

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BANKING AND FINANCE**

**Board of Funeral and Cemetery Services**

RULE TITLE: Preneed Funeral Contract Consumer Protection Trust Fund

RULE NO.: 3F-10.001

PURPOSE AND EFFECT: This rule is being amended to delete the option of a remittance credit when a cancelled contract is rewritten, as this option is no longer available.

SUBJECT AREA TO BE ADDRESSED: The preneed funeral contract consumer protection trust fund.

SPECIFIC AUTHORITY: 497.103, 497.413 FS.

LAW IMPLEMENTED: 497.413 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: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-10.001 Preneed Funeral Contract Consumer Protection Trust Fund.

The amounts required to be remitted by a Certificateholder to the Preneed Funeral Contract Consumer Protection Trust Fund, pursuant to the provisions of Section 497.413, Florida Statutes, shall be determined in accordance with the following criteria:

- (1) through (5) No change.
- (6) If a contract is cancelled after thirty days of execution, the Certificateholder shall not be entitled to credit the remittance for that contract against future remittances ~~unless such contract is immediately rewritten.~~
- (7) All remittances shall be sent with the Preneed Funeral Contract Consumer Protection Trust Fund Remittance Form. This form, DBF-TFR-1, effective May 23, 1994, is incorporated herein by reference, and shall be available from the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, Suite 550, Tallahassee, Florida 32399-0350. Checks should be made payable to the Department of Banking and Finance. Remittances should be submitted to the board office within 60 days following a calendar quarter.
- (8) through (9) No change.

Specific Authority 497.103, 497.413 FS. Law Implemented 497.413 FS. History—New 5-23-94, Amended \_\_\_\_\_.

**DEPARTMENT OF INSURANCE**

RULE TITLE: Acquisition of Controlling Stock

RULE NO.: 4-143.056

PURPOSE AND EFFECT: The proposed amendment deletes a form for which the Department lacks sufficient legislative authority.

SUBJECT AREA TO BE ADDRESSED: Deletion of Form DI4-414 rev. 6/1/89, Paid Representative Registration.

SPECIFIC AUTHORITY: 624.308, 628.461(13) FS.

LAW IMPLEMENTED: 624.307(1),(3), 624.317, 624.321, 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 628.051, 628.061, 628.461 FS.

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

TIME AND DATE: 2:00 p.m., August 29, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wayne Johnson, Bureau of Property and Casualty Insurer Solvency, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0329, (850)413-5232

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 4-143.056 Acquisition of Controlling Stock.
- (1) through (3) No change.
- (4) The acquiring person shall comply with the instructions contained on Form DI4-918, "Acquisition of Controlling Interest of a Domestic Insurer," rev. 8/92, and submit the following forms. Forms relating to specific types of insurance are to be submitted only by companies issuing policies relating to the type of insurance specified on the form.
  - (a) through (c) No change.
  - ~~(d) Form DI4-414, "Paid Representative Registration," rev. 6/01/89;~~
  - (e) through (q) renumbered (d) through (p) No change.
  - (5) No change.

Specific Authority 624.308, 628.461(13) FS. Law Implemented 624.307(1),(3), 624.317, 624.321, 624.34, 624.404, 624.413, 624.424(6), 624.501, 624.5091, 628.051, 628.061, 628.461 FS. History—New 6-7-90, Formerly 4-109.002, Amended 5-12-94, \_\_\_\_\_.

DEPARTMENT OF REVENUE

RULE TITLES: REQUESTS FOR TECHNICAL ASSISTANCE ADVISEMENTS
Processing Requests for, and Obtaining Copies of Technical Assistance Advisements

RULE NOS.: 12-11.003
12-11.006

PURPOSE AND EFFECT: A) The proposed amendments to Rule 12-11.003, F.A.C., remove references to the Office of Industry and Intergovernmental Services...

B) The changes to Rule 12-11.006, F.A.C., also remove references to the Office of Industry and Intergovernmental Services...

SUBJECT AREA TO BE ADDRESSED: These proposed rule amendments conform the rules on Technical Assistance Advisements (TAAs) to a change in the Department's organizational structure.

SPECIFIC AUTHORITY: 213.06(1), 213.22(3) FS.

LAW IMPLEMENTED: 213.22 FS.

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

TIME AND DATE: 10:00 a.m., September 5, 2000

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

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

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Pam Brown, (850)922-4698.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-11.003 Requests for Technical Assistance Advisements.

(1) through (2) No change.

(3) Each written request for a technical assistance advisement from a taxpayer association or the association's representative must contain:

(a) through (c) No change.

(d) A statement from the taxpayer association agreeing to disseminate the TAA to all of its members and related interested parties.

(e) No change.

(4) Upon receipt of a request from a taxpayer association for a TAA, the Department's Director of Industry and Intergovernmental Services will determine whether the issue is of general applicability and is appropriate for the issuance of an industry-wide TAA.

(5) through (6) renumbered (4) through (5) No change.

(6)(7)(a) A request for issuance of a technical assistance advisement by the Department from an individual taxpayer or his or her representative should be addressed to Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443.

(b) A request from a taxpayer association or its representative should be addressed to the Office of Industry and Intergovernmental Services, Room 104, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida 32399-0100.

(7)(8) No change.

(8)(9) When a taxpayer who is under audit or a taxpayer association that has a member who is under audit requests a Technical Assistance Advisement (TAA) on any tax being audited or a transaction or period being reviewed, other than a request regarding the sales and use tax exemptions granted to general groceries and medical items pursuant to s. 212.08(1) and (2), F.S., the taxpayer or the taxpayer association shall mail or hand-deliver to the authorized employee conducting the audit or review a copy of the TAA request at the same time the request is mailed to Technical Assistance and Dispute Resolution (TADR) or the Office of Industry and Intergovernmental Services (I&IS) for a response. Upon receipt of the TAA request, the authorized employee will notify TADR or I&IS of his or her intent to provide any factual information, documents, arguments, or authorities which he or she wants considered. The authorized employee shall have 10 working days from the date of the TAA request in which to forward any information to TADR or I&IS or to request additional time to submit information regarding the TAA request. The authorized employee shall not be obligated to suspend the audit or review pending issuance of the TAA. After issuance of a Notice of Proposed Assessment or billing, no TAA will be issued to a taxpayer or taxpayer association with respect to the tax liability reflected by the proposed assessment or billing, other than a TAA request regarding the sales and use tax exemptions granted to general groceries and medical items pursuant to s. 212.08(1) and (2), F.S.

(9)(10) No change.

Specific Authority 213.06(1), 213.22(3) FS. Law Implemented 213.22 FS. History--New 5-27-82, Formerly 12-11.03, Amended 10-24-96, 6-28-00,

12-11.006 Processing Requests for, and Obtaining Copies of, Technical Assistance Advisements.

(1) No change.

(2) A taxpayer or the taxpayer's authorized representative, or a taxpayer association or its representative, desiring to obtain information as to the status of the taxpayer's request may do so by contacting ~~either~~ Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443 ~~or the Director of Industry and Intergovernmental Services at Room 104, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida 32399-0100, depending on where the request was directed originally.~~

(3) No change.

Specific Authority 213.06(1), 213.22(3) FS. Law Implemented 213.22(1) FS. History—New 5-27-82, Formerly 12-11.06, Amended 10-24-96, 6-28-00, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: RULE NO.:

Publications, Rules and Interagency Agreements 40E-4.091  
 Incorporated by Reference

PURPOSE AND EFFECT: SFWMD rules require an environmental resource permit applicant to provide financial assurances of their capability to perform proposed mitigation to offset wetland impacts and specifies that the SFWMD be the sole beneficiary of the applicant's financial assurance mechanisms. The proposed amendment to this rule will allow any local pollution control program acting pursuant to Section 403.182, F.S., to be a co-beneficiary with the SFWMD of the financial assurance mechanism (such as performance bonds or letters of credit) and as co-beneficiary provide written notice to the SFWMD prior to withdrawing or transferring any portion of the funds therein.

SUBJECT AREA TO BE ADDRESSED: The proposed rule is to amend the specific criteria of Section 4.3.7.4, Basis of Review for Environmental Resource Permits Within the South Florida Water Management District (May, 2000), incorporated by reference in Rule 40E-4.091(1)(a), F.A.C., to allow applicants to post a common financial assurance mechanism shared by the SFWMD and a local government in compliance with Section 403.182, F.S., which provides for a level of consistency of the local government with statewide goals regarding wetland impacts and mitigation.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4137, 373.416, 373.418, 373.421, 373.426 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.

WRITTEN PUBLIC COMMENTS REGARDING THE PROPOSED RULE AMENDMENT MUST BE RECEIVED BY THE SFWMD NO LATER THAN 21 DAYS OF THE PUBLICATION DATE OF THIS NOTICE.

THE PERSON TO BE CONTACTED REQUESTING A RULE DEVELOPMENT WORKSHOP AND TO PROVIDE WRITTEN COMMENTS TO IS: Penelope Bell, South Florida Water Management District, 3301 Gun Club Road, MS 1410, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6320 or (561)682-6320 or via email at pbell@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT 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 or Review for Environmental Resource Permit Applications Within the South Florida Water Management District – \_\_\_\_\_ ~~May 2000~~"

(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, 373.416, 373.421, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, \_\_\_\_\_.

(The following represents proposed amendments to Section 4.3.7.4 of the document entitled "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – May 2000" incorporated by reference in Rule 40E-4.091(1)(a), F.A.C.)

Section 4.3.7.4, General Terms for Financial Responsibility Mechanisms

4.3.7.4(a) No change.

4.3.7.4(b) The mechanisms shall name the District as sole beneficiary or shall be payable solely to the District. However, any local pollution control program acting pursuant to Section 403.182, F.S., may be a co-beneficiary of the financial assurance mechanism. The original financial responsibility mechanism shall be retained by the District.

4.3.7.4(c) through (d) No change.

4.3.7.4(e) Prior written approval from the District shall be obtained before withdrawing or transferring any portion of the funds therein. Except that a co-beneficiary as provided in subsection (b) shall provide written notice to the District prior to withdrawing or transferring any portion of the funds therein.

4.3.7.4(f) No change.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

**RULE TITLE:** Definitions  
**RULE NO.:** 59C-1.002  
**PURPOSE AND EFFECT:** The agency has scheduled a rule development workshop to consider possible changes in the list of tertiary health services subject to certificate of need (CON) review. The list appears in rule 59C-1.002(43).  
**SUBJECT AREA TO BE ADDRESSED:** The list of tertiary health services subject to certificate of need review.  
**SPECIFIC AUTHORITY:** 408.15(8), 408.034(5) FS.  
**LAW IMPLEMENTED:** 408.036(1)(h) FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**  
**TIME AND DATE:** 2:00 p.m., August 29, 2000  
**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Jeff Gregg, Health Facility Regulation, 2727 Mahan Drive, Building 3, Tallahassee, Florida  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

**RULE TITLE:** Open Heart Surgery Program  
**RULE NO.:** 59C-1.033  
**PURPOSE AND EFFECT:** The agency has scheduled a rule development workshop to consider possible changes in the methodology used to calculate need for additional open heart surgery programs. The methodology is being reviewed in response to provider requests.  
**SUBJECT AREA TO BE ADDRESSED:** The methodology used to determine need for additional open heart surgery programs.  
**SPECIFIC AUTHORITY:** 408.15(8), 408.034(5) FS.  
**LAW IMPLEMENTED:** 408.036(1)(f),(h) FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**  
**TIME AND DATE:** 2:00 p.m., August 30, 2000  
**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Jeff Gregg, Health Facility Regulation, 2727 Mahan Drive, Building 3, Tallahassee, Florida  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**RULE TITLE:** Fees  
**RULE NO.:** 61-20.504  
**PURPOSE AND EFFECT:** The Regulatory Council proposes to update the rule text to increase the application fee for continuing education providers and to increase the renewal fee for continuing education providers. In addition, new rule text will be added to address the application fee for prelicensure education providers and the renewal fee for prelicensure education providers along with the fees to be assessed by the Council.  
**SUBJECT AREA TO BE ADDRESSED:** Fees.  
**SPECIFIC AUTHORITY:** 468.4315 FS.  
**LAW IMPLEMENTED:** 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Julie Baker, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

61-20.504 Fees.

The following fees are adopted by the Council:

(1) through (12) No change.

(13) Application fee for continuing education providers  
\$250.00 ~~\$100.00~~.

(14) The renewal fee for continuing education providers  
\$250.00 ~~\$100.00~~.

(15) Application fee for prelicensure eudcation providers  
\$250.00.

(16) The renewal fee for prelicensure education providers  
\$250.00.

Specific Authority 468.4315 FS. Law Implemented 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435 FS. History--New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

**RULE CHAPTER TITLE:** General  
**RULE CHAPTER NO.:** 61C-1  
**RULE TITLE:** Definitions  
**RULE NO.:** 61C-1.001

**PURPOSE AND EFFECT:** The purpose of this rule development is to adopt part of the 1999 Recommendations of the United States Public Health Service Food and Drug Administration (FDA Food Code) into the sanitation and safety rules in Title 61C, Florida Administrative Code. These rules affect regulation of all public lodging and public food service establishments licensed by the Division of Hotels and Restaurants in the State of Florida.

**SUBJECT AREA TO BE ADDRESSED:** The division will address regulatory changes from the currently adopted 1997 FDA Food Code. Copies of the 1999 Food Code are available on the Internet at [www.hospitalityeducation.com](http://www.hospitalityeducation.com) or may be obtained from the Division of Hotels and Restaurants, Tallahassee office, (850)488-9263.

**SPECIFIC AUTHORITY:** 509.032(6) FS.

**LAW IMPLEMENTED:** 509.032(3)(a) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, Telephone (850)488-9263

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

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, ~~1999~~ 1997 Recommendations of the United States Public Health Service/Food and Drug Administration, herein adopted by reference, shall apply to Chapters 61C-1, 61C-3 and 61C-4, FAC. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, FAC:

(1) through (13) No change.

(14) Food Code – Food Code, 1999 ~~1997~~ Recommendations of the United States Public Health Service/Food and Drug Administration.

(15) through (30) No change.

Specific Authority 509.032(6) FS. Law Implemented 509.032 FS. History—Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

**RULE CHAPTER TITLE:** General **RULE CHAPTER NO.:** 61C-4

**RULE TITLE:** Sanitation and Safety Requirements **RULE NO.:** 61C-4.010

**PURPOSE AND EFFECT:** Concurrent with the proposed adoption of part of the 1999 Recommendations of the United States Public Health Service Food and Drug Administration (FDA Food Code) into the sanitation and safety rules in Title 61C, Florida Administrative Code, the purpose of this proposed language is to exempt employees of public food service establishments from subsection 2-302.11(B) of the 1999 FDA Food Code. Subsection 2-302.11(B) of the 1999 FDA Food Code specifies, “Unless wearing intact gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food.” This rule affects regulation of all public food service establishments licensed by the Division of Hotels and Restaurants in the State of Florida.

**SUBJECT AREA TO BE ADDRESSED:** The exemption of public food service establishment employees from the requirement specified in subsection 2-302.11 (B) of the FDA Food Code. Copies of the 1999 FDA Food Code and Chapter 61C-4, FAC., are available on the Internet at [www.hospitalityeducation.com](http://www.hospitalityeducation.com) or may be obtained from the Division of Hotels and Restaurants Tallahassee office at (850)488-9263.

**SPECIFIC AUTHORITY:** 509.032(6) FS.

**LAW IMPLEMENTED:** 509.032(3)(a) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, telephone (850)488-9263

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

61C-4.010 Sanitation and Safety Requirements.

(1) Food Supplies and Food Protection – except as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3, Food Code, herein adopted by reference.

(a) In addition to the methods provided in the Food Code, between uses during service, dispensing utensils may be stored in hot water wells that maintain the temperature of the water at or above 140 degrees Fahrenheit and that are cleaned frequently at scheduled intervals throughout the day.

(b) In the event of an emergency occurrence such as a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at safe temperatures, the person in charge shall immediately notify the division.

(c) Labeling – Public food service establishments which prepare and package food products must ensure that packaged food products are properly labeled. Package labels must contain the following information:

1. Identity and description of product;
2. Date product was packaged; and
3. Name and address of establishment which prepared and packaged product.

(d) Section 3-301.11(B), Food Code, provides the specifications for no bare hand contact of exposed ready-to-eat food. Pursuant to the language "unless otherwise approved" as provided in 3-301.11(B), Food Code, food employees may contact ready-to-eat foods with their bare hands immediately prior to service if the operator of the public food service establishment maintains a written operational procedure which addresses all of the following components:

1. Identification of:
  - a. specific work area(s), such as the sandwich prep line or cook line;
  - b. employee position(s) where bare hand contact with ready-to-eat foods will occur;
  - c. actual food preparation processes where bare hand contact with ready-to-eat food will be used; and
  - d. employees' procedures for handling ready-to-eat foods, which must also include how cross contamination from touching raw animal food and ready-to-eat food is precluded.

2. Identified employee positions whose duties may include handling of ready-to-eat foods with their bare hands must receive professional hygiene training in accordance with 61C-4.023(6), FAC., prior to any food handling activity. Training shall be provided to all employees assigned to positions which include handling ready-to-eat foods, emphasizing the importance of proper hand washing for all employees with direct hand contact with ready-to-eat food. Evidence of this training (content, employees, dates) shall be available to the division upon request.

3. Employees who handle ready-to-eat foods must thoroughly wash their hands before returning to their work stations and as needed during their work periods in accordance with the handwash requirements of the Food Code. Additionally, these employees shall use a chemical hand sanitizing solution which must comply with the specification provided in section 2-301.16(C), Food Code. The

establishment must also fully comply with sections 5-203.11(A) and 5-204.11, Food Code, regarding the number and location of hand washing lavatories.

4. The person in charge is responsible for verifying, prior to any food handling activity, that all food handling employees are in compliance with sections 2-201.11, 2-201.12, and 2-201.13, Food Code, relative to employee health status, exclusions, and restrictions.

5. The operational procedures must provide an effective way to monitor employees to verify compliance with the requirements of the Food Code and the specifications of the written procedures. Additionally, the written procedures must also describe the corrective actions the operator must take when procedures are not followed. All employees, including the operator, manager, or any supervisory position, who handle ready-to-eat foods with bare hands must comply with all requirements of the Food Code and the establishment's written operational procedures.

(e) A copy of the operational procedures must be maintained and made available in each food establishment at all times for use by the person in charge and for review by the regulatory authority upon request. The operational procedures must be reviewed by the operator annually and modified as necessary. A verification of the annual review must be recorded as part of the written procedures.

(f) If an establishment employee is observed using bare hands to handle ready-to-eat foods and the establishment has failed to develop, maintain, or make available a written set of operational procedures; or, comply with any rule requirement relative to the use of bare hands, personal health, or professional hygiene, the division shall cite the establishment for noncompliance. Noncompliance on a second inspection within two years of the first infraction shall result in enforcement action in accordance with section 509.261, Florida Statutes. A subsequent finding of noncompliance relative to the use of bare hands, personal health, or professional hygiene will result in enforcement action in accordance with section 509.261, Florida Statutes, and enforcement of section 3-301.11(B), Food Code, until the establishment operator verifies corrective action and completes remedial training of all food preparation employees.

(g) If the division or other food regulatory authority is notified of a suspected food borne illness outbreak in any establishment which utilizes bare hand contact with ready-to-eat foods, the division will temporarily enforce no bare hand contact in accordance with section 3-301.11(B), Food Code, until a determination is made by the health authority whether a food borne illness outbreak exists or until the origin of the food borne illness outbreak is confirmed. If the origin of the food borne illness, specific to the implicated establishment, is determined to be a food employee associated outbreak, the division shall pursue enforcement action in accordance with section 509.261, Florida Statutes, and

continue to enforce compliance with section 3-301.11(B), Food Code, until the establishment operator verifies corrective action and completes remedial training of all food preparation employees.

