U.S. Highway 441, Eustis, Florida 32726  
Resulting Institution: Belle-Tel Credit Union, Orlando, Florida  
Received: April 28, 2000

**EXPANDED FIELD OF MEMBERSHIP**

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, General Mail Facility, Miami, Florida 33152-0622

Expansion Includes: The Select Employee Groups: Becker Avionics, Inc., located at 10830 NW 27 Street, Miami, Florida 33172; Mish International, Inc., located at 2800 NW 112 Avenue, Miami, Florida 33172; and Center for Pediatric Therapy, Inc., located at 2801 Ponce de Leon Boulevard, Suite 250, Coral Gables, Florida 33134 and 9555 N. Kendall Drive, Suite 102, Miami, Florida 33176.

Received: May 1, 2000

Name and Address of Applicant: Lawyers Credit Union, 19 West Flagler Street, Miami, Florida 33130

Expansion Includes: Employees of Turner & Associates, a CPA firm, whose work location is 19 W. Flagler Street, Miami, Florida; employees of Biscayne Building, Inc., whose work location is 19 W Flager Street, Miami, Florida 33130.

Received: April 28, 2000

IN RE:

PCM SECURITIES, LTD., A/K/A

ROYAL PALM INVESTMENTS LTD.

Robert L. and Shirley M. Mohler     Administrative Proceeding  
Respondent.                                     No. 2886-S-11/99

NOTICE OF INTENT TO ENTER A FINAL ORDER APPROVING RECOVERY FROM THE SECURITIES GUARANTY FUND AND NOTICE OF RIGHTS

The State of Florida, Department of Banking and Finance, Division of Securities and Investor Protection (the "Department"), being authorized and directed to administer and to accept and pay claims against the Securities Guaranty Fund (the "Fund"), codified in Sections 517.131 and 517.141, Florida Statutes, does hereby give Notice of its intention to enter a Final Order approving the application of Robert L. and Shirley M. Mohler ("Mohlers") for payment from the Fund for violations of the Florida Securities and Investor Protection Act by Respondent PCM Securities, Ltd., a/k/a Royal Palm Investments, Ltd.

The Securities Guaranty Fund is disbursed as provided in Section 517.141, Florida Statutes, to a person who is adjudged by a court of competent jurisdiction to have suffered monetary damages as a result of a dealer, investment advisor or associated person having violated Sections 517.07 or 517.301, Florida Statutes.

STATEMENT OF FACTS

1. Under the provisions of the Florida Securities and Investor Protection Act (the "Act"), the Department is charged with the responsibility and duty of administering the fund, which includes the duty to approve or deny applications for payment from the Fund, as set forth in Section 517.141(3)(a), Florida Statutes.

2. At all times material hereto, PCM Securities, Ltd., a/k/a Royal Palm Investments, Ltd., ("PCM") was registered pursuant to Chapter 517, Florida Statutes (CRD No. 28761).

3. On October 25, 1999, the Department received a letter from Anthony J. Kohler ("Kohler"), attorney for the Claimant. Kohler's letter provided notice to the Department that the Claimant was making a claim against the Securities Guaranty Fund for acts committed by PCM. With the letter, Kohler also included a copy of the award in NASD Arbitration No. 98-02701.

4. On April 18, 1999, the Department received a letter from Kohler. With the letter Kohler provided:

a. A copy of the Statement of Claim filed in NASD Arbitration No. 98-02701 alleging unauthorized trades which resulted in losses in the Mohlers' account;

b. A copy of an Order from the District Court, City and County of Denver, Colorado, Case No. 99 CV 8149 Division, confirming the NASD Arbitration Award and awarding Robert L. and Shirley M. Mohler \$34,623.75 as compensatory damages;

c. A copy of the Return of Service from the Palm Beach County Sheriff's Office; and

d. A statement that PCM is out of business and that Kohler was unable to locate any property owned by PCM.

CONCLUSIONS OF LAW

5. The requirements for perfecting a claim to the Fund are found in Sections 517.131 and 517.141, Florida Statutes.

6. Based upon the foregoing Statement of Facts, the Department concludes that the Mohlers have satisfied the requirements in Section 517.131, Florida Statutes, in that:

a. At all times material hereto, Respondent was licensed under Chapter 517, Florida Statutes;

b. The Mohlers have been adjudged by the District Court, City and County of Denver, Colorado, Case No. 99 CV 8149 Division 7, to have suffered monetary damages in the amount of \$34,623.75 resulting from PCM's conduct which under Florida law is a violation of Section 517.301, Florida Statutes;

c. The Mohlers have attempted to collect from the judgement debtor, but they have not recovered any amount from the Respondent or any other source in satisfaction of these damages; and

d. The act for which the Mohlers seek recovery occurred after January 1, 1979.

7. The Mohlers are limited to recovering the amount equal to the unsatisfied portion of their judgment or \$10,000, whichever is less, as set forth in Section 517.141(1), Florida Statutes.