(h) Public food service establishments are exempted from the consumer advisory provisions of section 3-603.11, Food Code.

(i) Employees in public food service establishments are exempted from the fingernail maintenance requirements of section 2-302.11(B), Food Code.

(2) through (7) No change.

Specific Authority 509.032(2)(d), 509.032(6) FS. Law Implemented 509.032(2)(d),(3)(a),(b),(c), 509.035, 509.221 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Formerly 10D-13.023, Formerly 7C-4.010, Amended 3-31-94, 9-25-96, 1-1-98, 7-2-98,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Equivalency for Prelicensing Education

RULE NO.: 61J2-3.012

PURPOSE AND EFFECT: Applicants for broker and salesperson licenses, who have completed specific educational requirements at a college, university, community college, area technical center or real estate school within 24 months prior to their application for licensure, are deemed to have satisfactorily completed the broker or salesperson prelicensing course for which they applied.

SUBJECT AREA TO BE ADDRESSED: The rule allows applicants for broker and salesperson licenses to transfer credit to Commission prescribed prelicensing courses, provided the courses meet FREC standards.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 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., September 20, 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 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:

61J2-3.012 Equivalency for Prelicensing Education.

Any person who has attended an accredited college, university, community college, area technical center or a real estate school, ~~which holds a permit licensed~~ in Florida pursuant to s. 475.451, Florida Statutes, and who, while attending said institutions or real estate school, satisfactorily completed within the past 24 months real estate courses covering substantially the same subject matter, classroom hours of attendance, and completion standards as prescribed by the Commission in Rule 61J2-3.008, Florida Administrative Code, shall be deemed to have satisfactorily completed the course. Any person who has obtained a degree with a major in real estate which substantially covers the Commission prescribed course subject matter at such college or university shall also be deemed to have satisfactorily completed the course. Application for equivalency evaluation shall be accompanied by an official transcript from ~~a the college, or university, or community college~~ or by an appropriate certificate issued by an area technical center or a real estate school registered in Florida pursuant to s. 475.451, Florida Statutes, showing the real estate subjects taken together with date completed and grade attained. The Commission may request supportive documentation to determine course equivalency.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History–New 1-1-80, Amended 9-16-84, Formerly 21V-3.12, Amended 6-28-93, Formerly 21V-3.012, Amended 12-30-97,

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Provisional License

RULE NO.: 64B10-11.011

PURPOSE AND EFFECT: The Board proposes to amend this rule to expand the requirements for licensees who wish to obtain a provisional license.

SUBJECT AREA TO BE ADDRESSED: requirements for a provisional license.

SPECIFIC AUTHORITY: 468.1685(1), 468.1735 FS.

LAW IMPLEMENTED: 468.1735 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-11.011 Provisional License.  
(1) through (4) No change.

(5) An application for a provisional license shall not be granted unless the applicant can demonstrate that he or she possesses a minimum of six (6) months management experience within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program.

(6) A provisional license shall not be granted to any applicant whose Nursing Home Administrator license has been suspended or revoked in any jurisdiction.

Specific Authority 468.1685(1), 468.1735 FS. Law Implemented 468.1735 FS. History--New 12-6-79, Amended 8-17-81, Formerly 21Z-11.11, Amended 4-22-87, Formerly 21Z-11.011, 61G12-11.011, Amended 7-21-97, Formerly 59T-11.011, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLES:	RULE NOS.:
Purpose	64B15-19.001
Violations and Penalties	64B15-19.002
Time for Payment of Civil Penalties	64B15-19.004
Citations	64B15-19.007

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B15-19.001 to update the rule text. The Board proposes to substantially reword Rule 64B15-19.002 to update the rule text with regard to first, second and third offenses and the penalty amounts to be assessed by the Board. The Board proposes to amend Rule 64B15-19.004 to update the rule text. The Board proposes to amend Rule 64B15-19.007 to expand the violations with accompanying fines which may be disposed of by citation.

SUBJECT AREA TO BE ADDRESSED: Purpose; violations and penalties; time for payment of civil penalties; and citations.

SPECIFIC AUTHORITY: 455.227(2), 455.617, 455.621, 455.627, 459.005, 459.015(5) FS.

LAW IMPLEMENTED: 455.227(2), 455.617, 455.621, 455.624, 455.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Buckhalt, Executive Director, Board of Osteopathic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-19.001 Purpose.

The board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 459, F.S. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed during a formal or informal hearing unless the board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. ~~The ranges of penalties provided below are based upon a single count violation of each provision listed; for multiple counts of the violated provisions or a combination of violations, the Board shall consider a higher penalty than that for single, isolated violation.~~ Each range includes the lowest and highest penalty and all penalties falling between. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: letter of concern; reprimand; probation; fine; restriction or certification with restrictions; suspension, revocation or refusal to certify. Pursuant to Section 459.015(2), combinations of these penalties are permissible by law. Nothing in this rule shall preclude any discipline imposed upon an applicant or licensee pursuant to a stipulation or settlement agreement, nor shall the ranges of penalties set forth in this rule preclude the probable cause panel from issuing a letter of guidance upon a finding of probable cause where appropriate.

Specific Authority 455.627, 459.015(5), 459.005 FS. Law Implemented 455.627 FS. History--New 9-30-87, Formerly 21R-19.001, 61F9-19.001, 59W-19.001, Amended 2-2-98, \_\_\_\_\_.

(Substantial rewording of Rule 64B15-19.002 follows. See Florida Administrative Code for present text)

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.



(1) Attempting to obtain, obtaining or renewing a license or certificate by bribery, fraud or through an error of the Department or board (455.624(1)(h) & 459.015(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	denial with ability to reapply immediately upon payment of \$5,000 fine or probation and \$5,000 fine	denial with ability to reapply in not less than 3 years or revocation and \$7,500 fine
SECOND OFFENSE:	denial with ability to ability to reapply in not less than 3 years and \$10,000 fine or suspension to be followed by probation and \$10,000 fine	denial of license with no ability to reapply or revocation and \$10,000 fine

(2) Action taken against license by another jurisdiction (455.624(1)(f) & 459.015(1)(b), F.S.)

FIRST OFFENSE:	imposition of discipline comparable to discipline that would have been imposed in Florida if the substantive violation occurred in Florida and \$1000 fine	imposition of discipline comparable to discipline that would have been imposed in Florida if the substantive violation occurred in Florida and \$5000 fine
SECOND OFFENSE:	imposition of discipline comparable to discipline that would have been imposed in Florida if the substantive violation occurred in Florida and \$5,000 fine	revocation and \$10,000 fine or denial of license until the licensee's license is unencumbered in the jurisdiction where disciplinary action was originally taken

(3) Guilty of crime directly relating to practice or ability to practice (455.624(1)(c) & 459.015(1)(c), F.S.)

FIRST OFFENSE:	probation and \$2,000 fine	revocation and \$5,000 fine or denial of license with ability to reapply for licensure in not less than 3 years
SECOND OFFENSE:	suspension to be followed by probation and \$5,000 fine	revocation and \$10,000 fine or permanent denial of license

(4) False, deceptive, or misleading advertising (459.015(1)(d), F.S.)		
FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	probation and \$2,000 fine	probation and \$5,000 fine
THIRD OFFENSE:	3 month suspension to be followed by probation and \$5,000 fine	1 year suspension to be followed by probation and \$5,000 fine
(5) Failure to report another licensee in violation (455.624(1)(i) & 459.015(1)(e), F.S.)		
FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	reprimand and \$2,500 fine	probation and \$2,500 fine
THIRD OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
(6) Aiding unlicensed practice (455.624(1)(j) & 459.015(1)(f), F.S.)		
FIRST OFFENSE:	probation and \$2,500 fine	denial or revocation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$5,000 fine	denial or revocation and \$10,000 fine
(7) Failure to perform legal duty or obligation (455.624(1)(k) & 459.015(1)(g), F.S.)		
FIRST OFFENSE:	reprimand and \$1,000 fine	denial with ability to reapply after no less than 2 years or revocation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	denial or revocation and \$10,000 fine
(8) Giving false testimony regarding the practice of medicine (459.015(1)(h), F.S.)		
FIRST OFFENSE:	reprimand and \$2,500 fine	probation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$5,000 fine	revocation and \$10,000 fine or denial of license

(9) Filing a false report or failing to file a report as required (455.624(1)(l) & 459.015(1)(i), F.S.)

FIRST OFFENSE:

reprimand and \$5,000 fine

revocation and \$10,000 fine or denial with ability to reapply in not less than 1 year

SECOND OFFENSE:

denial with ability to reapply in not less than 3 years or suspension to be followed by probation and \$10,000 fine

denial with no ability to reapply or revocation and \$10,000 fine

(10) Kickbacks and unauthorized fee arrangements (459.015(1)(j), F.S.)

FIRST OFFENSE:

probation and \$2,500 fine

denial or suspension to be followed by probation and \$5,000 fine

SECOND OFFENSE:

denial or suspension to be followed by probation and \$10,000 fine

denial or revocation and a \$10,000 fine

(11) Failure to provide financial disclosure form to a patient being referred to an entity in which the referring physician is an investor (455.654, F.S.)

FIRST OFFENSE:

reprimand

reprimand and \$2,500 fine

SECOND OFFENSE:

reprimand and \$5000 fine

probation and \$5,000 fine

THIRD OFFENSE:

probation and \$7,500 fine

suspension to be followed by probation and \$10,000 fine

(12) Improper refusal to provide health care (459.015(1)(k), F.S.)

FIRST OFFENSE:

reprimand and \$5,000 fine

probation and \$5,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$7,500 fine

revocation and \$10,000 fine

(13) Sexual misconduct within the patient physician relationship (455.624(1)(u) & 459.015(1)(l), F.S.)

FIRST OFFENSE:

probation and \$10,000 fine

denial of licensure or revocation and \$10,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$10,000 fine

denial of licensure or revocation and \$10,000 fine

(14) Deceptive, untrue, or fraudulent misrepresentations in the practice of medicine (455.624(1)(a) & (m) & 459.015(1)(m), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	denial of licensure or suspension to be followed by probation and \$10,000 fine
SECOND OFFENSE:	denial of licensure or suspension to be followed by probation and \$10,000 fine	denial of licensure or revocation and \$10,000 fine

(15) Improper solicitation of patients (459.015(1)(n), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	probation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(16) Failure to keep written medical records (459.015(1)(o), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	probation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(17) Fraudulent, alteration or destruction of patient records (459.015(1)(p), F.S.)

FIRST OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(18) Exercising improper influence on patient (455.624(1)(n) & 459.015(1)(q), F.S.)

FIRST OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(19) Improper advertising of pharmacy (459.015(1)(r), F.S.)

FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	probation and \$2,000 fine	probation and \$5,000 fine
THIRD OFFENSE:	probation and \$7,500 fine	suspension to be followed by probation and \$10,000 fine

(20) Performing professional services not authorized by patient (459.015(1)(s), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	probation and \$5,000 fine
SECOND OFFENSE:	probation and \$7,500 fine	revocation and \$10,000 fine

(21) Controlled substance violations (459.015(1)(t), F.S.)

FIRST OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(22) Prescribing or dispensing of a scheduled drug by the physician to himself (459.015(1)(u), F.S.)

FIRST OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(23) Use of amygdalin (Laetrile) (459.015(1)(v), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	probation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(24) Inability to practice medicine with skill and safety (459.015(1)(w), F.S.)

FIRST OFFENSE:	denial or probation and \$2,500 fine	denial or suspension until licensee is able to demonstrate to the Board ability to practice with reasonable skill and safety to be followed by probation and \$5,000 fine
----------------	--------------------------------------	---

SECOND OFFENSE:	denial or suspension until licensee is able to demonstrate to the Board ability to practice with reasonable skill and safety to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
 (25) Gross Malpractice (459.015(1)(x), F.S.)		
FIRST OFFENSE:	denial or probation and \$7,500 fine	denial or revocation and \$10,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
 (26) Repeated Malpractice (459.015(1)(x), F.S.)		
FIRST OFFENSE:	denial or probation and \$7,500 fine	denial or revocation and \$10,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
 (27) Failure to practice with level of care, skill, and treatment recognized by a reasonably prudent physician as acceptable under similar conditions and circumstances (459.015(1)(x), F.S.)		
FIRST OFFENSE:	denial or probation and \$5,000 fine	denial or suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
 (28) Improper performing of experimental treatment (459.015(1)(y), F.S.)		
FIRST OFFENSE:	denial or reprimand and \$5,000 fine	denial or suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
 (29) Practicing beyond one's scope (459.015(1)(z), F.S.)		
FIRST OFFENSE:	denial or reprimand and \$5,000 fine	denial or suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine

(30) Delegation of professional responsibilities to unqualified person (455.624(1)(p) & 459.015(1)(aa), F.S.)		
FIRST OFFENSE:	reprimand and \$2,500 fine	denial or suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
(31) Violation of law, rule, order, or failure to comply with subpoena (455.624(1)(q) & 459.015(1)(bb), F.S.)		
FIRST OFFENSE:	denial or reprimand and \$5,000 fine	denial or suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine
(32) Restricting another from lawfully advertising services (459.015(1)(cc), F.S.)		
FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	probation and \$2,000 fine	probation and \$5,000 fine
THIRD OFFENSE:	3 month suspension to be followed by probation and a \$5,000 fine	1 year suspension to be followed by probation and \$5,000 fine
(33) Procuring, aiding or abetting an unlawful abortion (459.015(1)(dd), F.S.)		
FIRST OFFENSE:	probation and \$5,000 fine	suspension to be followed by probation and \$7,500 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine
(34) Presigning blank prescription forms (459.015(1)(ee), F.S.)		
FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine
(35) Prescribing a Schedule II substance for office use (459.015(1)(ff), F.S.)		
FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(36) Improper use of Schedule II amphetamine or sympathomimetic amine drug (459.015(1)(gg), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(37) Failure to adequately supervise assisting personnel (459.015(1)(hh), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(38) Improper use of substances for muscle building or enhancement of athletic performance (459.015(1)(ii), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(39) Misrepresenting, concealing a material fact during licensing, or disciplinary procedure (459.015(1)(jj), F.S.)

FIRST OFFENSE:	denial with ability to reapply immediately upon payment of \$5,000 fine or probation and \$5,000 fine	denial with ability to reapply in not less than 3 years or revocation and \$7,500 fine
SECOND OFFENSE:	denial with ability to reapply in not less than 3 years and \$10,000 fine or suspension to be followed by probation and \$10,000 fine	denial of license with no ability to reapply or revocation and \$10,000 fine

(40) Improperly interfering with an investigation or disciplinary proceeding (455.624(1)(r) & 459.015(1)(kk), F.S.)

FIRST OFFENSE:	probation and \$10,000 fine	revocation and \$10,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$10,000 fine	revocation and \$10,000 fine



(41) Failing to report any licensee who has violated the disciplinary act who provides services at the same office (459.015(1)(ll), F.S.)

FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	probation and \$2,000 fine	probation and \$5,000 fine
THIRD OFFENSE:	probation and \$7,500 fine	suspension to be followed by probation and \$10,000 fine

(42) Giving corroborating written medical expert opinion without reasonable investigation (459.015(1)(mm), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(43) Failure to comply with guidelines for use of obesity drugs (459.0135 F.S. & Rule 64B15-14.004 F.A.C.)

FIRST OFFENSE:	reprimand and \$5,000 fine	suspension to be followed by probation and \$5,000 fine
SECOND OFFENSE:	probation and \$5,000 fine	revocation and \$10,000 fine

(44) Falsely advertising or holding oneself out as a board-certified specialist (459.015(1)(nn), F.S.)

FIRST OFFENSE:	reprimand and \$5,000 fine	probation and \$5,000 fine
SECOND OFFENSE:	suspension to be followed by probation and \$7,500 fine	revocation and \$10,000 fine

(45) Failing to provide patients with information about their patient rights and how to file a complaint (455.624(1)(t) & 459.015(1)(oo), F.S.)

FIRST OFFENSE:	letter of concern	reprimand and \$1,000 fine
SECOND OFFENSE:	probation and \$2,000 fine	probation and \$5,000 fine
THIRD OFFENSE:	probation and \$7,500 fine	suspension to be followed by probation and \$10,000 fine

(46) Intentionally violating any rule adopted by the board or the department (455.624(1)(b), F.S.)

FIRST OFFENSE:

denial or reprimand and \$5,000 fine

denial or suspension to be followed by probation and \$5,000 fine

SECOND OFFENSE:

denial or probation and \$7,500 fine

denial with no ability to reapply or revocation and \$10,000 fine

(47) Using a Class III or a Class IV laser device without having complied with the rules adopted pursuant to s. 501.122(2), F.S. (455.624(1)(d), F.S.)

FIRST OFFENSE:

reprimand and \$1,000 fine

probation and \$5,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$7,500 fine

revocation and \$10,000 fine

(48) Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome (455.624(1)(e), F.S.)

FIRST OFFENSE:

reprimand and \$2,500 fine

probation and \$5,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$7,500 fine

revocation and \$10,000 fine

(49) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee (455.624(1)(g), F.S.)

FIRST OFFENSE:

reprimand and \$1,000 fine

probation and \$5,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$7,500 fine

revocation and \$10,000 fine

(50) Failing to comply with the educational course requirements for domestic violence (455.624(1)(s), F.S.)

FIRST OFFENSE:

reprimand and \$2,500 fine

probation and \$5,000 fine

SECOND OFFENSE:

suspension to be followed by probation and \$7,500 fine

revocation and \$10,000 fine

(51) Failing to comply with the requirements for profiling and credentialing (455.624(1)(t), F.S.)

FIRST OFFENSE:

\$2,500 fine followed by probation

suspension to be and \$5,000 fine

SECOND OFFENSE:

probation and \$5,000 fine

revocation and \$10,000 fine

(52) 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 a crime in any jurisdiction (455.624(1)(w), F.S.)

FIRST OFFENSE:

\$5,000 fine

denial of licensure or suspension to be followed by probation and \$5,000 fine

SECOND OFFENSE:

probation and \$5,000 fine

denial of licensure with no ability to reapply or revocation and \$10,000 fine

(53) 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 pursuant to s. 316.066, F.S., 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 (455.624(1)(x), F.S.)

FIRST OFFENSE:

letter of concern

reprimand and \$1,000 fine

SECOND OFFENSE:

probation and \$2,000 fine

probation and \$5,000 fine

THIRD OFFENSE:

probation and \$7,500 fine

suspension to be followed by probation and \$10,000 fine

Specific Authority 455.627, 459.015(5) FS. Law Implemented 455.624, 455.627 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98,\_\_\_\_\_.

64B15-19.004 Time for Payment of Civil Penalties.

In cases where the Board of Osteopathic Medicine imposes a civil penalty for violation of Chapter 455 or 459, Florida Statutes, or the rules promulgated pursuant thereunder, the penalty shall be paid within thirty (30) days of its imposition by Order of the Board unless stated otherwise in the Order.

Specific Authority 455.227(2), 459.005 FS. Law Implemented 455.227(2) FS. History—New 12-23-80, Formerly 21R-11.02, 21R-11.002, 21R-19.004, 61F9-19.004, 59W-19.004, Amended.

64B15-19.007 Citations.

(1) through (2) No change.

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

(a) Falsely certifying compliance with required continuing medical education hours for the purpose of renewing a license or certificate. The fine shall be \$2,000. ~~(See Section 459.015(1)(i), F.S.)~~

(b) Failure to keep current practice address on file with the Board. The fine shall be \$250. ~~(See Section 459.015(1)(g), F.S.)~~

(c) Failure to register as a dispensing practitioner. The fine shall be \$500. ~~(See Section 459.015(1)(g), F.S.)~~

(d) First time failure of the licensee to satisfy continuing education hours. The fine shall be \$2,000 and for each hour of continuing education not completed or completed late, the licensee shall be required to take 1 additional hour of continuing education for each hour not completed or completed late. All missing CEUs shall be made up within four (4) months of the date the citation becomes a Final Order.

(e) Failure to report to the Board 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. The fine shall be \$500.

(f) The fine for falsely certifying compliance with or failing to satisfy the HIV/AIDS course requirement shall be \$2,000.

(g) The fine for falsely certifying compliance with or failing to satisfy the domestic violence course requirement shall be \$2,000.

(4) through (7) No change.

Specific Authority 455.617, 455.621 FS. Law Implemented 455.617, 455.621 FS. History—New 10-28-91, Amended 8-24-92, 11-17-92, Formerly 21R-19.007, 61F9-19.007, 59W-19.007, Amended 11-27-97, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE CHAPTER TITLE: Emergency Medical Services  
 RULE CHAPTER NO.: 64E-2

PURPOSE AND EFFECT: Grants: To improve current forms and procedures as well as simplify and clarify the requirements for emergency medical services grant applications, the decision making process for awards and the management of funded projects.

Administration of Epinephrine: To amend the Insect Sting Emergency Treatment Certification Application form to reflect current authority to require or request specific information.

Certificate of State Approval of Trauma Centers: To repeal rule language that is redundant to statute (64E-2.026(2), FAC.).

Emergency Medical Technician Intravenous Administration: To update the incorporated curriculum relating to IV therapy to the most recent version of the U.S. DOT EMT-Intermediate National Standard Curriculum and to clarify the paramedic's responsibility in the initiation of a non-medicated IV by an EMT.

SUBJECT AREAS TO BE ADDRESSED: County Grants, Rural Matching Grants, General Matching Grants, Administration of Epinephrine, Certificate of State Approval of Trauma Centers, EMT Intravenous Administration.

SPECIFIC AUTHORITY: 395.405, 395.4025, 401.121, 401.35 FS.

LAW IMPLEMENTED: 395.40, 395.4001, 395.401(1), 395.4015, 395.4045, 395.405, 401.113(2), 401.23, 401.27, 401.35, 401.265 FS.

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

TIME AND DATE: 11:00 a.m., August 28, 2000

PLACE: Pinellas Park Fire Department, 11350 Forty Third Street, North, Clearwater, Florida

TIME AND DATE: 11:00 a.m., August 30, 2000

PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida

TIME AND DATE: 11:00 a.m., August 31, 2000

PLACE: Metro-Dade Firefighters Memorial Building, 8000 N. W. 21 Street, Suite 222, Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733

DRAFT MATERIALS WILL BE AVAILABLE, UPON REQUEST, ONE WEEK PRIOR TO THE FIRST WORKSHOP.

P.O. F00396

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE CHAPTER TITLE: Emergency Medical Services  
 RULE CHAPTER NO.: 64E-2

PURPOSE AND EFFECT: Trauma Registry: To develop a methodology for defining trauma registry data collection and reporting requirements based on existing national standards and common practice in lieu of existing requirements specified in DOH 150-13 and defined on DH Form 1728.

SUBJECT AREAS TO BE ADDRESSED: Trauma Registry.

SPECIFIC AUTHORITY: 395.405 FS.  
 LAW IMPLEMENTED 395.404, 395.4025 FS.  
 RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:  
 TIME AND DATE: 1:00 p.m., August 28, 2000  
 PLACE: Pinellas Park Fire Department, 11350 Forty Third Street, North, Clearwater, Florida  
 TIME AND DATE: 1:00 p.m., August 30, 2000  
 PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida  
 TIME AND DATE: 1:00 p.m., August 31, 2000  
 PLACE: Metro-Dade Firefighters Memorial Building, 8000 N. W. 21 Street, Suite 222, Miami, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733  
 DRAFT MATERIALS WILL BE AVAILABLE, UPON REQUEST, ONE WEEK PRIOR TO THE FIRST WORKSHOP.  
 P.O. F00396

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE CHAPTER TITLE: Residential Swimming Pools, Spas and Hot Tubs  
 RULE CHAPTER NO.: 64E-21

PURPOSE AND EFFECT: To adopt a nationally recognized drowning prevention education program to be approved for use in local safety education programs and to adopt a nationally recognized drowning prevention and responsibilities of pool ownership publication.

SUBJECT AREAS TO BE ADDRESSED: Residential swimming pool safety.

SPECIFIC AUTHORITY: 515.35 FS.

LAW IMPLEMENTED: 515 FS.

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

TIME AND DATE: 10:00 – 11:00 a.m., August 28, 2000  
 PLACE: Pinellas Park Fire Department, 11350 Forty Third Street, North, Clearwater, Florida  
 TIME AND DATE: 10:00 – 11:00 a.m., August 30, 2000  
 PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida  
 TIME AND DATE: 10:00 – 11:00 a.m., August 31, 2000  
 PLACE: Metro-Dade Firefighters Memorial Building, 8000 N.W. 21 Street, Suite 222, Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.  
 P.O. F00396

**Section II  
 Proposed Rules**

**DEPARTMENT OF INSURANCE**

RULE TITLE:	RULE NO.:
Written Notice to Policyowner and Insurance Commissioner Required When Changing Life Insurance Portfolio	4-151.011

PURPOSE AND EFFECT: To provide written notice to consumers and the Insurance Commissioner when changing life insurance portfolio.

SUMMARY: The amendment repeals the rule. There is no authority for the rule and repeal is required.

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(v) 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: 9:30 a.m., September 5, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Pace, Senior Management Analyst I, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0300

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 Bill Pace, (850)922-3110, Ext. 5124.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-151.011 Written Notice to Policyowner and Insurance Commissioner Required When Changing Life Insurance Portfolio.

~~(1) Any licensee simultaneously holding a securities license and a life insurance agent's license who knows that existing life insurance has been or will be affected by lapse, surrender, lapse into paid-up or extended term insurance or by borrowing, and who in connection therewith makes a proposal to the policyowner of such insurance involving the purchase of securities, shall 15 days prior to taking any action to carry out the proposal, give a written notice to the policyowner and to the Insurance Commissioner.~~

~~(2) If it shall be impracticable to give such notice 15 days prior to taking action, such licensee shall obtain a notarized affidavit signed by the policyowner, stating why it was impracticable to give 15 days notice. If the policyowner refuses to sign such affidavit, such licensee shall make a notarized affidavit signed by himself, stating why it was impracticable to give 15 days notice. In either case, such licensee shall promptly give a copy of the affidavit and notice to the policyowner and the Insurance Commissioner.~~

~~(3) The notice required by subsection (1) shall be submitted on Form I-40(FL), "15 Days Notice to Policyowner and Insurance Commissioner," rev. 1-91, which is hereby adopted and incorporated by reference. The form may be obtained from and the department's copy shall be mailed to the Bureau of Life and Health Forms and Market Conduct Review, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0300. A copy of the form shall be given to the policyowner, and the original shall be retained by the agent.~~

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.9541(1)(v) FS. History--New 12-20-62, Repromulgated 12-24-74, Formerly 4-15.01, Amended 5-20-90, Formerly 4-15.001, Amended 3-11-91, Formerly 4-24.022, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bill Pace, Senior Management Analyst I, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Chief, Bureau of L & H Forms and Rates, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2000

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Revision of Non-complying Policy Forms and Certification Required	4-154.103
Severability	4-154.108
Effective and Operative Dates	4-154.109

PURPOSE AND EFFECT: These rules were identified as being unnecessary during the rules review project pursuant to section 120.536(2)(b), F.S., and are thus being repealed.

SUMMARY: Rule 4-154.103 is no longer necessary because of the passage of time. Rule 4-154.108 is a useless severability provision. Rule 4-154.109 is now moot because the effective dates are no longer important.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308, 627.643 FS.

LAW IMPLEMENTED: 627.642, 627.643 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard Robleto, Bureau Chief, Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, phone (850)413-5110

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-154.103 Revision of Non-complying Policy Forms and Certification Required.

Specific Authority 627.643, 624.308 FS. Law Implemented 624.307(1), 627.642, 627.643 FS. History--New 1-1-75, Formerly 4-37.03, 4-37.003, Repealed.

4-154.108 Severability.

Specific Authority 627.643, 624.308, FS. Law Implemented 624.307(1), 627.642, 627.643 FS. History–New 1-1-75, Formerly 4-37.08, 4-37.008, Repealed.

4-154.109 Effective and Operative Dates.

Specific Authority 627.643, 624.308 FS. Law Implemented 624.307(1), 627.642, 627.643 FS. History–New 1-1-75, Formerly 4-37.09, 4-37.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Richard Robleto, Bureau Chief, Life & Health Forms and Rates, Division of Insurer Services, Department of Insurance  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Director, Division of Insurer Services, Department of Insurance  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2000

**DEPARTMENT OF INSURANCE**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Scope of Rules; Effective Date	4-163.001
Filing Requirements	4-163.004
Limits of Coverage; Credit Life	4-163.005
Limits of Coverage; Credit Disability	4-163.006
Term and Evidence of Insurance	4-163.007

PURPOSE AND EFFECT: These rules were identified as being unnecessary during the rules review project pursuant to section 120.536(2)(b), F.S., and are thus being repealed.

SUMMARY: The rules merely refer back to the statutes, which are self-implementing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 627.678 FS.

LAW IMPLEMENTED: 627.677, 627.679, 627.681, 627.682 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard Robleto, Bureau Chief, Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, phone (850)413-5110

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-163.001 Scope of Rules; Effective Date.

Specific Authority 627.678 FS. Law Implemented 627.677 FS. History–Repromulgated 12-24-74, Formerly 4-7.01, 4-7.001, Repealed.

4-163.004 Filing Requirements.

Specific Authority 627.678 FS. Law Implemented 627.682 FS. History–Repromulgated 12-24-74, Formerly 4-7.04, 4-7.004, Repealed.

4-163.005 Limits of Coverage; Credit Life.

Specific Authority 627.678 FS. Law Implemented 627.679 FS. History–Repromulgated 12-24-74, Formerly 4-7.05, 4-7.005, Repealed.

4-163.006 Limits of Coverage; Credit Disability.

Specific Authority 627.678 FS. Law Implemented 627.679 FS. History–Repromulgated 12-24-74, Formerly 4-7.06, 4-7.006, Repealed.

4-163.007 Term and Evidence of Insurance.

Specific Authority 627.678 FS. Law Implemented 627.681 FS. History–Repromulgated 12-24-74, Formerly 4-7.07, 4-7.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rich Robleto, Bureau Chief, Life and Health Forms and Rates, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Director, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2000

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Comprehensive Management Information System	6A-1.0014

PURPOSE AND EFFECT: The purpose of this amendment is to revise existing requirements of the statewide comprehensive management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems components. The statewide comprehensive management information system provides the data on which the measurement of school improvement and accountability is based.

SUMMARY: The rule incorporates revisions to selected data elements, procedures and timelines for state reporting, local recordkeeping, and statewide records transfer which are to be

implemented by each school district and the Department of Education within the automated statewide comprehensive management information system. The rule contains the security, privacy, and retention procedures to be used by the Department for school district, student, staff and finance records collected and maintained at the state level.

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) FS.

LAW IMPLEMENTED: 228.093(3)(d)3., 229.555(2), 229.565(3), 229.781 FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Glenn Mayne, Director, Division of Technology, Department of Education, Room B1-14, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0014 Comprehensive Management Information System.

(1) No change.

(2) The data elements, procedures and timelines for state reporting, local recordkeeping and statewide records transfer to be implemented by each school district and the Department within its automated information system component as prescribed in the publications entitled "DOE Information Data Base Requirements: Volume I - Automated Student Information System, 2000," 1995," "~~DOE Information Data Base Requirements: Volume I - Automated Student Information System, 1996 Addendum,~~" "~~DOE Information Data Base Requirements: Volume I - Automated Student Information System, 1997 Addendum,~~" "~~DOE Information Data Base Requirements: Volume I - Automated Student Information System, 1998 Addendum,~~" "~~DOE Information Data Base Requirements Volume I - Automated Student Information System, 1999 Addendum,~~" "DOE Information Data Base Requirements: Volume II - Automated Staff Information System, 2000," 1995," "~~DOE Information Data Base Requirements Volume II - Automated Staff Information System, 1999 Addendum,~~" and "DOE Information Data Base Requirements: Volume III - Automated Finance Information System, 1995." These publications which include the Department procedures for the security, privacy, and retention of school district student and staff records collected and maintained at the state level are hereby incorporated by

reference and made a part of this rule. Copies of these publications may be obtained from the Education Information and Accountability Services Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost to be established by the Commissioner not to exceed actual cost.

(3) No change.

Specific Authority 229.053(1) FS. Law Implemented 228.093(3)(d)3., 229.555(2), 229.565(3), 229.781 FS. History--New 2-19-87, Amended 12-21-87, 12-13-88, 3-25-90, 3-24-91, 3-17-92, 12-23-92, 2-16-94, 3-21-95, 7-4-96, 5-19-97, 10-13-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: George C. Haynie, Deputy Commissioner for Technology and Administration, 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: July 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2000

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: RULE NO.:

Accommodations of the Statewide Assessment Program Instruments and Procedures for Limited English Proficient Students 6A-6.09091

PURPOSE AND EFFECT: The purpose of this rule is to establish procedures for the provision of testing accommodations for students with limited English proficiencies. The accommodations will affect the administration of the High School Competency Test, the Florida Comprehensive Assessment Test, and the Florida Writing Assessment Test. The effect will be to allow students with limited English proficiency greater access to appropriate test modifications, thus allowing them to more fully participate in the statewide assessment testing programs and to allow more such students to meet the requirements for a regular high school diploma.

SUMMARY: This rule establishes procedures whereby appropriate accommodations may be made for limited English proficient students who are participating in statewide assessment testing programs. The procedures define the type of accommodations that may be provided to such students.

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: 229.57(14) FS.

LAW IMPLEMENTED: 229.57(3), 232.246(8) FS.



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

TIME AND DATE: 9:00 a.m., September 12, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education, The Capitol, Room PL08, Tallahassee, Florida 32399-0400, (850)413-0555

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.09091 Accommodations of the Statewide Assessment Program Instruments and Procedures for Limited English Proficient Students.

(1) The Department of Education shall provide accommodations for limited English proficient (LEP) students to enable them to fully participate in the statewide assessment program as defined in Section 229.57, Florida Statutes.

(2) Each school board shall utilize appropriate test accommodations within the limits prescribed herein. School district personnel are required to implement the accommodations in a manner that ensures the test responses are the independent work of the student. Personnel are prohibited from assisting a student in determining how the student will respond or directing or leading the student to a particular response.

(3) School districts shall offer test accommodations to LEP students who currently are receiving services in a program operated in accordance with an approved district LEP plan. The assessment tests may be administered with any one or a combination of the accommodations authorized herein that are determined to be appropriate for the individual student. Accommodations for statewide assessment tests shall include:

(a) High School Competency Test and Florida Comprehensive Assessment Test.

1. Students may be given additional time to complete each test section, and the entire test may be administered over one or more days. Students who begin any individual section of the test shall complete it in the same school day.

2. Students may be given access to English-to-heritage language/heritage language-to-English dictionaries such as those made available to LEP students in an instructional setting. A dictionary written exclusively in the heritage language or in English shall not be provided.

3. Students may be given the opportunity to be tested in a separate room with the English for Speakers of Other Languages (ESOL) or heritage language teacher serving as test administrator. If the student is not of legal age, the parents of said student shall be informed of this particular accommodation and shall be given the opportunity to select the preferred method of test administration.

4. Students taking the mathematics test section may be provided limited assistance by the ESOL or heritage language teacher using the student's heritage language. This assistance shall be as follows:

a. The teacher may answer student inquiries related to any of the test directions.

b. The teacher may answer specific inquiries concerning a word or phrase in a particular test question that is confusing the student because of limited English proficiency. In no case shall assistance be given the student in actually solving the mathematics questions.

c. Questions for clarification posed by individual students must be answered on an individual basis by the test administrator to prevent interference with another student's ability to concentrate.

5. Students taking the communications or reading test sections may be provided limited assistance by the ESOL or heritage language teacher using the student's heritage language. This assistance shall be as follows:

a. The teacher may answer student inquiries related to any of the general test directions as long as the student is not unmistakably led to infer the correct answer to any of the questions.

b. The teacher shall not answer students' inquiries about the reading passages, the question stems, or answer alternatives.

c. The students may have access to the dictionary specified in subparagraph (3)(a)2., of this rule, but the student is expected to read the reading passage, the question stems, and the answer alternatives in English.

(b) Writing Assessment Test.

1. Flexible setting. Students may be given the opportunity to be tested in a separate room with the ESOL or heritage language teacher serving as test administrator. If the student is not of legal age, the parents of said student shall be informed of this particular accommodation and shall be given the opportunity to select the preferred method of test administration.

2. Assistance in the heritage language. The ESOL or heritage language teacher may answer student questions about the general test directions in their heritage language, but the teacher is prohibited from answering questions about the writing prompt.

3. Flexible scheduling. Students may take the test during several brief sessions within one school day. All testing must be completed within the prescribed testing period shown in the test administration manual.

4. Flexible timing. Students may be provided additional time beyond the time limit specified in the test administration manual for administration of the test to non-LEP students.

5. Dictionary. LEP students may have access to English-to-heritage language/heritage language-to-English dictionaries, such as those made available to LEP students in an instructional setting. A dictionary written exclusively in the heritage language or in English shall not be provided.

(4) Each school board shall establish procedures whereby training shall be provided to the ESOL or heritage language teacher who is administering any of the statewide assessment tests. The training shall be designed to teach the teacher how to administer the statewide assessment tests within the limits prescribed in this rule.

(5) Limited English proficient students who otherwise are classified as exceptional education or handicapped students shall be afforded the additional test accommodations specified in Rule 6A-1.0943, FAC.

Specific Authority 229.57(14) FS. Law Implemented 229.57(3), 232.246(8) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Residency for Tuition Purposes  
RULE NO.: 6A-10.044

PURPOSE AND EFFECT: The purpose of this rule amendment is to revise the existing provisions governing residency status for tuition purposes. The effect will be to bring community college and state university residency policies into closer alignment as required by Section 240.1201, Florida Statutes.

SUMMARY: This amendment clarifies which non-U.S. citizens are eligible to establish Florida residency for tuition purposes; adds several specific visa and immigration categories to the list of eligible non-citizens.

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), 240.325 FS.

LAW IMPLEMENTED: 240.1201 FS.

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

TIME AND DATE: 9:00 a.m., September 12, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education, The Capitol, Room PL08, Tallahassee, Florida 32399-0400, (850)413-0555

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.044 Residency for Tuition Purposes.

The State Board of Community Colleges and the Board of Regents shall maintain consistent policies and practices for the classification of students as residents for tuition purposes to facilitate the transfer of students among institutions. The policies and practices may vary to accommodate differences in governance, but the determinations of classification shall be consistent to assure students of being classified the same regardless of the institution determining the classification.

(1) through (3) No change.

(4) Non-U.S. citizens such as permanent residents resident aliens, parolees, asylees, refugees, or other permanent status persons (e.g., conditional permanent residents and temporary residents persons who married U.S. citizens and temporary permanent residents), who have applied to and have been approved by the U.S. Immigration and Naturalization Service with no date certain for departure for indefinite stay and employment shall be considered eligible to establish Florida residency for tuition purposes. In addition, nonimmigrants holding one of the following visas shall be considered eligible to establish Florida residency for tuition purposes. Persons in visa categories not listed herein shall be considered ineligible to establish Florida residency for tuition purposes.

(a) Visa category A – Government official.