8. The total claims may not exceed \$100,000, and all claims will be prorated based upon the ratio that the person's claim bears to the total claims filed, as set forth in Section 517.141(2), Florida Statutes.

9. Section 517.141(3), Florida Statutes, provides that no payment from the Fund shall be made until 2 years after the first claim has been determined by the Department to be

eligible for payment from the Fund. This subsection further provides that any additional claims or potential claims filed with or approved by the Department during the two year period shall also be considered by the Department and provision made for further prorations concerning such additional claims, if any, two years hence.

10. It is the conclusion of the Department that no payment shall be made in connection with the Mohlers' claim until two years from the date of the first Final Order regarding PCM.

**PROPOSED FINAL ORDER**

Upon due consideration of the factual statement set forth above and the law applicable thereto, NOTICE is hereby given that the Department intends to and will issue a Final Order substantially as follows, subject only to the Notice of Rights attached hereto and made a part hereof:

1. The Department hereby approves the claim filed by Robert M. and Shirley L. Mohler;
2. No payment from the Fund shall be made until two years from the date of entry of this first Final Order regarding PCM;
3. Upon expiration of such period, provided that no further claims are duly received or approved by final order by the Department alleging violations of the Act by PCM, and subject to further proration and limitation as may be required by section 517.141(3) and (4), Florida Statutes, the Department shall pay Robert L. and Shirley M. Mohler jointly the amount of up to \$10,000.00 from the Fund;
4. Robert L. Mohler or Shirley M. Mohler shall assign any right, title and interest in the debt to the Department to the extent of and prior to any payment by the Department from the Fund.

**NOTICE OF RIGHTS**

Notice is hereby given that the Respondent may request a hearing on the Notice of Intent to enter a Final Order Approving Recovery from the Securities Guaranty Fund to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. Requests for such a hearing must comply with the provisions of Florida Administrative Code 28-106.201 and must be filed with:

Clerk  
 Office of the Comptroller  
 Department of Banking and Finance  
 Legal Section  
 101 East Gaines Street  
 The Fletcher Building, Room 526  
 Tallahassee, Florida 32399-0350

within twenty-one (21) days after Respondent receives a copy of this Notice of Intent to enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights, otherwise Respondent shall be deemed to have waived all rights to such hearing. Should Respondent request such a

hearing, it is further advised that at such hearing it will have the right to offer testimony, either written or oral; to call and cross-examine witnesses; and to have subpoena and subpoenas duces tecum issued on its behalf.

/s/  
 Thomas Cibula  
 Assistant General Counsel  
 Office of the Comptroller  
 101 East Gaines Street  
 The Fletcher Building, Suite 526  
 Tallahassee, Florida 32399-0350  
 (850)410-9896

**DEPARTMENT OF INSURANCE**

**NOTICE OF EMERGENCY ORDER**

The Treasurer and Insurance Commissioner on April 28, 2000, ordered the emergency suspension of all insurance licenses and appointments of Reynaldo Gonzalez-Duenas of Durey Insurance Group, Inc., also know as Durey Insurance and Accounting, in Miami, Florida.

A copy of the Emergency Order may be obtained by contacting: Mechele R. McBride, Esquire, Department of Insurance, Division of Legal Services, 200 East Gaines Street, Suite 612, Larson Building, Tallahassee, Florida 32399-0333, (850)413-4114.

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-1100-007  
 DATE RECEIVED: April 26, 2000  
 DEVELOPMENT NAME: STIRLING CENTER  
 DEVELOPER/AGENT: Oakridge Hotels II, Ltd./  
 Margaret-Ray Kemper  
 DEVELOPMENT TYPE: 28-24.031, 28-24.020, 28-24.026,  
 FAC.  
 COUNTY LOCATION: Broward  
 LOCAL GOVERNMENT: Dania City

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-0900-007  
 DATE RECEIVED: May 1, 2000  
 DEVELOPMENT NAME: HIDDEN LAKES RANCH  
 DEVELOPER/AGENT: Natureglades Resort, Inc./  
 DEVELOPMENT TYPE: 28-24.023, 28-24.027, FAC.  
 COUNTY LOCATION: Glades  
 LOCAL GOVERNMENT: Glades County

	Active Full-Time Officers	Recruit Completers
Law Enforcement	37,382	3,690
Correctional	27,461	3,848
Correctional Probation	3,331	276
Concurrent	3,426	NA

It is estimated that 8% of applicants do not complete the basic recruit process. An additional unknown percentage of applicants apply for the training centers' screening process and are not admitted.

**DEPARTMENT OF LAW ENFORCEMENT**

Basic Abilities Test

The purpose of this document is to inform your testing organization of an opportunity to develop standardized Basic Abilities Tests for Florida's pre-training center/pre-employment criminal justice population. Due to the size and scope of the project it is recommended that Providers have professional test development and testing service experience. The Commission envisions a Basic Abilities Test that is standardized, cost efficient to administer, legally defensible and complies to recognized industry standards.