(b) Visa category E – Treaty trader or investor.

(c) Visa category G – Representative of international organization.

(d) Visa category H-1 – Temporary worker performing professional nursing services or in a specialty occupation.

(e) Visa category H-4 – Only if spouse or child of alien classified H-1.

(f)(d) Visa category I – Foreign information media representative.

(g)(e) Visa category K – Fiance, fiancée, or a child of United States citizen(s).

(h) Visa category L – Intracompany transferee (including spouse or child).

(i) Visa category N – Parent or child of alien accorded special immigrant status.

(j) Visa category O-1 – Workers of “extraordinary” ability in the sciences, arts, education, business, or athletics.

- (k) Visa category O-3 – Only if spouse or child of O-1 alien.
- (l) Visa category R – Religious workers.
- (m) Visa category NATO 1-7 – Representatives and employees of NATO and their families.
- (5) Non-U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes:
  - (a) Citizens of Micronesia.
  - (b) Citizens of the Marshall Islands.
  - (c) Beneficiaries of the Family Unity Program.
  - (d) Individuals granted temporary protected status.
  - (e) Individuals granted withholding of deportation status.
  - (f) Individuals granted suspension of deportation status or cancellation of removal.
  - (g) Individuals granted a stay of deportation status.
  - (h) Individuals granted deferred action status.
  - (i) Individuals granted deferred enforced departure status.
  - (j) Applicants for adjustment of status.
  - (k) Asylum applicants with INS receipt or Immigration Court stamp.

Specific Authority 229.053(1), 240.325 FS. Law Implemented 240.1201 FS. History–New 10-6-92, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2000

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

**DEPARTMENT OF REVENUE**

RULE TITLES:	RULE NOS.:
Certificate of Sale	12-21.020
Application of Payments	12-21.030

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rules 12-21.020 and 12-21.030, FAC., is to remove language that is redundant of statute and unnecessary, as required by s. 120.74(1)(c) and (d), F.S. The effect of these proposed repeals is to reduce the number of administrative rules maintained by the Department.

SUMMARY: Rule 12-21.020, FAC., requires the Sheriff to issue a certificate of sale whenever a taxpayer’s goods are sold for tax purposes. However, sections 56.25 and 213.74, F.S., contain a specific requirement mandating the issuance of a certificate of sale, which makes this rule redundant. Rule 12-21.030, FAC., states that the proceeds of a sale by the Sheriff must be disposed of pursuant to s. 213.75, F.S. Since

s. 213.75, F.S., contains specific guidelines for how tax payments or proceeds should be applied to an unpaid tax liability, this rule is unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the requirements and procedures associated with these proposed rule repeals are adequately covered by statute, there are no additional or significant regulatory costs involved. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 72.011(2), 120.54(1), 199.202, 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 199.262, 201.16, 206.075, 206.97, 206.9835, 207.014, 211.125, 212.14, 212.15, 213.69, 213.73, 213.732, 213.74, 213.75, 336.021, 336.025 FS.

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

TIME AND DATE: 10:00 a.m., September 5, 2000  
PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

12-21.020 Certificate of Sale.  
~~The Sheriff shall issue a certificate of sale pursuant to Section 56.25, F.S., and Section 213.74, F.S.~~

Specific Authority 72.011(2), 120.54(1), 199.202, 212.18(2), 213.06(1) FS. Law Implemented 199.262, 201.16, 206.075, 206.97, 206.9835, 207.014, 211.125, 212.14, 212.15, 213.69, 213.73, 213.732, 213.74, 213.75, 336.021, 336.025 FS. History–New 7-1-88, Repealed.

12-21.030 Application of Payments.  
~~Application of payments shall be made consistently with Section 213.75, F.S.~~

Specific Authority 72.011(2), 120.54(1), 199.202, 212.18(2), 213.06(1) FS. Law Implemented 199.262, 201.16, 206.075, 206.97, 206.9835, 207.014, 211.125, 212.14, 212.15, 213.69, 213.73, 213.732, 213.74, 213.75, 336.021, 336.025 FS. History–New 7-1-88, Repealed.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2000

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE TITLE: Tobacco Products  
 RULE NO.: 12A-1.078

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12A-1.078, FAC., is to remove language that is unnecessary, as required by s. 120.74(1)(c), F.S. The effect of this proposed repeal is to reduce the number of administrative rules maintained by the Department.

SUMMARY: Rule 12A-1.078, FAC., states that the retail sale of tobacco products is subject to sales tax, including any other state and federal taxes. However, sections 212.02(3) and (16), 212.05(1) and (3), and 212.081(1), F.S., contain specific provisions concerning the application of sales tax to tobacco products, which makes this rule unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since the requirements and procedures associated with this proposed rule repeal are adequately covered by statute, there are no additional or significant regulatory costs involved. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.  
 LAW IMPLEMENTED: 212.02(3), 212.05(1), 212.081(1) FS.

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

TIME AND DATE: 10:00 a.m., September 5, 2000  
 PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)922-9407

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance

and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.078 Tobacco Products.

~~Cigarettes and all other tobacco products, such as cigars, smoking tobacco, chewing tobacco, snuff, etc. are taxable. The tax is due on the total selling price paid by the purchaser, including any other state and federal taxes which are a part thereof.~~

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(3), 212.05(1), 212.081(1) FS. History-Revised 10-7-68, 6-16-72, Formerly 12A-1.78, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)922-9407

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2000

**DEPARTMENT OF CORRECTIONS**

RULE TITLES:	RULE NOS.:
Inmate Grievances – General Policy	33-103.001
Inmate Grievances – Terminology and Definitions	33-103.002
Inmate Grievances – Training Requirements	33-103.003
Inmate Grievances – Staff and Inmate Participation	33-103.004
Formal Grievance – Institution or Facility Level	33-103.006
Inmate Grievances – Miscellaneous Provisions	33-103.015
Inmate Grievances – Reprisals	33-103.017
Inmate Grievances – Forms	33-103.019

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide definitions of applicable terms and clarify the procedures pertaining to inmate grievances.

SUMMARY: The proposed rule adds definitions of applicable terms, establishes forms for implementation of procedures relating to inmate grievances, corrects titles, and clarifies procedures for amendment of grievances and for the filing of grievances by inmates in special housing units.

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: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.001 Inmate Grievances – General Policy.

(1) The purpose of the grievance procedure is to provide an inmate with a channel for the administrative settlement of a grievance. In addition to providing the inmate with the opportunity of having a grievance heard and considered, this procedure will assist the department by providing additional means for internal resolution of problems and improving lines of communication. This procedure will also provide a written record in the event of subsequent judicial or administrative review. The inmate grievance procedure was fully certified by the United States Department of Justice in March, 1992, pursuant to the requirements of Sections 944.09 and 944.331, Florida Statutes.

(2) Each inmate shall be entitled to invoke the grievance procedure regardless of any disciplinary, classification or other administrative action or legislative decision to which the inmate may be subject. Each ~~The~~ institution shall ensure that the grievance mechanism is accessible to ~~impaired and disabled~~ inmates who have disabilities. This may be accomplished by providing assistance through the institution library if requested.

(3) Inmates can file complaints regarding the following matters:

(a) The substance, interpretation, and application of ~~policies, rules, and procedures of the facility and~~ department that affect them personally;

(b) through (d) No change.

(e) ~~Any matter relating to~~ Conditions of care or supervision within the authority of the Florida Department of Corrections, except as noted herein.

(4) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended \_\_\_\_\_.

33-103.002 Inmate Grievances – Terminology and Definitions.

Terminology and Definitions. The following terms, as defined, shall be standard usage throughout the department:

(1) Amendment: where used herein, refers to an addition or change to a previously filed grievance.

(2)(4) Bureau of Inmate Grievance Appeals: The bureau authorized by the secretary to receive, review, investigate, evaluate, and respond to grievance appeals as defined in paragraph (8)(7). The Bureau of Inmate Grievance Appeals is located in the Office of the General Counsel and is managed by the Chief of Inmate Grievance Appeals.

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

(5)(4) Formal Grievance: This is a statement of complaint filed at the institutional or facility level with the warden, assistant warden or deputy warden, through the use of the Rrequest for Aadministrative Rremedy or Aappeal, Form DC1-303. Form DC1-303 is incorporated by reference in rule 33-103.019. Formal grievances are addressed in rule 33-103.006, Florida Administrative Code.

(6)(5) General Procedure Policy and Practice: Subject matter of a grievance which has a substantial impact on the general inmate population.

(7)(6) Grievance: A written complaint or petition, either informal or formal, by an inmate concerning an incident, procedure policy, or condition within an institution, facility or the Department which affects the inmate complainant personally.

(8)(7) Grievance Appeal or Central Office Review: This is a statement of complaint filed with the Secretary of the Department of Corrections through the use of the Rrequest for Aadministrative Rremedy or Aappeal, Form DC1-303. Appeals are addressed in rule 33-103.007, Florida Administrative Code.

(9) Grievance of Reprisal: refers to a grievance submitted by an inmate alleging that staff have or are threatening to take retaliatory action against the inmate for good faith participation in the inmate grievance procedure or for a particular incident.

(10)(8) Informal Grievance: This is an initial statement of complaint filed on an Inmate Request, DC6-236, with the staff member who is responsible in the particular area of the problem, ~~the classification team, the appropriate section head, or other institutional staff~~. Form DC6-236 is incorporated by reference in rule 33-103.019.

(11) Literature Review Committee: The final reviewing authority for appeals regarding rejected reading material. The committee is composed of the Bureau Chief of Security Operations or his or her representative, the Bureau Chief of Inmate Grievance Appeals or his or her representative, and the Library Services Administrator or his or her representative.

(12) Recipient: A person or office receiving an inmate grievance for processing.

~~(13)(9)~~ Reviewing Authority: Staff who are authorized to sign grievances as the final authority for review, e.g., warden, assistant warden, or the Secretary's representative.

(a) through (b) No change.

~~(e) Community correctional centers or contract community facilities – the select exempt services staff person who has oversight responsibility of the community correctional center or contract community facility;~~

~~(c)(4)~~ Road prisons, vocational centers, and work camps, community correctional centers, and contract community facilities – warden or assistant warden of the supervising institution.

~~(d)(e)~~ No change.

~~(14)(10)~~ No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92. 4-10-95, 12-7-97, Formerly 33-29.002, Amended \_\_\_\_\_.

33-103.003 Inmate Grievances – Training Requirements.

(1) No change.

(2) Inmate Orientation. Through the use of a standardized lesson plan, inmates will receive training in the use of the inmate grievance procedure by institution or facility staff. Inmates shall sign a statement acknowledging receipt of training on the inmate grievance procedure. A copy of this statement shall be placed in the inmate file. Form DC1-307, Acknowledgement of Receipt of Grievance Orientation, shall be used for this purpose. Form DC1-307 is incorporated by reference in Rule 33-103.019.

(a) through (b) No change.

(c) The orientation program shall include the following:

1. No change.

2. The written procedure shall be available in any language spoken by a significant proportion of the institution's population, and appropriate provisions shall be made for those speaking other these languages, as well as for the impaired and disabled;

3. through 4. No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.003, Amended 8-1-00, \_\_\_\_\_.

33-103.004 Inmate Grievances – Staff and Inmate Participation.

(1) Inmate and employee participation in the grievance process will take the form of solicitation of written comments by inmates and employees on selected formal inmate grievances that staff determine will significantly impact the inmate population and which challenge general procedures policy and practices prior to the initial adjudication of the grievance. Each institution shall within 5 calendar days of receipt, post copies of this type of formal grievance on inmate and employee bulletin boards, circulate among all inmates in all disciplinary, administrative, and close management areas,

including all inmates under sentence of death. These grievances shall be posted and circulated without identification of individual names of identifying facts. Written comments must be received in the office of the reviewing authority as defined in 33-103.002(9)(a) through (d) within 5 calendar days from the date of posting in order to receive consideration. With the exception of submitting written comments, no inmate or employee who appears to be involved in the matter shall participate in any capacity in the final resolution of a grievance.

(2) Inmates and employees have the opportunity to review the effectiveness and credibility of the department's grievance procedure through the submission of written comments to the reviewing authority as defined in 33-103.002(9)(a) through (d). The reviewing authority as defined in 33-103.002(9)(a) through (d) shall review and respond to written comments received and institute procedural changes as appropriate. Comments received relating to this rule that are outside the decision making authority of the reviewing authority as defined in 33-103.002(9)(a) through (d) shall be forwarded to the Office of the General Counsel Bureau of Legal Services for review and appropriate action. If the comments or complaint focuses on the implementation of the rule at a particular institution, the reviewing authority as defined in 33-103.002(9)(a) through (d) has the authority to make necessary changes in this implementation consistent with the rule. If the comments or complaint deal with the content of the rule itself and the only way a change could be effected would be to change the rule, then it needs to be forwarded to the Office of the General Counsel Bureau of Legal Services. The Office of the General Counsel Bureau of Legal Services shall review the complaint to see if there appears to be a problem with the rule itself. If changes are necessary, the Office of the General Counsel Bureau of Legal Services coordinates the rule promulgation process. The warden shall receive a response and in turn advise the employee or inmate.

(3) through (4) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.004, Amended \_\_\_\_\_.

33-103.006 Formal Grievance – Institution or Facility Level.

(1) When an inmate decides to file a formal grievance, he shall do so by completing Form DC1-303, Request for Administrative Remedy or Appeal and filing within the time limits set forth in 33-103.011.

(a) No change.

~~(b) In community correctional centers and contract facilities, the form shall be sent to the select exempt services staff person who has oversight responsibility of the community correctional center or contract facility as defined in 33-103.002(9)(e).~~

~~(b)(e)~~ In road prisons, vocational centers, ~~and~~ work camps, community correctional centers and contract facilities the form shall be sent to the warden or assistant warden of the supervising institution.

(2) Procedural Requirements.

(a) through (i) No change.

(j) If the inmate is filing an amendment to a previously filed grievance or appeal, the inmate shall clearly state this at the beginning of PART A of the Request for Administrative Remedy or Appeal, Form DC1-303. Amendments are to be filed only regarding issues unknown or unavailable to the inmate at the time of filing the original grievance and must be submitted within a reasonable time frame of knowledge of the new information.

(3) through (8) No change.

(9) If an inmate is in a special housing unit and wants to file a grievance he shall submit the grievance to designated staff who shall be responsible for distribution of the grievance. The designated staff person shall complete Part "C" of the DC1-303 form by entering the inmate's committed name, DC number, institution, date of receipt, and sign as the recipient. If the staff person is not the institutional grievance coordinator he shall not read or classify the grievance.

~~(10)(9)~~ No change.

Specific Authority 20.351, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00,\_\_\_\_\_.

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) No change.

(2) Form DC6-236 ~~DC3-005~~, Inmate Request, shall be available as a minimum from the institutional library, classification department, classification staff, and the housing officer of any living unit. Form DC1-303, Request For Administrative Remedy or Appeal, shall be available as a minimum from the institutional library, classification department, classification staff, and the housing officer of any housing location confinement unit.

(3) The warden, assistant warden or deputy warden ~~or circuit administrator~~ is authorized to designate other staff to receive, review, and investigate any grievance of an institutional nature. The warden ~~or circuit administrator~~ is authorized to designate the assistant warden or deputy warden ~~or deputy circuit administrator~~ to grant and implement relief as approved by the warden ~~or warden or circuit administrator~~, except as to grievances involving discipline, medical grievances, grievances alleging violation of the Americans with Disabilities Act, grievances challenging placement in close management, grievances of an emergency nature, grievances of reprisal or grievances of a sensitive nature that are filed directly with the warden ~~or circuit administrator~~. For

grievances filed directly with the warden ~~or circuit administrator~~, the decision to approve, return, or deny the grievance shall be made by the warden ~~or reviewing authority~~.

(4) No change.

(5) The response to an informal grievance and a formal grievance shall include the following statement, or one similar in content and intent if the grievance is denied: You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form, providing attachments as required, and forwarding your complaint to the warden, assistant warden, deputy warden or the Bureau of Inmate Grievance Appeals.

(6) No change.

(7) Writing paper and writing utensils shall be provided to those inmates who have insufficient ~~no~~ funds in their accounts if such are needed to prepare the grievance or grievance appeal. These supplies shall be available from the areas where the grievance forms are available as set forth in 33-103.015(2).

(8) through (11) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00,\_\_\_\_\_.

33-103.017 Inmate Grievances – Reprisal.

(1) No action shall be taken against an inmate as the result of the submission of a grievance or appeal. Good faith use of or good faith participation in the grievance process shall not result in ~~formal or informal~~ reprisal against the inmate.

(2) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 12-22-92, 4-10-95, Formerly 33-29.016, Amended \_\_\_\_\_.

33-103.019 Inmate Grievances – Forms.

The following forms relevant to this chapter are hereby incorporated by reference. A copy of any of these forms is available from the Bureau of Inmate Grievance Appeals, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~If the forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope.~~

(1) through (4) No change.

(5) Form DC1-307, Acknowledgement of Receipt of Grievance Orientation, effective \_\_\_\_\_.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 4-10-95, 12-7-97, Formerly 33-29.018, Amended 8-1-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Celeste Kemp

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: June 9, 2000

**DEPARTMENT OF CORRECTIONS**

RULE TITLES:	RULE NOS.:
Close Management	33-601.800
Close Management – General	33-601.801
Levels of Close Management	33-601.802
Privileges in Close Management	33-601.803
Close Management Review Team	33-601.804
Assignment to Close Management	33-601.805
Review of Assignment to Close Management	33-601.806
Close Management – Warden’s Responsibility	33-601.807
Close Management – Regional Director’s Responsibility	33-601.808
Close Management – Case Management Responsibilities	33-601.809
Close Management Facilities	33-601.810
Close Management – Other Conditions and Privileges	33-601.811
Close Management Records and Forms	33-601.812
Close Management – Rule Change Implementation	33-601.813

PURPOSE AND EFFECT: The purpose of the proposed rules is to add rule 33-601.800, to repeal rules 33-601.801-.813, and to clarify procedures relating to close management.

SUMMARY: The proposed rule adds applicable definitions and forms related to close management; clarify the roles of the Institutional Classification Team, State Classification Office, and classification officer; clarifying procedures related to who must make visits to close management units; delineating procedures related to review of placement in close management; setting forth requirements relating to mental health evaluations prior to placement in close management; and establishing procedures related to inmate personal plans for inmates placed in close management.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Giselle Lysten Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.800 Close Management.

(1) Definitions.

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

(b) Clinical health care personnel – a physician, clinical associate, nurse, Correctional Medical Technician Certified (CMTC), psychologist or psychological specialist.

(c) Close Management (CM) – the confinement of an inmate apart from the general population, for reasons of security or the order and effective management of the institution, where the inmate, through his or her own behavior, has demonstrated an inability to live in the general population without abusing the rights and privileges of others.

(d) Close Management Levels – the three individual levels (CMI, CMII, and CMIII) associated with close management, with CMI being the most restrictive single cell housing level and CMIII being the least restrictive housing of the three CM levels.

(e) Close Management Plan – a program plan developed for individual inmates determined to be at risk for deterioration of mental health functioning as a result of prolonged confinement. The plan utilizes a variety of therapeutic activities, prevention, and intervention components from available mental health and program resources to prevent potential deterioration of mental health and adaptive functioning.

(f) Close Management Program Team – an interdisciplinary team of representatives from mental health, programs, classification, and security. This teams develops and monitors close management plans for individual inmates in close management determined to be at risk for potential deterioration of mental health or adaptive functioning as a result of prolonged confinement.

(g) Confinement Review – the evaluation of pertinent information or documentation concerning an inmate’s confinement status to determine if changes or modifications are required or recommended.

(h) Confinement Visit – personal contact by staff members with inmates in confinement status to ensure that their welfare is properly addressed.

(i) Institutional Classification Team (ICT) – the team consisting of the warden or assistant warden, classification supervisor, and chief of security, that is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(j) Institutional Classification Team Docket – the official record of an ICT hearing.

(k) Major Rule Violation – any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or



participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; and any escape or escape attempt.

(1) Offender Based Information System (OBIS) – the department’s computer offender database system which is utilized to organize and store security, classification, program and other offender information.

(m) Restricted Labor Squad – an armed supervision work squad consisting of close custody inmates whose primary detail is farm operations.

(n) Senior Correctional Officer – a correctional officer lieutenant or above.

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

(p) State Classification Office (SCO) – a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving or rejecting ICT recommendations

(2) Levels of Close Management.

(a) Close Management I (CMI).

1. Close Management I is the most restrictive single cell housing level of all the close management status designations.

2. An inmate assigned to CMI will be ineligible for a work assignment. An inmate may be placed in CMI without having previously been in CMII or III. Any of the following factors constitutes a basis for placement of an inmate in CMI status:

a. An incident causing death;

b. An act causing injury or an act which could have resulted in injury to another;

c. The taking of a hostage or an attempt to take a hostage;

d. Instigation or incitement of a riot or disorder;

e. Creating or causing property damage in excess of \$1,000;

f. Participation in or causing further institutional disruption during a riot or disorder;

g. An escape or escape attempt involving use of a weapon, outside assistance, use of equipment or tools to penetrate a secure perimeter or violence committed during or while on escape;

h. An escape or escape attempt from a secure perimeter;

i. An escape or escape attempt while under armed supervision while outside the perimeter of the institution;

j. Possession of weapons, ammunition, explosives, flammables, or initiation of or participation in trafficking of these items or trafficking in drugs;

k. Participation in a sexual assault or battery;

l. An inmate who meets the criteria for placement in CMII or CMIII and has been in close management previously during the current period of incarceration;

m. An inmate who is currently in CMII or CMIII and shows an inability to adjust as evidenced by continued disciplinary actions or unsatisfactory ratings;

n. Documented leadership in a security threat group that is certified by the threat assessment review committee in central office.

(b) Close Management II (CMII).

1. CMII is restrictive cell housing which may or may not be restricted to single cell housing.

2. An inmate may be placed into CMII without having previously been placed in CMIII. Any of the following factors constitutes a basis for placement of an inmate in CMII status:

a. An act or acts in the community, during other periods of confinement, or any circumstances associated with the current period of incarceration such that safety, security, and public safety concerns suggest further review prior to placement in open population;

b. A pattern of predatory actions which makes an inmate a threat to others;

c. An act causing injury or an act which could have resulted in injury to another;

d. An escape or an escape attempt from within the secure perimeter of a facility without violence, the use of weapons, the taking of hostages, the use of equipment or tools, or outside assistance;

e. Participation in riots or disorders during any period of incarceration;

f. A pattern of behavior during the present period of incarceration involving acts of violence or threats of violence;

g. Initiated or participated in a contraband trafficking operation involving negotiables, escape paraphernalia [other than items listed in (2)(a)2.j], or other items that present a threat to the safe and secure operation of the institution or facility;

h. Presents a risk to another inmate’s safety and well being in population, as identified by an act or acts which demonstrates an inability to live in general population without endangering others;

i. Has met the criteria for placement in CMIII and has been in close management previously during the current period of incarceration; and

j. Is currently in CMIII and shows an inability to adjust as evidenced by continued disciplinary action or unsatisfactory ratings.

(c) Close Management III.

1. CMIII is the least restrictive cell housing unit in close management.

2. Any of the following factors constitutes a basis for placement of an inmate in CMIII Status:

a. An escape or an escape attempt, or a documented history of escape from a non-secure facility or environment without violence, weapons, outside assistance, or the arrest for any other felony while on escape;

b. Assisting or aiding in an escape or an escape attempt;

c. A history of disciplinary action or institutional adjustment reflecting an inability to live in the general inmate population without disrupting the operation of the institution;

d. Participation in a predatory or aggressive act through the use of force or intimidation;

e. Participation in a riot or disorder by refusing to follow orders or staff;

f. Possession of unauthorized drugs, testing positive for drugs on a urinalysis test, possession of negotiables, escape paraphernalia [except items listed in (2)(a)2.j], or other items that present a threat to the safe and secure operation of the institution or facility; and

g. Validated membership in a security threat group that has been certified by the threat assessment review committee in central office.

### (3) Procedures for Placement in Close Management.

(a) Close management is the confinement of an inmate apart from the general population, for reasons of security, or the order and effective management of the institution, where the inmate, through his or her own behavior, has demonstrated an inability to live in the general population without abusing the rights and privileges of others. The secretary shall designate which institutions are authorized to house close management inmates, based on the needs of the department.

(b) When an inmate in general population has committed acts that threaten the safety of others, threaten the security of the institution, or demonstrate an inability to live in the general population without abusing the rights and privileges of others, the inmate shall be placed in administrative confinement pending close management review. When an inmate in any other confinement status has committed acts that threaten the safety of others, threaten the security of the institution, or demonstrated an inability to live in a segregated population without abusing the rights and privileges of others the inmate shall be housed in his or her current status pending close management review. Inmates being considered for close management who have completed disciplinary confinement and the final decision regarding close management placement has not been determined will be housed in administrative confinement until the review and decision is made by the SCO.

(c) Prior to docketing an inmate's case for close management, the classification supervisor will submit a referral to the senior psychologist for evaluation of the inmate utilizing the Close Management Referral Assessment, DC6-128. Form DC6-128 is incorporated by reference in paragraph (18) of this rule.

(d) Mental health staff will complete the mental health review within two working days of receipt of Form DC6-128 from the classification supervisor. If the senior psychologist determines that no further evaluation is needed, he or she will forward Form DC6-128 to the classification supervisor with relevant recommendations. If the senior psychologist determines that further evaluation is needed, either the senior psychologist or psychiatrist will conduct an interview and evaluation with the inmate to determine the treatment needs of the inmate. This interview and evaluation will be completed within five working days after the SCO's final decision to place the inmate in close management and will include the following placement options: unrestricted placement, placement in a close management facility in which there is a provision for out patient mental health services, placement in a close management facility where intensive mental health services are available, or close management not recommended because of the inmate's current mental health condition. The senior psychologist or psychiatrist will forward Form DC6-128 to the classification supervisor with the results of the assessment and recommendation for the inmate.

(e) Upon receiving the mental health assessment the classification supervisor will submit the case for ICT Docket. The ICT will evaluate the charges, interview the inmate, and document its findings on the Report of Close Management, Form DC6-233c. Form DC6-233c is incorporated by reference in paragraph (18) of this rule. The inmate will be given a minimum of forty-eight hours to prepare for the review unless waived by completing a Close Management Waiver, Form DC6-265. Form DC6-265 is incorporated by reference in paragraph (18) of this rule. The inmate may present information verbally or in writing for consideration by the ICT. The team will document on Form DC6-233c that the inmate was informed of his or her allotted time to prepare for the review. The ICT is authorized to postpone the case review to allow an inmate additional time to prepare. If an extension of time is given, the team will document such postponement on form DC6-233c.

(f) A staff assistant will be assigned to assist an inmate when the team determines the inmate is illiterate or does not understand English, or when the complexity of the issue makes it unlikely that the inmate will be able to properly represent himself or herself. This assistance can also be offered at the inmate's request. In such event, it is the responsibility of the staff member to explain the close management recommendation and procedures to the inmate. Even though the staff member will be authorized to assist an inmate during the hearing and aid the inmate in presenting his or her position, the staff member will not take the position of an advocate or defense attorney for the inmate.

(g) ICT Hearing. The inmate will appear at the hearing unless he or she demonstrates disruptive behavior, either before or during the hearing, that impedes the process. In such

cases, the review will be completed without the inmate, and the absence or removal of the inmate will be documented on Form DC6-233c. After the interview and review of all pertinent information including the mental health assessment, the ICT will make a recommendation to the SCO. This recommendation will be documented on Form DC6-233c. The ICT will inform the inmate of the basis for its decision and provide a copy of the team's decision to the inmate after the conclusion of the hearing. The classification supervisor will enter the team results in OBIS.

(h) The SCO will review the recommendations of the ICT, the Close Management Referral Assessment, Form DC6-128, and other pertinent information before making the final decision regarding close management placement. This review will be on site and the SCO may interview the inmate, except in situations requiring more immediate action. In these cases, the SCO will review the documentation in OBIS. The SCO will approve, disapprove, or modify the ICT's recommendation or obtain further information from the team before reaching a final decision. If the team's recommendation is disapproved or modified by the SCO, the inmate will be informed of the decision in writing. Inmate notification will not be required when the SCO has approved the ICT's recommendation. After the review is complete, the SCO will document its decision in OBIS.

#### (4) Transfers From a Non-CM Institution.

(a) Once a recommendation is made, the team will enter the recommendation in OBIS and fax a copy of the DC6-233c reflecting the decision and signatures to the SCO.

(b) The inmate will remain in administrative or current confinement status pending review and final decision of the SCO. If the inmate's release date from disciplinary confinement expires, the inmate shall be placed in administrative confinement until the review and decision is made by the SCO. The SCO will review the recommendation from the ICT and either approve or disapprove the recommendation.

(c) If approved, the SCO will notify the Bureau of Sentence Structure and Transportation for future transfer of the inmate.

(d) If the recommendation is disapproved, the SCO will provide written notification to the ICT of the requesting institution on its decision not to transfer. After the review is complete, the SCO will document its decision in OBIS.

#### (5) Transfers While Inmate is in CM Status.

(a) If an inmate in close management is reassigned to another level of close management which requires transfer to another institution, the time spent awaiting transfer will be taken into consideration when setting the schedule of reviews by the ICT at the receiving institution.

(b) To transfer an inmate in close management status to another close management facility, the following will occur:

1. The ICT from the sending institution will recommend the appropriate level of close management based upon the criteria and facts for placement prior to the transfer.

2. Transfers will be limited to those inmates in close management who are being recommended for a close management level that the sending institution is not capable of providing, situations that involve special reviews, or situations that require an inmate to be moved to a higher level facility.

(c) The recommendation by the ICT to transfer a close management inmate will be decided by the SCO. If approved, the SCO will submit notification to the Bureau of Sentence Structure and Transportation for transfer of the inmate.

(d) The receiving institution shall then place the inmate directly into the approved close management status without completing an additional evaluation. If the recommendation is disapproved, the SCO will provide written notification to the ICT of the requesting institution of its decision not to transfer. After the review is complete, the SCO will document its decision in OBIS.

#### (6) Close Management Facilities.

(a) The number of inmates housed in a close management cell will not exceed the number of bunks in the cell.

(b) The only exception to Section (6)(a) is during an emergency situation as declared by the warden or duty warden. The emergency will be made known to the regional director and to the emergency action center in the central office. If the exception exists in excess of 24 hours, the warden or duty warden must get specific authorization from the regional director to continue to house inmates beyond the 24 hour period in such conditions.

(c) Prior to placing inmates in the same cell, the inmate will be interviewed by the housing supervisor and a review will be initiated to determine if any of the inmates in the close management unit are a threat to the inmate being placed, or if the inmate being placed is a threat to other inmates in the unit.

(d) If the inmate cannot be placed for these reasons, the housing supervisor will place or maintain the inmate in administrative confinement until the issue can be expeditiously resolved. The case will be immediately forwarded to the ICT for review. The ICT will review the case, interview the inmate, and forward recommendations to the SCO. The SCO will review the case and may interview the inmate and make a final decision on the inmate's placement.

(e) Water Supply to CM Units. All close management cells will be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. Misbehavior is defined as any activity exhibited by an inmate which causes an interruption in the water system and its proper function, such as intentionally clogging a toilet bowl or sink with paper in order to then flood the housing area. It also includes the intentional misuse of the water for such purposes as throwing it on staff or other inmates, or mixing it with another substance

for an unauthorized purpose (inmate mixes water with soap or shampoo and apply to the floor or himself or herself to hinder cell extraction). In such event, the inmate will be furnished with an adequate supply of drinking water by other means to prevent dehydration. This action can be taken in addition to formal disciplinary action being taken against the inmate pursuant to established procedures regarding disciplinary action. Any misbehavior from an inmate and subsequent action by security staff will be documented on the Daily Record of Segregation, Form DC6-229. Form DC6-229 is incorporated by reference in paragraph (18) of this rule.

(f) Prior to placement of an inmate in a close management cell, the cell will be thoroughly inspected by the housing officer to ensure that it is in proper order. The housing officer shall document the cell's condition on Form DC6-221, Cell Inspection. After such time, the inmate housed in that cell will be responsible for the condition of the cell. Form DC6-221 is incorporated by reference in paragraph (18) of this rule.

(g) The close management cells will be physically separate from other confinement cells, and have physical barriers to reduce cross association of those in close management with those in other status confinement when such locations are not possible. They will be built to permit verbal communication and unobstructed observation by the staff. The close management cells will not exceed the number of bunks in the cell, whenever possible, given the physical design of the facility and the number of inmates housed in close management.

(7) Close Management Plan (CMP).

(a) The close management program team consisting of representatives from mental health, programs, classification, and security will complete a CMP within 30 days of the inmate being placed in close management.

(b) The CMP will be developed based on the inmate's needs assessment and will take into consideration the inmate's CM level.

(c) The CMP will incorporate therapeutic activities and may include prevention and intervention components. The purpose of the plan will be to increase sensory stimulation using a variety of activities from available mental health and program resources.

(8) Conditions and Privileges.

(a) Clothing – Inmates in close management shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are necessary for the welfare of the inmate or the security of the institution. In such cases, the exceptions shall be documented on Form DC6-229 and approved by the chief of security. Shower slides may be substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent the destruction of property or equipment. If an inmate's clothing is

removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229, Daily Record of Segregation. Under no circumstances shall an inmate be left without a means to cover himself or herself.

(b) Bedding and linen – Bedding and linen for inmates in close management shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift supervisor or the senior correctional officer must approve the action initially. Such exceptions shall be documented on Form DC6-229 and the chief of security shall make the final decision in regard to action no later than the next working day following the action.

(c) Personal Property – Inmates shall be allowed to retain personal property including stamps, watches, rings and health and comfort items unless there is a indication of a security problem. Exceptions or removal of any item will be documented on the DC6-229. An Inmate Impounded Personal Property List, Form DC6-220, will be completed by security staff and signed by the inmate designating what personal items were removed. The original will then be placed in the inmate's property file and a copy of the form will be given to the inmate for his or her records. Radios and television sets are not authorized for an inmate in close management. Form DC6-220 is incorporated by reference in Rule 33-501.401.

(d) Comfort Items – Inmates in close management shall be permitted personal hygiene items and other medically needed or prescribed items such as eye glasses or hearing aids, except when security requirements dictate otherwise. Inmates in close management shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in close management are not normally prohibited from possessing are removed, the senior correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on the Daily Record of Segregation, Form DC6-229, which must be reviewed by the chief of security. When any personal property is removed, a Receipt for Personal Property, Form DC6-227, designating what personal items were removed, shall be completed by security staff and signed by the inmate. Form DC6-227 is incorporated by reference in (18) of this rule. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, and feminine hygiene products for women, and toilet tissue.

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

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

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

(f) Diet and Meals – All inmates in close management shall receive normal institutional meals as are available to the general inmate population except that if any item on the regular menu might create a security problem in the confinement area, then another item of comparable quality shall be substituted. An alternative meal (special management meal) may be provided for any inmate in close management who uses food or food service equipment in a manner that is hazardous to himself or herself, staff, or other inmates. The issuance of a special management meal will be in strict accordance with rule 33-602.223. Any deviation from established meal service is to be documented by security staff on the Daily Record of Segregation, Form DC6-229.

(g) Canteen Items. Inmates in CMI and II will be allowed to make canteen purchases once per month unless restricted by disciplinary action. Canteen purchases are subject to the following limitations, unless modified by the ICT:

1. Inmates in CMI and II will be restricted to a limit of five non-food items. In making this determination, with the exception of stamps and notebook paper, it is the number of non-food items that is counted not the type of item. For example, three security pens counts as three items, not one item. Twenty-five stamps or fewer will count as one item and two packages or less of notebook paper will count as one item.

2. Inmates in CMIII will be allowed to make canteen purchases once every two weeks unless restricted by disciplinary action. Canteen purchases are subject to the following limitations, unless modified by the ICT: Inmates in CMIII will be restricted to five non-food items and four food items. In making the determination for food, it is the number of food items that is counted not the type of item. For example, three packages of cookies count as three items, not one item.

3. The ICT has the authority to suspend privileges for canteen purchases when the inmate fails to comply with the rules and procedures established for close management. Any action taken by the ICT regarding the suspension or limiting of privileges will be documented on the Daily Record of Segregation, DC6-229.

(h) Religious Accommodations. Inmates in close management status shall be allowed to participate in religious ceremonies that can be accomplished at cell-side (for example, communion).

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

(j) Legal Access – An inmate in close management will have access to his or her personal legal papers and law books and have correspondence access with the law library. Access to the law library will be obtained through delivery of research materials to an inmate's cell, and access to visits with certified

inmate law clerks. Although the inmate may not be represented by an attorney at any administrative hearing, access to an attorney or aide to that attorney will be granted for legal visits at any reasonable time during normal business hours. Indigent inmates will be provided paper and writing utensils in order to prepare legal papers. Inmates who are not indigent will be allowed to purchase paper and envelopes for this purpose by completing Form DC6-251, CMI and II Canteen Order, or Form DC6-252, CMIII Canteen Order, within the stated time frames. Forms DC6-251 and DC6-252 are incorporated by reference in paragraph (18) of this rule. Typewriters or typing services are not considered required items and will not be permitted in confinement cells.

(k) Correspondence – Inmates in close management shall have the same opportunities for correspondence that are available to the general inmate population.

(l) Writing utensils – Inmates in close management shall possess only security pens. Other types of pens shall be confiscated and stored until the inmate is released from close management status. If a security pen is not available, the inmate shall be allowed to sign out a regular pen from the confinement unit officer. All care shall be taken to ensure that an inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances.

(m) Reading materials – Reading materials, including scriptural or devotional materials and books that are in compliance with admissibility requirements, are allowed in close management units unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security or sanitation risk, the items will be removed. Such removal of reading materials will be documented on Form DC6-229, Daily Record of Segregation.

(n) Exercise – Those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. If the inmate requests a physical fitness program handout, the wellness specialist or the confinement officer shall provide the inmate with an in-cell exercise guide and document such on the Daily Record of Segregation, Form DC6-229. However, if confinement extends beyond a 30-day period, an exercise schedule shall be implemented to ensure a minimum of three hours per week of exercise out of doors. The assignment and participation of an inmate on the restricted labor squad will satisfy the minimum exercise requirements. Such exercise periods shall be documented on Form DC6-229. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation. In this instance, a major rule violation is defined as: any assault, battery or attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance;

fighting; possession of weapons, ammunition, explosives or escape paraphernalia; escape or escape attempt. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. Medical restrictions determined by health services staff can also place limitations on the amount and type of exercise permitted. Such restrictions of exercise periods will be documented on the Daily Record of Segregation, Form DC6-229.

(9) Privileges in Close Management Units.

(a) While in a close management unit, an inmate's movement within the institution and contacts with other individuals will be restricted. Privileges will also be limited depending on the specific close management level.

(b) CMI. Privileges for an inmate assigned to CMI who maintains a satisfactory adjustment are as follows:

1. Participation in available approved programs that the inmate can perform within the cell after a minimum period of at least six months with a clear disciplinary record since assignment to close management;

2. Check out one soft-back book from the library at least once per week and possess no more than four personal soft back books at any given time.