In order to assess applicants according to specific levels of abilities needed, the Commission's intent is to accept a testing instrument to assess each of the three criminal justice disciplines (law enforcement, correctional, correctional probation). The Provider has the opportunity to develop and provide the services for one or more discipline. The performance levels of the test must be appropriate to the designated discipline and be validated to Florida's officer population. An appropriate Basic Abilities Test shall measure an appropriate amount of the following categories:

- Written Comprehension
- Written Expression
- Oral Comprehension
- Oral Expression
- Memorization
- Problem Sensitivity
- Deductive Reasoning
- Inductive Reasoning
- Speed of Closure
- Flexibility of Closure
- Spatial Orientation
- Visualization
- Perceptual Speed
- Selective Attention
- Time Sharing
- Information Ordering

The Commission does not guarantee any compensation to the Provider. The test shall be developed according alternative resources available to the Provider. Providers that submit a test that meets the minimum standards (of an acceptable test) will be given the authority to market their test to criminal justice selection centers, Commission-certified training centers and criminal justice agencies. This process is inclusive and is intended to permit multiple Providers who meet the criteria within the designated timeframe to participate.

Although actual estimates of applicants vary between years, the Florida Department of Law Enforcement has collected some general population estimates for 1999.

**CONTACT INFORMATION AND DATES**

If you are interested in receiving a copy of the RFP and additional project information, please send your request via email to donaldtoms@fdle.state.fl.us (include your name, company name, address, email address and phone number). Information will be sent to respondents via email in a Microsoft Word document unless you request a mailed copy.

A letter of intent for Providers interested in participating in the test development process is due by July 1, 2000. Providers not submitting a letter of intent by the July 1st deadline will not be able to participate in this testing process.

Contact: Donald Toms, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, P. O. Box 1489, Tallahassee, Florida 32302-1489, Phone (850)410-8670, Fax (850)410-8606, Email: donaldtoms@fdle.state.fl.us

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, McCoy Miller Division of Warrick Industries, Inc., intends to allow the establishment of Ambulance Network, Inc., as a dealership for the sale of Type I, Type II and Type III ambulances, at 3450 N.W. 36th Street, Miami (Dade County), Florida 33142, on or after January 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Ambulance Network, Inc. are: dealer operator: Eduardo Tolstano, 4558 Alton Road, Miami Beach, FL 33140; principal investor(s): Eduardo Tolstano, 4558 Alton Road, Miami Beach, FL 33140 and Joseph Harary, 1983 East 7th, Brooklyn, NY 11223.

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: Alan Townsend, National Sales Manager, McCoy Miller, Division of Warrick Industries, Inc., 1110 DI Drive, Elkhart, IN 46514.

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**

**NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on April 6, 2000, concerning certificate of need decisions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine substantial interest of person. Those persons whose substantial interest may be determined by these proceedings including settlements, grants and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 28-5.111 and 28-5.207, FAC. In deference to rights of substantially affected person, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL	DECISION,	PROJECT,	CTY,
	APPLICANT,	PARTY	REQUEST	HEARING
	(PRH)			
9272	Denial,	addition of 60 community nursing home beds,	Gadsden County,	RHA Florida Operations, Inc., (PRH) same as applicant
9279	Denial,	addition of up to 6 skilled nursing beds,	Okeechobee County,	Lifestyles & Healthcare, Ltd. d/ b/a Okeechobee Healthcare Facility, (PRH) same as applicant
9280	Denial,	addition of 12 community nursing home beds,	Palm Beach County,	Lourdes-Noreen McKeen Residence for Geriatric Care, Inc., (PRH) same as applicant

9281 Denial, relocate 24 hospital based skilled nursing beds and combine/add to CON 9056 authorizing a replacement facility, Broward County, Holy Cross Long Term Care, Inc., (PRH) same as applicant

**CERTIFICATE OF NEED**

**RECEIPT OF EXPEDITED APPLICATIONS**

The Agency for Health Care Administration received the following Certificate of Need applications for expedited review:

County: Escambia Service District: 1  
 Facility/Project: Shared Adult Open Heart Surgery Program  
 Applicant: West Florida RMC, Inc. & Ft. Walton Beach MC, Inc.  
 Project Description: Establish a shared adult open heart surgery program between WFRMC & FWBMC  
 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: Sarasota	District: 8
ID #: 0000049	Issue Date: 6/17/2000
Facility/Project: HEALTHSOUTH Rehabilitation Hospital of Sarasota	
Applicant: HEALTHSOUTH of Sarasota, Limited Partners	
Project Description: Relocate an off-site outpatient clinic	
Proposed Project Cost: \$200,000	Equipment Cost:
County: Marion	District: 3
ID #: 0000151	Issue Date: 4/25/2000
Facility/Project: LifeTime Care Center at TimberRidge	
Applicant:	
Project Description: Off-site Comprehensive Outpatient Rehabilitation Facility	
Proposed Project Cost: \$0	Equipment Cost:
County: Broward	District: 10
ID #: 0000152	Issue Date: 4/25/2000
Facility/Project: Holy Cross Hospital	
Applicant: Holy Cross Hospital, Inc.	
Project Description: Expand the emergency department	
Proposed Project Cost: \$6,500,000	Equipment Cost:
County: Columbia	District: 3
ID #: 0000153	Issue Date: 4/25/2000
Facility/Project: Lake City Medical Center	
Applicant: Notami Hospitals of Florida, Inc.	
Project Description: Add a MRI unit	