3. Conduct routine inmate bank transactions once per month;

4. Subscribe to one magazine as provided for in rule 33-602.401 and possess no more than four issues at any given time;

5. Make emergency telephone calls and telephone calls to an attorney as explained in rule 33-602.205;

6. Receive a personal visit after completing 90 days of satisfactory adjustment in close management status and having maintained a clear disciplinary record since assignment to close management. If found guilty of any disciplinary infractions while assigned to CMI, the inmate is eligible to be considered for visits 90 days following release from disciplinary status or the disciplinary hearing.

7. If a penalty other than disciplinary confinement was imposed, with a continued clear disciplinary record, the inmate is eligible to receive personal visits after each subsequent 90 day period with a continued clear disciplinary record and satisfactory adjustment while in the status unless security or safety concerns would preclude a visit. A CMI inmate is eligible for a maximum of four visits per year. All visits for CMI inmates in CMI will be non-contact visits.

(c) CMII. In addition to the privileges provided for CMI inmates, [with the exclusion of (9)(b)], CMII inmates will be eligible to receive personal visits:

1. After completing 60 days of satisfactory adjustment in close management status and having maintained a clear disciplinary record since being assigned to close management.

2. If found guilty of any disciplinary infraction while assigned to CMII, the inmate is eligible to be considered for visits 60 days following release from disciplinary status or the disciplinary hearing if a penalty other than disciplinary confinement was imposed, with a continued clear disciplinary record.

3. The inmate is eligible to receive personal visits after each subsequent 60 day period with a continued clear disciplinary record and satisfactory adjustment while in the status unless security and safety concerns would preclude a visit. A CMII inmate is eligible for a maximum of six visits per year. All visits for inmates in CMII will be non-contact visits.

(d) CMIII. In addition to the privileges provided above for CMI inmates, [with the exclusion of (9)(b)], CMIII inmates will be entitled to the following:

1. A personal visit after completing 60 days of satisfactory adjustment in close management status and having maintained a clear disciplinary record since being assigned to close management.

2. If found guilty of a disciplinary infraction while assigned to CMIII, the inmate is eligible to be considered for visits 30 days following release from disciplinary status or the disciplinary hearing if a penalty other than disciplinary confinement was imposed, and the inmate has a continued clear disciplinary record.

3. The inmate is eligible to receive personal visits after each subsequent 30 day period with a continued clear disciplinary record and satisfactory adjustment while in the status unless security or safety concern would preclude a visit. A CMIII inmate is eligible for a maximum of 11 visits per year. The level of supervision and restraint of CMIII inmates during visits will be determined by the warden.

4. Day room privileges after six continuous months with a clear disciplinary record and above satisfactory adjustment within the close management unit unless security and safety concerns would preclude day room activities. This privilege will be limited to once per week for up to two hours in duration.

5. Purchase a maximum of four canteen food items if the inmate has not received a disciplinary report for 90 days while in close management status. In making this determination, it is the number of food items that is considered, not the type of food. For example, three packages of cookies count as three items, not one item.

6. Any disciplinary reports received by an inmate between the time that he or she requests canteen food items and the delivery of those items will result in disapproval of those requested items.

(10) Suspension of Privileges.

(a) In addition to the suspension of privileges through disciplinary action, the ICT has the authority to suspend privileges for inmates in close management status who fail to comply with the rules and procedures established for close management.

(b) The ICT shall suspend an inmate's privileges if security and safety concerns would preclude an inmate from receiving certain privileges. Any action taken by the ICT regarding the suspension or limiting of privileges will be documented on the Daily Record of Segregation, Form DC6-229. Privileges suspended by the ICT in excess of 90 days will require the review and approval of the SCO.

(11) Work Assignments.

(a) The decision to make work assignments and the type of assignments made will be determined by the ICT. Inmates shall be provided the opportunity for work assignment consideration as determined by the ICT except when precluded by doctor's orders for medical reasons.

(b) CMI inmates are restricted from all outside cell work activities. CMII inmates are only eligible for work assignments on restricted labor squads or in CMI, II, or death row housing units. CMIII inmates are eligible for work assignments either inside or outside the close management unit, including restricted labor squads, work assignments within other close management units, and work assignments usually designated for open population inmates.

(c) Work assignments shall be performed during day light hours.

(12) Restraint and Escort Requirements.

(a) Prior to opening a cell for any purpose, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visiting, all inmates in the cell shall be handcuffed behind their backs. If documented medical conditions require that inmates be handcuffed in front, the escort officers shall be particularly vigilant.

(b) A minimum of two officers shall be physically present at the cell whenever the cell door is opened.

(c) Prior to escorting an inmate from a cell the inmate shall be thoroughly searched. If the inmate is being taken outside the immediate housing unit, leg irons and other restraint devices shall be applied.

(d) Due to the unique mission of close management units, it is understood that more than one inmate may be out of his or her cell within the unit at any one time. However, whenever inmates are being escorted in restraints, there shall be one officer with each inmate and the inmates shall be kept at a distance from each other which would preclude any unauthorized physical contact.

(13)(a) Contact by Staff.

(b) Inmates in close management shall receive a personal contact or visit by the following staff members. All visits by staff shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is incorporated by

reference in paragraph (18) of this rule. The staff member shall also document his or her visit on the Daily Record of Segregation, Form DC6-229, if there is any discussion of significance, action or behavior of the inmate, or any other important evidential information which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

1. At least every 30 minutes by a correctional officer, but on an irregular schedule.

2. Daily by the area housing supervisor.

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

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

5. Daily by a clinical health care person.

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

7. Weekly by the warden and assistant wardens.

8. At least once a week by a classification officer.

9. At least once a month by a member of the ICT to ensure that the inmate's welfare is properly provided for, and to determine the time and method of release or any program changes.

(14) Special Risk Inmates.

(a) Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated.

(b) Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist/Restraint Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report, Form DC6-210. Form DC4-650 is incorporated by reference in paragraph (18) of this rule. Form DC6-210 is incorporated by reference in Rule 33-602.210.

(15) Review of Close Management.

(a) An ICT member shall review inmates in close management at least once every week for the first 60 days and once every 30 days thereafter. The purpose shall be toward reducing the inmate's status to the lowest management level or returning the inmate to open population as soon as the facts of the case indicate that this can be done safely.

(b) Any inmate assigned to close management for more than 30 days shall be given a psychological assessment by mental health professional staff to determine the inmate's mental condition. The assessment shall include a personal interview. The psychologist or psychological specialist shall prepare a report to the ICT with the facts of the case. The ICT shall then make a decision regarding continuation of confinement. Any recommendations by the psychologist or psychologist specialist that the inmate be released from close management shall be forwarded by the ICT to the SCO. All such assessments shall be documented in the mental health record. If the decision is to continue confinement and that confinement extends beyond 90 days, a new psychological assessment shall be completed each 90-day period.

(c) The close management program team (CMPT) will review the CMP at least 30 days after the implementation of the plan and at least every 60 days thereafter. All changes and or modifications will be documented on the inmate's CMP. The CMPT's review will include the following:

1. An assessment of the status of the inmate's adaptive functioning.

2. An evaluation of the status of the close management plan's objectives and goals, and

3. A determination if changes or modifications to the current plan are needed.

(d) When an inmate has not been released to general population and is in any close management status for six months, the classification officer shall interview the inmate and shall prepare a formal assessment and evaluation on the Report of close management. Such reports shall include a brief paragraph detailing the basis for confinement, what has transpired during the six month period, and whether the inmate should be released, maintained at the current level, or reduced to a lower level of management. The case shall be forwarded to the classification supervisor who shall docket the case for ICT review.

(e) The ICT shall review the report of close management prepared by the classification officer, insert any other information regarding the inmate's status and interview the inmate. The ICT's recommendation shall be documented in OBIS and the Report of Close Management, Form DC6-233c. If it is determined that no justifiable safety and security issues exists for the inmate to remain in close management the ICT shall forward their recommendation for release to the SCO for review. For an inmate to remain in close management the ICT shall justify the safety and security issues or circumstances that can only be met by maintaining the inmate at the current level or a lower level of management.

(f) The SCO shall conduct an onsite interview with each inmate at least once every six months or as often as necessary to determine if continuation, modification, or removal from close management status is appropriate. The SCO shall advise the inmate of the decision. The SCO shall review all reports

prepared by the ICT concerning an inmate's close management status and may interview the inmate before determining the final disposition of the inmate's close management status. If it is determined that no justifiable safety and security issues exist for the inmate to remain in close management the SCO shall cause the inmate to be immediately released. For an inmate to remain in close management, the SCO shall determine based on the reports and documentation that there are safety and security issues or circumstances for maintaining the inmate at the current level or at a lower level of management. The SCO's decision shall be documented in OBIS and the Report of Close Management, Form DC6-233c.

(16) Close Management Records.

(a) A Report of Close Management, Form DC6-233c, shall be kept for each inmate placed in close management.

(b) A Daily Record of Segregation, Form DC6-229, shall be maintained for each inmate as long as he is in close management. Form DC6-229 shall be utilized to document any activities, including cell searches, items removed, showers, recreation, haircuts and shaves. If items that inmates in close management are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the senior correctional officer must approve the action initially. The items denied or removed shall be documented on Form DC6-229 and the chief of security shall make the final decision in regard to the action no later than the next working day following the action. The confinement housing officer shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. Form DC6-229 shall be maintained in the housing area for one week, at which time the form shall be forwarded to the ICT for review. Once reviewed, these forms shall be forwarded to classification to be filed in the institutional inmate record.

(c) An Inspection of Special Housing Record, Form DC6-228, shall be maintained in each close management area. Each staff person shall sign the record when entering and leaving the confinement area. Prior to leaving the confinement area, each staff member shall indicate any specific problems, including any inmate who requires special attention. Upon completion, Form DC6-228 shall be maintained in the housing area and forwarded to the chief of security on a weekly basis where it shall be maintained on file pursuant to the current retention schedule.

(17) Staffing Issues.

(a) Officers assigned to a confinement unit shall be rotated to another assignment every 18 months for a period of at least one year. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.



(b) The Inspector General shall notify the warden and regional director of any officer involved in eight or more use of force incidents in an 18 month period. The regional director shall review the circumstances for possible reassignment.

(18) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC4-650, Observation Checklist/Restraint Observation Checklist, effective date \_\_\_\_\_.

(b) Form DC6-128, Close Management Referral Assessment, effective date \_\_\_\_\_.

(c) Form DC6-221, Cell Inspection, effective date \_\_\_\_\_.

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

(e) Form DC6-228, Inspection of Special Housing Record, effective date \_\_\_\_\_.

(f) Form DC6-229, Daily Record of Segregation, effective date \_\_\_\_\_.

(g) Form DC6-233c, Report of Close Management, effective date \_\_\_\_\_.

(h) Form DC6-251, CMI and II Canteen Order, effective date \_\_\_\_\_.

(i) Form DC6-252, CMIII Canteen Order, effective date \_\_\_\_\_.

(j) Form DC6-265, Close Management Waiver, effective date \_\_\_\_\_.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New \_\_\_\_\_.

**33-601.801 Close Management – General.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.001, Repealed \_\_\_\_\_.

**33-601.802 Levels of Close Management.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.002, Repealed \_\_\_\_\_.

**33-601.803 Privileges in Close Management.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, 9-2-98, Formerly 33-38.003, Repealed \_\_\_\_\_.

**33-601.804 Close Management Review Team.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Formerly 33-38.004, Repealed \_\_\_\_\_.

**33-601.805 Assignment to Close Management.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Formerly 33-38.005, Repealed \_\_\_\_\_.

**33-601.806 Review of Assignment to Close Management.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.006, Repealed \_\_\_\_\_.

**33-601.807 Close Management – Warden's Responsibility.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.007, Repealed \_\_\_\_\_.

**33-601.808 Close Management – Regional Director's Responsibility.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.008, Repealed \_\_\_\_\_.

**33-601.809 Close Management – Case Management Responsibilities.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.009, Repealed \_\_\_\_\_.

**33-601.810 Close Management Facilities.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.010, Repealed \_\_\_\_\_.

**33-601.811 Close Management – Other Conditions and Privileges.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Formerly 33-38.011, Repealed \_\_\_\_\_.

**33-601.812 Close Management Records and Forms.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–Transferred from 33-3.0083, 10-1-95, Amended 4-14-98, Formerly 33-38.012, Repealed \_\_\_\_\_.

**33-601.813 Close Management – Rule Change Implementation.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-1-95, Formerly 33-38.013, Repealed \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Stan Czerniak

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Michael W. Moore, Secretary, Department of Corrections

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 25, 2000

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** April 28, 2000

**DEPARTMENT OF CORRECTIONS**

**RULE TITLE:** Disciplinary Confinement **RULE NO.:** 33-602.222

**PURPOSE, EFFECT AND SUMMARY:** The proposed rule clarifies provisions related to disciplinary confinement, incorporates new forms utilized in conjunction with the rule,

provides applicable definitions, and describes the duties and responsibilities of staff with regard to disciplinary confinement. The proposed rule provides clarification as to: physical structure, equipment and lighting of disciplinary confinement cells; the use of bedding and provision of clothing and comfort items; diet, meals and weight records of inmates housed in disciplinary confinement; legal access; visitation privileges' personal property allowed in disciplinary confinement; restrictions on exercise; required staff visits to disciplinary confinement; and restraint and escort requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 33-602.222 follows. See Florida Administrative Code for present text.)

33-602.222 Disciplinary Confinement.

(1) Definitions.

(a) Clinical Health Care Personnel, where used herein, refers to a physician, clinical associate, nurse, Correctional Medical Technician Certified (CMTC), psychologist or psychological specialist who is employed with the department and works in an institution or correctional facility.

(b) Confinement Review, where used herein, refers to the evaluation of pertinent information or documentation concerning an inmate's confinement status to determine if changes or modifications in the confinement status are required or recommended.

(c) Confinement Visit, where used herein, refers to personal contact by a staff member with an inmate in confinement status to ensure that his or her welfare is properly addressed.

(d) Disciplinary Confinement refers to a form of punishment in which inmates found guilty of committing violations of the department rules are confined for specified periods of time to individual cells based upon authorized penalties for prohibited conduct.

(e) Disciplinary Hearing refers to a non-judicial administrative proceeding in which it is determined if sufficient evidence exists to find an inmate guilty of a rule violation.

(f) Disciplinary Team refers to a team made up of at least two staff persons appointed by the warden, one of whom shall be a correctional officer lieutenant or above.

(g) Institutional Classification Team (ICT) refers to the team responsible for making local classification decisions as defined in rule and procedure. The ICT shall be comprised of the warden or assistant warden who shall serve as chairperson, the classification supervisor, the chief of security, and other members, as necessary, when appointed by the warden or designated by rule.

(h) Security Pens refers to a specially designed flexible ink pen that bends under pressure and has a tip that retracts under excessive pressure.

(i) Shift Supervisor refers to the correctional officer in charge of security on any work shift.

(j) State Classification Office (SCO) refers to a staff member at the central office level responsible for the review of inmate classification decisions including approving or rejecting ICT recommendations.

(2) Placement in Confinement.

(a) Inmates shall be given pre-confinement medical evaluations by medical staff prior to being placed in disciplinary confinement. Any inmate currently in another confinement status who received a pre-confinement medical assessment will not be required to have another prior to placement in disciplinary confinement.

(b) Inmates placed in disciplinary confinement shall be placed in cells separate from other confinement statuses whenever possible. Whenever such location is not possible, physical barriers shall preclude the cross association of those in disciplinary confinement with those in other housing statuses. The disciplinary confinement cells shall be approximately the same square footage as utilized for general population. Disciplinary confinement units shall be built to permit verbal communication and unobstructed observation by staff.

(3) Disciplinary Confinement Cells.

(a) Inmates shall not be housed in disciplinary confinement cells in greater number than there are bunks in the cells. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. Any emergency situation shall be communicated to the regional director and to the Emergency Action Center in the central office. If this exception exists in excess of 24 hours, the warden or duty warden must get specific authorization from the regional director to continue to house inmates beyond the 24 hour period in such conditions.

(b) All disciplinary confinement cells shall be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off by

correctional staff due to an inmate's inappropriate behavior that causes an interruption in the water system or the intentional misuse of water for an unauthorized purpose. In such event, the inmate occupant will be furnished an adequate supply of drinking water by other means to prevent dehydration. These actions shall be documented on Form DC6-229, Daily Record of Segregation. Form DC6-229 has been incorporated by reference in section (13) of this rule.

(c) Prior to the inmate's placement into, and after the inmate's removal from, a disciplinary confinement cell, the cell shall be thoroughly inspected to ensure that it is in proper order and the inmate housed in that cell will then be held responsible for the condition of the cell. The correctional officer conducting the inspection shall complete and sign Form DC6-221, Cell Inspection, attesting to the condition of the cell. Form DC6-221 is incorporated by reference in (13) of this rule.

(d) Each confinement cell shall provide for a minimum of twenty foot-candles of light, including natural lighting.

(e) Care shall be exercised to maintain noise levels in confinement units at a reasonable level so as not to interfere with normal operating activities.

(4) Conditions and Privileges.

(a) Clothing. Inmates in disciplinary confinement shall be provided the same clothing and clothing exchange as the general inmate population. Exceptions shall be made on an individual basis when evidence suggests it would be in the best interest of the inmate or security of the institution. In such cases, the exceptions shall be noted on the Daily Record of Segregation, Form DC6-229, and approved by the chief of security. Shower slides may be substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or to others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229. Under no circumstances shall an inmate be left without a means to cover himself or herself.

(b) Bedding and linen. Inmates in disciplinary confinement shall have bedding and linen issued and exchanged in the same manner as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a clear threat to the security of the institution. Such exceptions shall be documented on Form DC6-229, Daily Record of Segregation.

(c) Personal Property. Inmates in confinement shall be allowed to retain stamps, eyeglasses, hearing aids, personal watches, and rings unless there is an indication of a security problem. If removal of any item in the inmate's possession is determined necessary, the correctional staff shall document their actions on the DC6-229, Daily Record of Segregation, which shall be approved by the chief of security. The

correctional staff shall issue the inmate a receipt for her or his confiscated items by completing the Impounded Inmate Personal Property List, Form DC6-220. Form DC6-220 is incorporated by reference in section (13) of this rule.

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

(e) Personal Hygiene. Inmates in disciplinary confinement shall meet the following standards in regards to personal hygiene as required of the general inmate population:

1. At a minimum, each inmate in disciplinary confinement shall shower three times per week.

2. Male inmates shall be required to shave at least three times per week.

3. Hair care shall be the same as that provided to, and required of, general population inmates.

(f) Diet and Meals. Inmates in disciplinary confinement shall receive meals representative of the food served to the general population, but not necessarily a choice of every item. Any food item that might create a security problem in the confinement area shall be replaced with another item of comparable quality and quantity. Substitutions shall be documented on the Daily Record of Segregation, Form DC6-229.

(g) Canteen Items. Inmates shall be prohibited from purchasing canteen items while in disciplinary confinement. However, non-indigent inmates shall be allowed to purchase stamps, envelopes, and paper for preparation of legal documents and for mail to notify visitors of his or her confinement status.

(h) Counseling and Interviews. Inmates in disciplinary confinement may be removed to attend individual or group counseling sessions or interviews when approved by the warden or his or her designated representative.

(i) Visiting Privileges.

1. Inmates in disciplinary confinement shall be allowed visits only when specifically authorized by the warden or his or her designated representative.

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

(j) Legal visits. Legal visits shall be allowed as provided in rule 33-601.711, Legal Visitors.

(k) Legal Access.

1. Inmates in disciplinary confinement shall be permitted to have access to their personal legal papers and law books, to correspond with the law library, to have the law library deliver research materials to their cells, and to visit with certified inmate law clerks. Steps shall be taken to ensure that inmates are not denied needed legal access while in disciplinary confinement.