Proposed Project Cost: \$1,800,000 Equipment Cost:  
 County: Hillsborough District: 6  
 ID #: 0000155 Issue Date: 4/25/2000  
 Facility/Project: St. Joseph's Hospital  
 Applicant: St. Joseph's Hospital, Inc.  
 Project Description: Replace outdated CT scanner & renovations to accommodate new scanner

Proposed Project Cost: \$1,400,000 Equipment Cost:  
 County: Palm Beach District: 9  
 ID #: 0000159 Issue Date: 4/25/2000  
 Facility/Project: Palm Beach County Home  
 Applicant: Palm Beach County Health Care District  
 Project Description: Delicense 11 beds

Proposed Project Cost: \$0 Equipment Cost:  
 County: Palm Beach District: 9  
 ID #: 0000161 Issue Date: 4/25/2000  
 Facility/Project: JFK Medical Center  
 Applicant: Columbia/JFK Medical Center, L.P.  
 Project Description: Expand the facility's sleep lab

Proposed Project Cost: \$50,000 Equipment Cost:  
 County: Dade District: 11  
 ID #: 0000162 Issue Date: 4/28/2000  
 Facility/Project: Aventura Hospital and Medical Center  
 Applicant: Miami Beach Healthcare Group, Ltd.  
 Project Description: Renovation to expand the MRI unit & purchase new MRI equipment

Proposed Project Cost: \$3,239,322 Equipment Cost:  
 County: Pinellas District: 5  
 ID #: 0000163 Issue Date: 4/25/2000  
 Facility/Project: Rosedale Manor  
 Applicant: Health Care & Retirement Corporation of America  
 Project Description: Delicense skilled nursing beds from 189 to 185

Proposed Project Cost: \$0 Equipment Cost:  
 County: Broward District: 10  
 ID #: 0000165 Issue Date: 4/28/2000  
 Facility/Project: Hallendale Rehabilitation Center  
 Applicant: Golden Isle Convalescent Center, Inc.  
 Project Description: Convert eight resident beds to office space

Proposed Project Cost: \$0 Equipment Cost:  
 AHCA Purchase Order Number S5900H00396.

County: Escambia District: 1  
 Date Filed: April 28, 2000 LOI#: N000501  
 Facility/Project: Baptist Manor  
 Applicant: Baptist Manor, Inc.  
 Project Description: The addition of 10 community nursing home beds

County: Escambia District: 1  
 Date Filed: April 28, 2000 LOI#: N000502  
 Facility/Project: Century Care Center  
 Applicant: Century Care Center Investors, Inc.  
 Project Description: The addition of up to 12 community nursing home beds

County: Escambia District: 1  
 Date Filed: May 1, 2000 LOI#: N000503  
 Facility/Project: Haven of Our Lady of Peace  
 Applicant: Haven of Our Lady of Peace, Inc.  
 Project Description: The addition of up to 10 community nursing home beds

County: Escambia District: 1  
 Date Filed: May 1, 2000 LOI#: N000504  
 Facility/Project: Haven of Our Lady of Peace  
 Applicant: Sacred Heart Hospital of Pensacola  
 Project Description: The addition of up to 10 community nursing home beds

County: Nassau District: 4  
 Date Filed: April 25, 2000 LOI#: N000505  
 Facility/Project: Sawgrass Care Center, Inc.  
 Applicant: Sawgrass Care Center, Inc.  
 Project Description: The addition of 20 community nursing home beds to CON #'s 7734 and 8985

County: Hillsborough District: 6  
 Date Filed: April 28, 2000 LOI#: N000506  
 Facility/Project: Beverly Health & Rehab. Ctr. of Brandon  
 Applicant: Beverly Enterprises-Florida, Inc.  
 Project Description: The addition of up to 60 community nursing home beds through the transfer of up to 60 beds from Wellington Specialty Care Center

County: Highlands District: 6  
 Date Filed: May 1, 2000 LOI#: N000507  
 Facility/Project: Tandem Health Care, Inc.  
 Applicant: Tandem Health Care, Inc.  
 Project Description: The addition of eight community nursing home beds to CON #9275

County: Collier District: 8  
 Date Filed: May 1, 2000 LOI#: N000508  
 Facility/Project: ManorCare Nursing & Rehabilitation Center  
 Applicant: Americana Healthcare Corporation of Naples

CERTIFICATE OF NEED  
 LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the May 31, 2000 application filing date for nursing home batching cycle:

Project Description: The addition of up to 34 community nursing home beds

County: Collier District: 8  
 Date Filed: April 28, 2000 LOI#: N000509

Facility/Project: Heritage Healthcare & Rehabilitation Center  
 Applicant: Beverly Enterprises-Florida, Inc.