2. Indigent inmates shall be provided paper, envelopes, and writing utensils in order to prepare legal papers or notify visitors of confinement status. Typewriters or typing services are not required items and shall not be permitted in confinement cells.

(l) Telephone. Inmates in disciplinary confinement shall not be allowed telephone privileges except in cases of emergency or when necessary to ensure the inmate's access to attorneys or the courts. Telephone privileges shall only be allowed when alternate means of access is not feasible. Calls to attorneys shall not be monitored.

(m) Correspondence.

1. Inmates in disciplinary confinement shall be allowed routine correspondence privileges unless restricted as provided in rule 33-601.308, Disciplinary Action. Inmates shall be encouraged to write their families to advise them of their anticipated visiting status. Indigent inmates shall be provided paper and envelopes for this purpose.

2. Grievance forms, DC6-236, Inmate Request, and DC1-303, Request for Administrative Remedy, shall be made available to the inmate at any time, regardless of his or her confinement status and shall be transmitted to the addressee without delay. Forms DC6-236 and DC1-303 are incorporated in Rule 33-103.011.

(n) Writing utensils. Inmates in disciplinary confinement shall possess only one security pen. If no security pens are available, the inmate shall be allowed to sign out a regular pen from the confinement unit officer. All care shall be taken to ensure that an inmate has access to a pen for a time period sufficient to prepare legal documents or legal mail, to file a grievance, or to notify family of confinement status.

(o) Reading Material. Inmates in disciplinary confinement shall be allowed, at a minimum, a copy of a testament or bible and religious tracts. All books must be in softback cover. Safety, sanitation, and security concerns may limit the amount of reading material authorized.

(p) Exercise.

1. Those inmates confined on a twenty-four hour basis, excluding showers and clinic trips, may exercise in their cells. However, if confinement extends beyond a thirty-day period, an exercise schedule shall be implemented to ensure a minimum of three hours per week of exercise out-of-doors. Such exercise periods shall be documented on Form DC6-229.

2. If the inmate requests a copy of the physical fitness program, the wellness specialist or confinement unit correctional officer shall provide the inmate with an in-cell exercise guide and document this action on the Daily Record of Segregation, Form DC6-229.

3. The warden or assistant warden is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation. In this instance, a major rule violation is defined as: any assault, battery, attempted assault or battery; any spoken or written threat towards any person; inciting, attempting to incite or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives or escape paraphernalia; escape or escape attempt. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be no more than 15 days per incident and for no longer than 30 days cumulative length and shall be documented on Form DC6-229, Daily Record of Segregation. Exceptions to this restriction may be made only when documented facts show that such exercise periods should not be granted. Restrictions may also be placed on the exercise periods by professional medical staff. The reasons for any exercise restrictions shall be documented.

(q) Weighing. Inmates shall be weighed upon entering disciplinary confinement, at least once a week while in disciplinary confinement, and upon leaving disciplinary confinement. The weight of the inmate shall be documented on Form DC6-229, Daily Record of Segregation.

(4) Restrictions.

(a) Any privilege listed within section (3), except essential health items (including prescribed medication) and receiving and sending legal mail or grievance forms, shall be subject to restriction when an inmate's conduct and behavior become unmanageable.

(b) When any privilege is restricted or any item is removed from an inmate's cell, the action taken must be approved by the shift supervisor. The action taken and the reason for it shall be documented on the Daily Record of Segregation, Form DC6-229. A copy of the Inmate Impounded Personal Property List, Form DC6-220, shall be issued to the inmate as a receipt for any property taken. This action must be reviewed and approved by the chief of security no later than the next working day following the action.

(5) Restraint and Escort Requirements.

(a) Prior to opening a cell door for any reason, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, escort officers shall be particularly vigilant.

(b) A minimum of two officers shall be physically present at the cell whenever a cell door is opened.

(c) Prior to escorting an inmate from a cell, the inmate shall be thoroughly searched. If the inmate is being taken outside the immediate housing unit, leg irons and other appropriate-restraint devices shall be placed on the inmate.

(d) After the required restraints are applied, the inmate has been thoroughly searched, and the cell door has been secured, the second officer is authorized to leave the area.

(e) If two inmates are being escorted from the same cell, both inmates can be escorted at the same time, provided that the second officer remains to escort the second inmate and no other movement is occurring on the wing. During all other situations, only one inmate at a time shall be escorted on each confinement wing.

(7) Visits to Disciplinary Confinement.

(a) Disciplinary confinement areas housing inmates shall require visits by various institutional staff. All visits by staff shall be documented on the Inspection of Special Housing Record DC6-228. Form DC6-228 is incorporated in (13) of this rule. Staff shall also document their visit on the Daily Record of Segregation DC6-229, including any discussion of significance, action or behavior of the inmate, or any other important evidential information which may have an influence or effect on the status of confinement. Visits will be at least:

1. Every 30 minutes by a correctional officer, but on an irregular schedule.

2. Daily by the housing area supervisor.

3. Daily by the shift supervisor on duty for all shifts except in the case of riot or other institutional emergency.

4. Daily by the chief of security, when on duty at the facility, except in cases of riot or other institutional emergency.

5. Daily by a clinical health care worker.

6. Weekly by the chaplain. The chaplain is also authorized to provide spiritual guidance and counsel to inmates in confinement and may distribute religious materials.

7. Weekly by the warden and assistant wardens.

8. Weekly by a classification officer.

9. As frequently as necessary, but not less than once every 30 days, by a member of the ICT to ensure that the inmate's welfare is properly provided for and to determine the time and method of release.

10. The SCO will review every inmate housed in disciplinary confinement longer than ninety consecutive days as frequently as necessary to ensure that the inmate's welfare is provided for and to determine if the inmate should be released. A list of inmates meeting the above criteria shall be provided to the SCO by the ICT at the facility.

(b) Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate exhibits bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted by correctional staff to determine if special watch or suicide watch procedures

should be initiated. Suicidal inmates shall be removed to an isolation management room or to alternate housing designated by the authorized Health Care Staff where a correctional officer or medical staff can provide observation. Visual checks shall be made in accordance with medical protocols or the Inmate Suicide Precautions procedure at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist/Restraint Observation Checklist, until the inmate is no longer considered a special risk inmate. Form DC4-650 is incorporated by reference in section (13) of this rule. All actions taken by staff concerning special risk inmates shall be noted on Form DC6-229 and shall be followed with an incident report, Form DC6-210. Form DC6-210 is incorporated by reference in Rule 33-602.210.

(8) Review and Release from Disciplinary Confinement.

(a) A member of the ICT shall review the cases of inmates in disciplinary confinement every week. If, in the opinion of the reviewing member, an inmate should be considered for early release from confinement, the reviewer shall place a recommendation on the docket for the ICT's evaluation and consideration. The goal shall be toward returning an inmate to the general population when the ICT determines the inmate can reasonably be expected to satisfactorily conform to institutional rules and regulations.

(b) Any inmate assigned to disciplinary confinement for more than 30 days shall be given a psychological assessment by mental health professional staff to determine the inmate's mental condition. The assessment shall include a personal interview. The psychological specialist may complete the record review and gather other needed information. However, the psychologist or psychiatrist must render his or her professional opinion about the offender's mental capacity to tolerate continued confinement. Should the inmate be deemed significantly maladjusted, the doctor shall advise the ICT and Warden. The psychologist or psychological specialist shall prepare a report to the ICT with the facts of the case. The ICT shall then make a decision regarding continuation of confinement. Any recommendations by the psychologist or psychologist specialist that the inmate be released from disciplinary confinement shall be forwarded by the ICT to the SCO. All such assessments shall be documented in the mental health record. If the decision is to continue confinement and that confinement extends beyond 90 days, a new psychological assessment shall be completed each 90-day period.

(c) If an inmate is housed for more than 30 days, the ICT shall interview the inmate and prepare a formal assessment and evaluation report. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued disciplinary confinement, and the basis for that decision.

(d) The SCO shall review all reports prepared by the ICT concerning the inmate's disciplinary confinement at the next on-site visit, and may interview the inmate before determining the final disposition of the inmate's disciplinary confinement.

(e) The confinement housing supervisor is authorized to have an inmate released from disciplinary confinement upon completion of his disciplinary confinement time, unless the ICT has determined that a need exists to modify the inmate's status to administrative confinement.

(9) Disciplinary Confinement Records.

(a) A Report of Disciplinary Confinement, Form DC6-233a, shall be kept for each inmate placed in disciplinary confinement. A photocopy of the DC6-233a, with section I completed, shall be kept in disciplinary confinement with the other confinement records for each inmate. Form DC6-233a is incorporated by reference in section (13) of this rule.

(b) Upon completion of the DC6-233a, the white copy of the form shall be mailed to central office to be filed in the central office inmate record and the yellow copy shall be filed in the institutional inmate record.

(10) Daily Record of Segregation. A Daily Record of Segregation, Form DC6-229, shall be maintained on each inmate in disciplinary confinement. The shift supervisor of all three shifts, health care staff, classification staff and the ICT or SCO shall sign the DC6-229 form whenever they make a visit to a specific inmate. The DC6-229, Daily Record of Segregation, shall be maintained in the housing area for one week, at which time the form shall be forwarded to the warden for review. Once reviewed, the form shall be forwarded to classification to be filed in the institutional inmate record. Full and complete remarks shall be made in the DC6-229, Daily Record of Segregation, in the following situations as outlined in section (10)(a) of this rule by:

(a) Security Department – Shift Supervisor.

1. Whenever a staff member has requested that a specific inmate be interviewed or upon the shift supervisor's observation of a particular inmate's behavior, or significant discussion with a particular inmate,

2. When there is a noticeable deviation in the inmate's behavior,

3. When it becomes necessary to notify the medical department of an inmate's bizarre or self-destructive behavior, or the inmate appears to be ill,

4. When it becomes necessary to restrict any privilege or remove any clothing, bedding or comfort item for the inmate's own protection, to prevent destruction, or if it poses a threat to institutional security or staff,

5. When the inmate refuses food,

6. When the inmate's cell assignment is changed,

7. When the inmate is released to general population,

8. To further explain a notation made under the "Physical Appearances" or "Attitude" sections of the Daily Record of Segregation, Form DC6-229, or

9. Whenever an inmate's prescribed medication is confiscated by correctional staff, maintained in a secure location, and dispensed to the inmate in accordance with the prescription label.

(b) Medical Department.

1. When the inmate is ordered removed from confinement for medical reasons and where the inmate is relocated,

2. When the inmate's diet is ordered changed,

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

4. When medical complaints are received and treatment is given,

5. When deviations in behavior are observed, or

6. When medication is dispensed.

(c) ICT.

1. Upon each review of the case, or

2. Upon release from confinement.

(d) SCO.

1. Upon each review of the case, or

2. Upon release from confinement.

(11) Inspection of Special Housing Record.

(a) Form DC6-228, Inspection of Special Housing Record, shall be maintained in each disciplinary confinement area.

(b) Each staff person shall sign the form when entering and leaving the disciplinary confinement area. Prior to leaving the disciplinary confinement area, each staff member shall indicate any specific problems, including identification of any inmate who required special attention.

(c) Correctional staff assigned to this area shall use this form to document all routine security checks. The shift supervisor shall sign the DC6-228 when conducting his or her daily routine visit to the confinement area. Entries on this form by security staff, as referenced above, shall specifically state that each cell in the disciplinary confinement area has been visited and shall indicate any specific problem, including identification of any inmate who required special attention.

(d) Upon completion, the DC6-228 shall be maintained in the housing area and shall be forwarded to the chief of security on a weekly basis where it shall be maintained on file pursuant to the current retention schedule.

(12) Staffing issues.

(a) Officers assigned to a disciplinary confinement unit shall be rotated at least every 18 months to another assignment for a period of at least one year before reassignment to this type of housing unit. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) The Inspector General shall notify the warden and regional director of any officer involved in eight or more use of force incidents in an 18 month period. The Regional Director of Institutions shall review the Inspector General's report and

determine whether correctional officers involved in eight or more use of force incidents need to be reassigned. The warden shall ensure that the regional director's directive is followed.

(13) Forms. The following forms referenced in this rule are hereby incorporated by reference. A copy of any of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC6-229, Daily Record of Segregation, effective date \_\_\_\_\_.

(b) Form DC6-228, Inspection of Special Housing Record, effective date \_\_\_\_\_.

(c) Form DC4-650, Observation Checklist/Restraint Observation Checklist, effective date \_\_\_\_\_.

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

(e) Form DC6-221, Cell Inspection, effective date \_\_\_\_\_.

(f) DC6-233a, Report of Disciplinary Confinement, effective \_\_\_\_\_.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Stan Czerniak

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2000

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE TITLE: Statewide Provider and Managed Care Organization Claim Dispute Resolution Program

RULE NO.: 59A-12.020

PURPOSE AND EFFECT: The purpose of this rule is to implement the provisions specified in Section 408.7057, Florida Statutes, related to the establishment of a Statewide Provider and Managed Care Organization Claim Dispute Resolution Program.

SUMMARY: The proposed rule was developed in response to legislation passed by the 2000 Legislature, mandating the agency to establish a Statewide Provider and Managed Care Organization Claim Dispute Resolution Program by January 1, 2001. Specifically, the rule establishes jurisdictional amounts and methods of aggregation for claim disputes, review

procedures, and review costs. Once the rule is adopted, the agency will issue a Request for Proposals (RFP) to solicit competitive bids from interested vendors.

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

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

SPECIFIC AUTHORITY: 408.7057(6) FS.

LAW IMPLEMENTED: 408.7057 FS.

Written comments or suggestions on the proposed rule may be submitted to the Bureau of Managed Care within 21 days of the Date of this Notice for Inclusion in the Record of the Proceeding.

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

TIME AND DATE: 10:00 a.m., Tuesday, September 5, 2000

PLACE: Agency for Health Care Administration, Building 3, First Floor, Conference Room A, 2727 Mahan Drive, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disability Act, any person requiring special accommodations to participate in the hearing, please advise the Agency at least 5 calendar days before the hearing by contacting Shannon Laxson, (850)922-6830.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela A. Thomas, Chief, Bureau of Managed Health Care, 2727 Mahan Drive, Building 1, Mail Stop 26, Tallahassee, Florida 32308, Phone (850)922-6830

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-12.020 Statewide Provider and Managed Care Organization Claim Dispute Resolution Program.

(1) Definitions.

(a) "Disputed Claim" means a claim that has been submitted by a provider to the managed care organization or by a managed care organization to a provider for payment and has been denied in full or in part, or is presumed to have been underpaid or overpaid.

(b) "Disputed Claim Amount" means the difference between the expected reimbursement amount and the reimbursement received.

(c) "Managed care organization" means for the purpose of this section only, a health maintenance organization or a prepaid health clinic certified under Chapter 641, Florida Statutes, a prepaid health plan authorized under s. 409.912, Florida Statutes, or an exclusive provider organization certified under s. 627.6472, Florida Statutes.

(d) "Provider" as defined in Chapter 641.19(15), Florida Statutes, means any physician, hospital, or institution, organization, or persons that furnishes health care services and is licensed or otherwise authorized to practice in the state.

(e) "Resolution organization" means a qualified independent third-party claim-dispute resolution entity selected by and contracted with the Agency for Health Care Administration.

(2) Jurisdictional amounts and methods of aggregation for claim disputes.

(a) Claims submitted for dispute resolution shall be submitted separately by the following claim categories:

1. Hospital inpatient services claims.

2. Hospital outpatient services claims.

3. Professional services claims.

(b) Entities filing a request for dispute resolution shall be permitted to aggregate claims. The minimum disputed claim amounts for claims submitted to the resolution organization shall be as follows:

1. Hospital inpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$25,000.

2. Hospital outpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$10,000.

3. Professional services. Disputed individual claim amounts shall be aggregated to a minimum amount of \$500.

(c) Rural hospitals as defined in Chapter 395.602(2)(e), Florida Statutes, filing requests for claim dispute resolution, are exempt from the minimum disputed claim amounts specified in subparagraphs (b)1. and 2., of this rule.

(3) Application process.

(a) The resolution organization shall review claim disputes filed by either contracted and noncontracted providers, or managed care organizations. A request for dispute resolution and supporting documentation must be submitted in hard copy or electronically to the resolution organization in a format prescribed by the resolution organization.

(b) A complete copy of the request, including all supporting documentation, must be submitted to the adverse party at the same time.

(c) The resolution organization must review all requests for claim dispute resolution within 10 days after receipt to determine whether the request meets the statutory and rule criteria for submission to the resolution organization as specified in subsection 408.7057(2)(b)1. through 7., and (d), Florida Statutes.

(d) If the resolution organization determines that the dispute resolution request does not meet the statutory and rule criteria, the request shall be returned to the entity filing the request.

(4) Review Process.

(a) Once the resolution organization determines that the application meets statutory and rule criteria, it must review the documentation submitted. The resolution organization must

notify the entity requesting the dispute resolution and the adverse party electronically or by mail that the request for dispute resolution has been accepted for review.

(b) If the resolution organization determines that the documentation provided with the initial application is not sufficient, it may request additional documents from the entity filing the request for dispute resolution within the timeframes specified by the resolution organization. Any additional documentation submitted to the resolution organization must be submitted to the adverse party at the same time.

(c) The adverse party may submit a response and documentation related to the disputed claim within timeframes specified by the resolution organization. If the documentation is submitted in a timely manner, it must be considered by the dispute resolution organization. The dispute resolution organization may request additional documentation from the adverse party within specified timeframes. Any additional information submitted by the adverse party to the resolution organization must be submitted to the entity filing the request for dispute resolution at the same time.

(d) The resolution organization shall issue a written recommendation, based on findings of fact, within 60 days after receipt of the request as specified in subsection 408.7057(3), Florida Statutes.

(e) The agency shall issue a final order within 30 days after receipt of the recommendations issued by the resolution organization. The agency shall enforce the final order as authorized under subsection 641.52(1)(e), Florida Statutes.

(5) Review Cost.

(a) The agency shall approve the review cost fee schedule proposed by the resolution organization.

(b) The entity that does not prevail in the agency's final order must pay the review costs.

(c) In the event that both parties prevail in part, the review fee shall be apportioned in proportion to the final judgement. The apportionment shall be based on the disputed claim amount.

(d) If the non-prevailing party or parties fail to pay the ordered review costs within 35 days after the agency's final order, the non-paying party or parties are subject to a penalty of \$500 per day.

Specific Authority 408.7057(6) FS. Law Implemented 408.7057 FS. History--  
New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pamela A. Thomas, Chief, Bureau of Managed Health Care  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Ruben J. King-Shaw, Jr. Executive  
Director

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: June 23, 2000



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: RULE NO.:

Pre-licensing Education for Broker and Salesperson Applicants 61J2-3.008

**PURPOSE AND EFFECT:** The Commission previously approved a new course syllabus for the pre-licensing salesperson course (Course I). To comply with the new syllabus, the Commission determined that the educators must revise their course materials and end of course examinations by January 1, 2001.

**SUMMARY:** The Commission established January 1, 2001 as the deadline for educators to comply with the revised pre-licensing salesperson course syllabus.

**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 FS.

**LAW IMPLEMENTED:** 475.04, 475.17, 475.182, 475.183, 475.451 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., September 20, 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:**

61J2-3.008 Pre-licensing Education for Broker and Salesperson Applicants.

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

(b) A copy of the course and a copy of each form of the end of course examinations that will be distributed to students shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course and examinations. Approval or denial of the Commission-required pre-licensing course (Course I or Course II) will be based on the extent to which the course content covers the material set forth in the appropriate course syllabus, incorporated herein by reference, effective January 1, 2001 ~~June 30, 1993~~ (course I) and effective September 1, 1999

(course II), as developed by the Commission. Examinations must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. Approval must be granted before the course and examinations may be offered. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate.