Project Description: The addition of up to 23 community nursing home beds

County: Lee District: 8  
 Date Filed: April 28, 2000 LOI#: N000510

Facility/Project: Beverly Health & Rehab. Ctr.-Coral Trace  
 Applicant: Beverly Enterprises-Florida, Inc.

Project Description: The addition of up to 60 community nursing home beds

County: Lee District: 8  
 Date Filed: May 1, 2000 LOI#: N000511

Facility/Project: Heartland Health Care Center-Fort Myers  
 Applicant: Health Care & Retirement Corporation of America

Project Description: The addition of up to 60 community nursing home beds

County: Lee District: 8  
 Date Filed: May 1, 2000 LOI#: N000512

Facility/Project: Life Care Health Resources, Inc.  
 Applicant: Life Care Health Resources, Inc.

Project Description: The addition of up to 72 community nursing home beds to CON #9277

County: Lee District: 8  
 Date Filed: May 1, 2000 LOI#: N000513

Facility/Project: ManorCare Health Services  
 Applicant: Manor Care of Boynton Beach, Inc.

Project Description: The addition of up to 60 community nursing home beds

County: Lee District: 8  
 Date Filed: May 1, 2000 LOI#: N000514

Facility/Project: Tandem Health Care, Inc.  
 Applicant: Tandem Health Care, Inc.

Project Description: To construct a new community nursing home of up to 72 beds

County: Lee District: 8  
 Date Filed: April 28, 2000 LOI#: N000515

Facility/Project: Beverly Healthcare-Evans  
 Applicant: Vantage Healthcare Corporation

Project Description: The addition of up to 60 community nursing home beds

County: Okeechobee District: 9  
 Date Filed: May 1, 2000 LOI#: N000516

Facility/Project: Okeechobee Health Care Facility  
 Applicant: Lifestyles & Healthcare, Ltd.

Project Description: The addition of up to 17 community nursing home beds

County: St. Lucie District: 9  
 Date Filed: May 1, 2000 LOI#: N000517

Facility/Project: Life Care Center of Port St. Lucie  
 Applicant: Life Care Centers of America, Inc.

Project Description: The addition of up to 13 community nursing home beds

County: Dade District: 11  
 Date Filed: May 1, 2000 LOI#: N000518

Facility/Project: Victoria Center  
 Applicant: Victoria Nursing & Rehabilitation Center

Project Description: The addition of up to 52 community nursing home beds to CON #'s 9040, 9057, 9211, 9290 and 9270

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after July 05, 2000 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on June 16, 2000.

AHCA Purchase Order Number S5900H00396

DEPARTMENT OF MANAGEMENT SERVICES

COMMODITY	AWARD DATE	NOTICE OF AWARD			
		NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
880-001	03-01-00	<p>3M Visual Systems 6801 River Place Blvd. Austin, TX</p> <p>AVI 6313 Benjamin Rd. Tampa, FL</p> <p>Audio Visual Solutions P.O. Box 222126 Hollywood, FL 33022</p> <p>CAV 1212 S. Andrews Ave. Ft. Lauderdale, FL 33316</p> <p>Dukane Corp. 2900 Dukane Dr. St. Charles, IL 60174</p> <p>EIKI Int. 26794 Vista Terrace Dr. Lake Forest, CA 92121</p> <p>Proxima Corp. 9440 Carroll Park Dr. San Dirgo, CA 92121</p> <p>Sharp Electronics Sharp Plaza 1 Mahwah, NJ 07430</p> <p>Troxell Communications 4532 W. Kennedy Blvd. Tampa, FL 33609</p>	\$4,000,000	11-09-99	Sealed Bid
515-630 \$2,000,000	01-26-00 10-05-99	<p>Ariens Company Sealed Bid 655 W. Ryan St. Brillion, WI 54110</p>			
515-630	01-02-00	<p>Ariens Co – Gravely 655 W. Ryan St. Brillion, WI 54110</p> <p>Brettel Equipment Co. 2308 Sunset Point Rd. Clearwater, FL 33765</p>	\$2,000,000	10-05-99	Sealed Bid



COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Dixie Chopper/Magic Circle 6302 East County Rd. Coatesville, IN 46121			
		Excel Industries 200 South Ridge Rd. Hesston, KS 67062			
		Florida Outdoor Equipment 3533 Mercy Dr. Orlando, FL 32808			
		Golf Ventures 2101 E. Edgewood Drive Lakeland, FL 33803			
		Husqvarna Forest & Garden 9006 Perimeter Woods Dr. Charlotte, NC 28216			
		John Deere Co. 4401 Bland Road Raleigh, NC 27609			
		Kut-Kwik Corp. P.O. Box 984 Brunswick, GA 31521			
		Live Oak Lawn Supply 6406 Danner Drive Sarasota, FL 34240			
515-630	01-26-00	MTD Products P.O. Box 368023 Cleveland, OH 369023	2,000,000	10-05-99	Sealed Bid
		Mulvaney's Inc. 2140 W. Tennessee St. Tallahassee, FL 32304			
		Robinson Equipment Co. P. O. Box 156 Mims, FL 32754			
		Sarlo Power Mowers P. O. Box 1169 Ft. Myers, FL 33902			
		Snapper, Inc. 535 Macon Rd. McDonough, GA 30253			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Southeast Equipment Dist. 1741 Hamilton St. Jacksonville, FL 32210			
		Steiner Turf Equipment 289 N. Kurzen Rd. Dalton, OH 44618			
		Tresca Industries 3930 N. Orange Blossom Trail Orlando, FL 32804			
		Wesco Turf Supply 300 Technology Park Lake Mary, FL 32746			
477-960	03-20-00	Marsh, USA P. O. Box 100357 Atlanta, GA 30384-0357	\$33,397	01-07-00	ITB
640-002	01-15-00	Unisource Worldwide, Inc. 4151 Woodcock Drive Jacksonville, FL 32207	\$9,845,721	11-05-99	Comp Bid
		Xpedx P. O. Box 37889 Jacksonville, FL 32236-7889			
600-700	02-09-00	Ascom Hasler Mailing Systems 19 Forest Parkway Shelton, CT 06484	2.5 Million	N/A	ITN
		Franco Typ-Postalia 1980 University Lane Lisle, IL 60532			
		American Business Systems 8638 Phillips Hwy #12 Jacksonville, FL 32256			
		Pitney Bowes Corporation 1827 Capital Circle, N. E. Suite B Tallahassee, FL 32308-4455			
030-040	03-21-00	Friedrich Air Conditioning 4200 N PanAm Expressway San Antonio, TX 78295-1540	\$1,106,444	N/A	Renewal
		Whirlpool Corporation 412 North Peters Road Knoxville, TN 37922			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
973-594	03-31-00	Faulkner 114 Copper Ctr. Pennsauken, NJ 08109	\$500,000	N/A	Negotiation
973-585	03-08-00	Computer Training 2009 Apalachee Pky. Tallahassee, FL 32301	\$500,000	N/A	Negotiation
973-582	02-21-00	Vital Technologies 2888 West Lake Mary Blvd. Lake Mary, FL 32746	\$500,000	N/A	Negotiation
973-581	02-21-00	Information Systems & Network 10411 Motor City Drive Bethesda, MD 20817	\$500,000	N/A	Negotiation
973-574	01-27-00	Employer Management Solutions 5521 Cypress St Suite 103 Tampa, FL 33607	\$500,000	N/A	Negotiation
973-573	01-24-00	Marquis Software P. O. Box 14168 Tallahassee, FL 33217	\$500,000	N/A	Negotiation
973-571	01-27-00	Vector 754 Duparc Circle Tallahassee, FL 32312	\$500,000	N/A	Negotiation
973-569	02-03-00	Nicholas Clark & Assoc. 6005 Proctor Road Tallahassee, FL 32308	\$500,000	N/A	Negotiation
973-567	03-27-00	Fusive Com 800 Fairway Drive Deerfield, FL 33441	\$500,000	N/A	Negotiation
973-565	01-24-00	Orion Scientific Systems 19800 MacAuthur Blvd Irvin, CA 92612	\$500,000	N/A	Negotiation
973-564	01-25-00	Cox Computer 2312 Mauis Circle Tallahassee, FL 32301	\$500,000	N/A	Negotiation
973-563	01-21-00	Renasissance Gov. Solutions 15 Piedmont Ctr. Suite 1400 Atlanta, GA 30305	\$500,000	N/A	Negotiation
973-532	01-14-00	Yang Enterprise 1420 Alafaya Trail Oviedo, FL 32765	\$500,000	N/A	Negotiation

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
973-521	03-09-00	Network Six 475 Kilvert Street Warwick, RI 02886	\$500,000	N/A	Negotiation
252-017	03-04-00	Aciss Systems, Inc. 3375-H Capital Cir., N. E., Ste 1 Tallahassee, FL 32308	\$150,000	N/A	Negotiation
252-011	03-15-00	Neon Systems, Inc. 14100 S.W. Freeway, Suite 500 Sugar Land, TX 77478	\$150,000	N/A	Negotiation
252-010	01-01-00	Peregrine Sytems, Inc, 200 Mansell Court, E., Ste. 100 Roswell, GA 30076	\$150,000	N/A	Negotiation
252-013	02-22-00	ROH Software 641 Lynnhaven Pkwy. Ste 201 Virginia Beach, VA 32452-7307	\$150,000	N/A	Negotiation

\* This number was calculated as the total estimated sales through the term of the contract divided by the number of contractors.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF PROPOSED WATER QUALITY STUDY**

The Department of Environmental Protection gives notice of the intent of S & W Water, LLC to conduct a study of water quality in the southeast area of Hillsborough Bay, located in Hillsborough County. Waters to be studied include Hillsborough Bay and the North Apollo Beach Embayment. The purpose of this study is to collect sufficient data concerning water quality, quantity of flows, and any other related data necessary to establish water quality based effluent limits for the proposed S & W Water, LLC Desalination Facility discharge to Hillsborough Bay. The plan of study is available for public inspection Monday through Friday, except for legal holidays, 8:00 a.m. to 5:00 p.m., at the following locations: 1) Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-8318; or 2) Department of Environmental Protection, 2600 Blair Stone Road, Room 238, Twin Towers Office Building, Tallahassee, Florida 32399-2400. Interested parties should review the plan of study within fourteen (14) days of publication of this notice and offer their comments in writing to Mr. Jan Mandrup-Poulsen, Administrator, Department of Environmental Protection, Watershed Assessment Section, 2600 Blair Stone Road, Room 238, Twin Towers Office Building, Tallahassee, Florida 32399-2400.

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**NOTICE OF INTENT TO ISSUE PROPOSED  
MODIFICATION  
OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify Power Plant Certification Conditions issued pursuant to the Florida Electrical Power Plant Siting Act, § 403.501, et seq., Florida Statutes (F.S.). A Proposed Final Order has been prepared in accordance with Rule 62-17.211(4), Florida Administrative Code (FAC.) concerning:

Hardee Power Partners Limited  
Hardee Power Station Unit 2B  
Power Plant Siting Application: PA89-25C  
OGC Case No. 99-1050  
Hardee County, Florida

On June 18, 1999, Hardee Power Partners Limited filed a request to modify the Conditions of Certification pursuant to Section 403.516, F.S., and Condition XXI of the Conditions of Certification, which delegates authority to modify conditions to the Department. Hardee Power Partners Limited requested that the conditions be modified to allow the construction and operation of one additional General Electric Model No. PG 7EA dual-fuel, simple-cycle, combustion turbine with electrical generator set having a nominal power production of 75 megawatts. The additional of this unit also required a modification of the Prevention of Significant Deterioration (PSD) permit, Permit No. PSD-FL-140A. The final PSD permit with the modification addressing the addition of the new unit was issued on October 8, 1999. The applicant identifies the new combustion turbine as Unit 2B.

A copy of the proposed modification order is available from Hamilton S. Oven, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)487-0472.

#### POINT OF ENTRY

Pursuant to § 403.516, F.S., and Rule 62-17.211(5), FAC., all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification.

Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.

If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to § 403.516(1)(c), F.S., the applicant may file a petition for modification seeking approval for those portions of the request for modification to which written objections were timely filed.

Mediation is not available in this proceeding.

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#### NOTICE OF INTENT TO ISSUE PROPOSED MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify Power Plant Certification Conditions issued pursuant to the Florida Electrical Power Plant Siting Act, § 403.501, et seq., Florida Statutes (F.S.). A Proposed Final Order has been prepared in accordance with Rule 62-17.211(4), Florida Administrative Code (FAC.) concerning:

Indiantown Cogeneration, L. P.  
Indiantown Cogeneration Facility  
Power Plant Siting Application: PA90-31C  
OGC Case No. 00-0048  
Martin and Okeechobee Counties, Florida

Pursuant to Section 403.516, F.S., and Section 62-17.211(4), FAC., the Department proposes to modify the Conditions of Certification to conform to the revised Industrial Waste (IW) Permit Number FL0183750 that was issued January 19, 2000. IW Permit No. FL0183750 allows emergency discharge of cooling water and process water, clarifies allowable operation rates of auxiliary boilers, allows the addition of a carbon dioxide recovery facility and a chilled water plant, and allows an increase in the cooling water storage pond elevation.

A copy of the proposed modification order is available from Hamilton S. Oven, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)487-0472.

POINT OF ENTRY

Pursuant to § 403.516, F.S., and Rule 62-17.211(5), FAC., all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification.

Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000.

If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to § 403.516(1)(c), F.S., the applicant may file a petition for modification seeking approval for those portions of the request for modification to which written objections were timely filed.

Mediation is not available in this proceeding.

**DEPARTMENT OF HEALTH**

On April 28, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION with regard to the license of Hae Suk Bornholdt license number LIC #L.M.T. 30419. Hae Suk Bornholdt's last known address is 1361 South Federal Highway, Apt. 208, Boca Raton, FL 33785. This Emergency

Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 26, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency SUSPENSION ORDER with regard to the license of Lisa Nancy Worth L.P.N. License number PN 1072391. Lisa Nancy Worth's last known address is 3441 North East 12th Ave., Pompano Bch., FL 33064. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Copies of the proposed Social Services Block Grant (Title XX) Pre-Expenditure Report for July 1, 2000 – June 30, 2001 are available for review. Persons interested in receiving a copy of the report may call (850)922-7591 or write to: Department of Children and Family Services, Family Safety (PDFSE), 1317 Winewood Boulevard, Tallahassee, FL 32399-0700.

**FISH AND WILDLIFE CONSERVATION  
COMMISSION****NOTICE TO LOCAL GOVERNMENTAL ENTITIES,  
COUNTIES, INCORPORATED MUNICIPALITIES AND  
NAVIGATIONAL DISTRICTS****FLORIDA BOATING IMPROVEMENT GRANTS  
PROGRAM 2000/2001 FUNDING AVAILABLE**

The Florida Fish and Wildlife Conservation Commission is administering a financial assistance program, to provide grant funding for waterway projects designed to serve the needs of recreational boating. Funding priority is given to counties where, due to the number of vessel registration, sufficient financial resources are unavailable. The four categories of projects identified for this program are, recreational channel marking, public launching facilities, aquatic plant control and other local boating-related projects.

Applications will be accepted from June 1, 2000 through July 14, 2000. Applications must be postmarked no later than July 14, 2000, or delivered in person by 5:00 p.m., July 14, 2000. Application packages can be obtained by writing or calling: Ms. Wendy Huszagh, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)488-5600, Ext. 173.

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**REQUEST FOR INFORMATION**

The Fish and Wildlife Commission determined at its March 29-31, 2000 meeting that adding the flatwoods salamander (*Ambystoma cingulatum*) to the Species of Special Concern list

was warranted, thereby ending Phase 1 and beginning Phase 2 of the listing process (Rule 68A-27.0012) for this species. The Commission now requests information on the conservation needs of the flatwoods salamander and any economic and social factors that should be considered in its management. Comments should be sent to Dr. Bradley J. Gruver, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600 by 5:00 p.m., June 26, 2000.

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**REQUEST FOR INFORMATION**

The Fish and Wildlife Commission determined at its March 29-31, 2000 meeting that removing the peregrine falcon (*Falco peregrinus*) from the Endangered Species list was warranted, thereby ending Phase 1 and beginning Phase 2 of the delisting process (Rule 68A-27.0012) for this species. The Commission now requests information on the conservation needs of the peregrine falcon and any economic and social factors that should be considered in its management. Comments should be sent to Dr. Bradley J. Gruver, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600 by 5:00 p.m., June 26, 2000.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN April 17, 2000  
 and April 21, 2000**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BANKING AND FINANCE**

**Division of Securities and Investor Protection**

3E-301.002	4/17/00	5/7/00	26/11	
3E-500.010	4/20/00	5/10/00	26/11	
3E-600.001	4/20/00	5/10/00	26/11	
3E-600.002	4/20/00	5/10/00	26/11	
3E-600.007	4/20/00	5/10/00	26/11	
3E-600.008	4/20/00	5/10/00	26/11	
3E-600.019	4/20/00	5/10/00	26/11	

**DEPARTMENT OF EDUCATION**

**Florida International University**

6C8-1.002	4/20/00	5/10/00	Newspaper	
6C8-1.003	4/20/00	5/10/00	Newspaper	
6C8-1.004	4/20/00	5/10/00	Newspaper	
6C8-1.006	4/20/00	5/10/00	Newspaper	
6C8-1.007	4/20/00	5/10/00	Newspaper	
6C8-1.008	4/20/00	5/10/00	Newspaper	
6C8-2.001	4/20/00	5/10/00	Newspaper	
6C8-2.002	4/20/00	5/10/00	Newspaper	
6C8-2.003	4/20/00	5/10/00	Newspaper	
6C8-2.004	4/20/00	5/10/00	Newspaper	
6C8-3.019	4/20/00	5/10/00	Newspaper	
6C8-5.004	4/20/00	5/10/00	Newspaper	
6C8-5.005	4/20/00	5/10/00	Newspaper	

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

9B-63.001	4/19/00	5/9/00	26/4	
9B-64.001	4/19/00	5/9/00	26/4	
9B-64.002	4/19/00	5/9/00	26/4	
9B-66.001	4/19/00	5/9/00	26/4	
9B-66.002	4/19/00	5/9/00	26/4	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
9B-66.003	4/19/00	5/9/00	26/4	
9B-66.004	4/19/00	5/9/00	26/4	
9B-66.005	4/19/00	5/9/00	26/4	

**DEPARTMENT OF CORRECTIONS**

33-203.201	4/17/00	5/7/00	26/1	26/10
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**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Medicaid Program Office**

59G-4.110	4/17/00	5/7/00	26/7	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Board of Professional Engineers**

61G15-24.001	4/18/00	5/8/00	26/10	
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**Board of Veterinary Medicine**

61G18-12.006	4/18/00	5/8/00	26/10	
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**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

64B1-2.001	4/18/00	5/8/00	26/9	
64B1-2.010	4/18/00	5/8/00	26/9	
64B1-2.014	4/18/00	5/8/00	26/9	

**Board of Nursing**

64B9-8.006	4/18/00	5/8/00	26/8	
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**Board of Physical Therapy Practice**

64B17-2.006	4/18/00	5/8/00	26/10	
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**Division of Environmental Health and Statewide Programs**

64E-20.001	4/21/00	5/11/00	26/11	
64E-20.002	4/21/00	5/11/00	25/49	26/11
64E-20.003	4/21/00	5/11/00	25/49	26/6
64E-20.004	4/21/00	5/11/00	25/49	26/6
64E-20.005	4/21/00	5/11/00	25/49	26/6