(c) through (11) No change.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.08, Amended 7-16-86, 10-13-88, 5-20-90, 1-13-91, 7-20-93, Formerly 21V-3.008, Amended 12-13-94, 6-14-95, 8-2-95, 12-30-97, 9-1-99, 1-18-00,\_\_\_\_\_.

**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:** July 19, 2000

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 23, 2000

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLES: RULE NOS.:

Application, Examination and Initial Active License Fee for Licensure by Examination	64B4-4.002
Application Fee for Licensure by Endorsement	64B4-4.003
Biennial Licensure Fee	64B4-4.005
Change of Status Fee	64B4-4.006
Provisional License Application Fee	64B4-4.014
Registered Intern Registration Fee and Subsequent Examination Fee	64B4-4.015
Registered Intern Biennial Renewal Fee	64B4-4.016

**PURPOSE AND EFFECT:** The Board proposes to amend the above cited rules to increase the fees.

**SUMMARY:** The Board proposes to amend Rule 64B4-4.002 to increase the national examination fee from \$150 to \$300. The Board proposes to amend Rule 64B4-4.003 to increase application fee for licensure by endorsement from \$150 to \$300. The Board proposes to amend Rule 64B4-4.005 to increase the biennial licensure fee for a clinical social worker license, marriage and family therapist license and mental health counselor license from \$105 to \$250. The Board proposes to amend Rule 64B4-4.006 to increase the fee for processing a licensee's request to change their licensure status from \$50 to \$105. The Board proposes to amend Rule 64B4-014 to increase the provisional license application fee from \$50 to \$100. The Board proposes to amend Rule 64B4-4.015 to increase the application fee for registered intern registration from \$125 to \$150. The Board proposes to amend Rule 64B4-4.016 to increase the biennial renewal fee for a registered intern from \$50 to \$75.

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

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

SPECIFIC AUTHORITY: 455.587(1), 455.711, 491.004(5), 491.005, 491.006, 491.007(1) FS.

LAW IMPLEMENTED: 455.587(1), 455.711, 491.005, 491.0045(2)(a), 491.0046(2)(a), 491.005, 491.006, 491.007(3), 491.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-4.002 Application, Examination and Initial Active Status License Fee for Licensure by Examination.

(1) The fees for application, examination and initial active status licensure are:

(a) through (b) No change.

(c) Mental Health Counseling – \$100 application fee, ~~\$300~~ \$150 national examination fee, and \$105 initial licensure fee for a total of ~~\$505~~ \$355.

(2) through (5) No change.

Specific Authority 491.004(5), 491.005 FS. Law Implemented 491.005 FS. History–New 4-3-89, Amended 4-19-92, Formerly 21CC-4.002, 61F4-4.002, Amended 12-22-94, 7-6-95, 1-7-96, 3-5-96, Formerly 59P-4.002, Amended 1-25-98, 10-18-99, 8-9-00, \_\_\_\_\_.

64B4-4.003 Application Fee for Licensure by Endorsement.

The application fee for licensure by endorsement, which shall be submitted with each application for endorsement, shall be ~~\$300~~ \$150.00.

Specific Authority 491.004(5) FS. Law Implemented 491.006 FS. History–New 4-3-89, Formerly 21CC-4.003, 61F4-4.003, 59P-4.003, Amended \_\_\_\_\_.

64B4-4.005 Biennial Licensure Fee.

The biennial licensure fee for a clinical social worker license, marriage and family therapist license and mental health counselor license shall be ~~\$250 one hundred five dollars (\$105)~~ each.

Specific Authority 455.587(1), 491.004(5), 491.007(1) FS. Law Implemented 455.587(1), 491.007(1) FS. History–New 4-3-89, Amended 2-25-90, 6-1-92, Formerly 21CC-4.005, Amended 1-9-94, Formerly 61F4-4.005, 59P-4.005, Amended \_\_\_\_\_.

64B4-4.006 Change of Status Fee.

The fee for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle shall be \$105 ~~\$50.00~~.

Specific Authority 455.711, 491.004(5) FS. Law Implemented 455.711 FS. History–New 11-13-94, Formerly 59P-4.006, Amended \_\_\_\_\_.

64B4-4.014 Provisional License Application Fee.

The nonrefundable application fee for provisional licensure shall be \$100 ~~\$50.00~~ which is valid for a 24-month period after the license is issued and which is nonrenewable.

Specific Authority 491.004(5) FS. Law Implemented 491.0046(2)(a) FS. History–New 1-25-98, Amended \_\_\_\_\_.

64B4-4.015 Registered Intern Registration Fee and Subsequent Examination Fee.

(1) The nonrefundable application fee for registered intern registration is \$150 ~~\$125~~.

(2) through (3) No change.

Specific Authority 491.004(5) FS. Law Implemented 491.0045(2)(a), 491.005 FS. History–New 3-2-98, Amended \_\_\_\_\_.

64B4-4.016 Registered Intern Biennial Renewal Fee.

The biennial renewal fee for a registered intern shall be \$75 ~~\$50.00~~.

Specific Authority 491.004(5) FS. Law Implemented 491.007(3) FS. History–New 12-21-97, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2000

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE TITLES:	RULE NOS.:
Scope and Purpose	64F-18.001
Definitions	64F-18.002
Procedures	64F-18.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to implement section 385.204, Florida Statutes by establishing the procedure for the distribution of insulin to financially needy Florida residents.

SUMMARY: The proposed rule sets out eligibility requirements and procedures for the distribution of insulin to Florida residents who could not otherwise obtain insulin for the control of their diabetes.

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

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

SPECIFIC AUTHORITY: 385.204 FS.

LAW IMPLEMENTED: 385.204 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., September 18, 2000

PLACE: Conference Room 110-N, 2585 Merchants Row Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Virginia Foster, Family Health Services, Department of Health, 4052 Bald Cypress Way, Bin #A18, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-18.001 Scope and Purpose.

The purpose of this rule is to establish a procedure for the distribution of insulin to financially disadvantaged bona fide Florida residents with diabetes.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History—New

64F-18.002 Definitions.

(1) “Bona fide resident” means a person living in Florida with the intent to remain as evidenced by self-declaration.

(2) “Current prescription” means a prescription written by a licensed health care practitioner who is authorized by law to prescribe medicine within 3 months of application and effective for no more than 6 months after it is written.

(3) “Designated agent” means any pharmacy that has entered into a written agreement with a county health department to provide insulin to approved insulin program participants.

(4) “Federal poverty guidelines” mean the poverty guidelines updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of the Omnibus Budget Reconciliation Act of 1981 (42 USC 9902).

(5) “Self declaration” means a statement regarding assets, income, family size or residency made by a person applying for insulin services. Self-declaration does not include any documentation other than the signature of the person making the statement. The self-declaration statement that the department requires under this chapter shall include a signed acknowledgement by the applicant that the statement is true at the time it is made and that the applicant understands that the provider shall have the option of verifying the statement.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History—New

64F-18.003 Procedures.

(1) A person wishing to participate in the insulin program can obtain an application from any county health department. The application is form number DH2105, 10/99, “Insulin Application Form” which is incorporated herein by reference.

(2) Every 12 months a client must submit a completed application to the county health department or designated agent of the department who will approve the application based upon the following criteria:

(a) the applicant must be a bona fide Florida resident;

(b) the applicant must be unable to pay because the applicant:

1. is uninsured, or lacking insurance that would reimburse the applicant for insulin, and

2. has a net family income at or below 100% of poverty using federal poverty guidelines, and

3. has no more than \$2,500 per family in private funds, bank accounts or assets other than their homestead to defray the cost.

(c) The applicant must submit a current prescription for insulin; and

(d) If the Department of Health’s pharmaceutical budget permits, applicants with a net family income of 101-200% of poverty that meet the requirements in (2)(a), and (2)(b)1. and 3. above will be eligible for the program and receive insulin at reduced cost based on a sliding fee scale as set forth in Chapter 64F-16.

(e) If an otherwise unqualified applicant, as defined above, is temporarily without current financial resources to purchase insulin, the county health department may provide a one month supply of insulin to this applicant once annually.

(3) If at any time the applicant experiences a change in status, which could affect his or her eligibility, the applicant must report this change to the county health department within thirty days of this change.

(4) The county health department will assist clients receiving insulin through this program, who become or are found to be ineligible, in locating another source of insulin. The county health department will continue to provide insulin to the client until another source can be found for up to 1 year after the determination of ineligibility.

(5) County health departments or their designated agents will maintain records regarding their dispensing of insulin under this program for five years. These records shall include a copy of the Insulin Application Form and a copy of the applicant’s prescriptions for insulin.

Specific Authority 385.204 FS. Law Implemented 385.204 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Virginia Foster

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennie Hefelfinger  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 1999  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999, Vol. 25, No. 47

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 406-A, Tallahassee, Florida 32399-0700, telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULES IS:

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLES:	RULE NOS.:
Definitions	65A-1.701
Special Provisions	65A-1.702
Family-Related Medicaid Coverage Groups	65A-1.703
Family-Related Medicaid General Eligibility Criteria	65A-1.705
Family-Related Medicaid Needs Criteria	65A-1.706
Family-Related Medicaid Income Criteria	65A-1.707
Family-Related Medicaid Budgeting Criteria	65A-1.708
Income and Resource Criteria	65A-1.716

PURPOSE AND EFFECT: These rule amendments will fully implement separate eligibility determination procedures in the department's processing of temporary cash assistance and Medicaid applications and will cleanup references to other rules within these rules.

SUMMARY: The department is adopting revised procedures for processing Medicaid applications that will eliminate references and implications that link Medicaid eligibility to temporary cash assistance eligibility. Statements regarding Medicaid application criteria will be amended to assure that separate criteria for the two application processes are clearly stated. Additionally, citation of repealed rules will be corrected and eligibility standards will be updated to current levels.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs was not prepared for these proposed rule amendments.

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: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 FS.

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

TIME AND DATE: 2:00 p.m., September 6, 2000

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

65A-1.701 Definitions.  
 (1) through (3) No change.  
 (4) Caretaker relative: A "parent" or "specified relative" as defined in Rule paragraph 65A-1.705(4)(a)1-506, F.A.C.

~~(5) Cash Assistance (Eligibility): (a) Actually receiving temporary cash assistance as provided under Florida's program for delivering these benefits as authorized by federal legislation or (b) eligible under requirements for Aid to Families with Dependent Children (AFDC) as extant on July 16, 1996 except that children receiving Title IV-E foster care maintenance payments or adoption assistance would have their eligibility determined according to AFDC rules that existed on June 1, 1995.~~

(6) through (9) renumbered (5) through (8) No change.  
(9) Department: the Department of Children and Families unless otherwise specified.

(10) through (13) No change.  
(14) Foster Care Children Eligibility: Children receiving Title IV-E foster care maintenance payments or adoption assistance have their eligibility determined according to AFDC eligibility rules that existed on July 16, 1996.

~~(15)(14) Income: Income for family-related Medicaid programs is the same as specified in income for public assistance programs. See Rule 65A-4.2091-512, F.A.C. For SSI-related programs refer to 20 C.F.R. §416.1100 et al. and Rule 65A-1.713.~~

(15) through (33) renumbered (16) through (34) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History-New 10-8-97, Amended.

65A-1.702 Special Provisions.  
 (1) ~~Rules 65A-1.701 through 65A-1.716 are implemented in accordance with provisions of the 1996 WAGES Act, P. L. 104-193 and 42 CFR Ch. IV, Part 435. These Rules 65A-1.701 through 65A-1.716 primarily implement Medicaid coverage provisions and options available to states under Titles XVI and XIX of the Social Security Act in 42 CFR Ch. IV, Part 435.~~

(2) through (5) No change.  
 (6) Re-evaluating Medicaid Adverse Actions. The department shall re-evaluate any adverse Medicaid determination upon a showing of good cause by the individual that the previous determination was incorrect and that the individual did not request a hearing within the time prescribed in Ch. 65-2, Part IV Rule 65A-1.204(4)(b), F.A.C. This

provision applies only when benefits were terminated or denied erroneously or a share of cost or patient responsibility was determined erroneously.

- (a) through (f) No change.
- (7) through (14) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 4-22-98,\_\_\_\_\_.

65A-1.703 Family-Related Medicaid Coverage Groups.

(1) The department provides mandatory Medicaid coverage for individuals, families and children described in section 409.903, F.S., and relevant provisions of Title XIX of the Social Security Act. The optional family-related Title XIX and Title XXI coverage groups served by the department are stated in each sub-section of this rule.

(a) Children under the age of 21 living with a specified relative who meet the eligibility criteria of ~~the Title XIX of the Social Security Act IV-A State Plan in effect July 16, 1996 but who would not qualify as dependent children.~~ Included in this coverage group are children who are ~~ineligible under the eligibility criteria of the Title IV-A State Plan in effect July 16, 1996 as modified in subsequent approved Medicaid State Plans solely because of their age and~~ children under age 21 in intact families, provided that the children are living with both parents, unless a parent is temporarily absent from the home.

- (b) No change.
- (c) Children not yet age 19 living with non-relatives.

~~(2) Individuals who have met but no longer meet the eligibility criteria of the Title IV-A State Plan in effect July 16, 1996 as modified in subsequent approved Medicaid State Plans, or who would meet the eligibility criteria of the Title IV-A State Plan in effect July 16, 1996 as modified in subsequent approved Medicaid State Plans except for certain technical requirements. This coverage group includes the following groups of individuals:~~

- ~~(a) Children under the age of 18;~~
- ~~(b) Children living with caretaker relatives and the caretaker relative; and~~
- ~~(c) Children born after September 30, 1983 living with non-relatives.~~

~~(2)(3) No change.~~

~~(3)(4) Medicaid for children not yet age 19 born after September 30, 1983. To be eligible for this coverage group the child must meet the general requirements specified in Rule 65A-1.705, F.A.C. The following additional criteria apply:~~

- (a) There is no asset limit;
- (b) The total net income for children in the filing unit:
  1. up to age one is less than or equal to 185 percent of the federal poverty level;
  2. age one to age six is less than or equal to 133 percent of the federal poverty level;

3. age six or older and not yet age 19 ~~and born after September 30, 1983~~, is less than or equal to 100 percent of the federal poverty level.

~~(4)(5) Children born on or before 9/30/83 and not yet age 19 and children under age one with family income between 185 and 200 percent of the federal poverty level or covered by other expansion groups.~~ Except in regard to provisions concerning health insurance coverage, eligibility for this coverage group is the same as that for children ~~born after 9/30/83~~ who have not yet reached age 19 as described in rule paragraph 65A-1.703~~(3)(4)~~. Children in this coverage group may not be determined Medicaid eligible if they have private health insurance coverage or coverage through a state health benefits plan because of a family member's employment with a public agency in the state. Children who are eligible for coverage through a state health benefits plan, but who do not actually have such coverage, are Medicaid eligible on this factor of health insurance coverage. Limitations as to health insurance coverage are as provided in amendments to Titles XIX and XXI of the Social Security Act made by the Balanced Budget Act of 1997.

~~(5)(6) No change.~~

~~(6)(7) Medically Needy.~~ To be eligible for this coverage group the individual must meet the general requirements prescribed in Rule 65A-1.705, F.A.C.

(a) Included in this coverage group are the following groups of individuals:

1. Children under age 21 living with a specified relative.
2. Pregnant women.
3. Children not yet age 19 ~~born after September 30, 1983~~, living with non-relatives.
4. Children in foster care or in adoption subsidy under Title IV-E.

(b) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 9-28-98,\_\_\_\_\_.

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) Technical eligibility criteria of living in the home of a specified relative, age, residence, citizenship and deprivation as described in s. 414.095, F.S., P.L. 104-193 and the ~~Balanced Budget Act of 1997~~ apply to all coverage groups ~~except deprivation is not a factor of eligibility.~~

~~(a) Coverage groups must meet the deprivation criterion only to the extent that for children and under the age of 21 in intact families and those individuals described in Rules 65A-1.703(1)(b) and (3) through (7), F.A.C.; however, for parents or caretaker relatives to also receive Medicaid they must meet payment standard income criteria [Refer to rule paragraph 65A-1.716(2)] the unemployed parent criteria set forth in 45 CFR §§ 233.10(b)(2)(ii), 233.100(a)(1)(i) and (ii), and 233.100(a)(3)(i) and (ii).~~

(b) To be living in the home of a specified relative, the child must be living with a specified relative as defined in rule sub-paragraph 65A-1.705(4)(a), unless specified that the child may be living with a non-relative.

(c) Age criteria are as specified in rule 65A-1.703.

(d) Refer to paragraphs (2) and (3) of this rule for residence and citizenship criteria.

(2) The individual must be a resident of Florida as shown by living in the state with the intent to remain, either permanently or indefinitely, or living in the state for employment purposes.

(3) The individual must be a citizen of the United States or a qualified alien as defined in Section 431 Title IV-A, Public Law 104-193.

(4) through (5) No change.

Specific Authority 409.818, 409.919 FS. Law Implemented 409.903, 409.904, 409.918 FS. History—New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, \_\_\_\_\_.

65A-1.706 Family-Related Medicaid Needs Criteria.

The standards criteria set forth in Rule 65A-1.716~~504~~, F.A.C., are ~~is~~ used to determine an individual's needs for Family-related Medicaid.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended \_\_\_\_\_.

65A-1.707 Family-Related Medicaid Income Criteria.

(1) ~~Temporary cash assistance and Title IV-A income eligibility criteria are used to determine Family-related Medicaid income is based on:~~ The definitions of income, verification, and documentation requirements, and appropriate deductions set forth in Rule paragraph 65A-1.512 65A-4.209(1) and (3) through (5), F.A.C., also are used to determine Family-related Medicaid income. Appropriate deductions are set forth in Rule 65A-4.210, F.A.C., except that work related cost of care disregards of up to \$200 per month are allowed per child under age two and up to \$175 per month per child age two or over or per incapacitated adult, and a child support disregard is allowed of up to \$50 per month.

(2) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended \_\_\_\_\_.

65A-1.708 Family-Related Medicaid Budgeting Criteria.

The criteria set forth in Rule 65A-4~~1.210~~~~513~~, F.A.C., is used to determine budgeting for Family-related Medicaid budgeting.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended \_\_\_\_\_.

65A-1.716 Income and Resource Criteria.

(1) The monthly federal poverty level figures based on the size of the filing unit are as follows:

Filing Unit Size	90% of Poverty Guideline	100% of Poverty Guideline	120% of Poverty Guideline	133% of Poverty Guideline	185% of Poverty Guideline
------------------	--------------------------	---------------------------	---------------------------	---------------------------	---------------------------

1	\$ 627 618	\$ 696 687	\$ 835 824	\$ 926 914	\$ 1288 1271
2	844 830	938 922	1125 1106	1247 1226	1735 1706
3		1180 1157		1569 1539	2182 2140
4		1421 1392		1890 1851	2629 2575
5		1663 1627		2212 2164	3076 3010
6		1905 1862		2533 2477	3523 3445
7		2146 2097		2854 2789	3970 3879
8		2388 2332		3176 3102	4417 4314
9		2630 2567		3497 3414	4864 4749
10		2871 2802		3819 3727	5312 5184
11		3113 3037		4140 4039	5759 5618
12		3355 3272		4462 4352	6206 6053
Add each add. person	\$ 242 235			\$ 322 313	\$ 448 435

(2) Medicaid income and payment eligibility standards and Medically Needy income levels are by family size as follows:

Family Size	Monthly Income Level
1	\$180
2	241
3	303
4	364
5	426
6	487
7	549
8	610
9	671
10	733

For each additional person add \$62.

Exception: In determining eligibility for a pregnant woman the income limit used shall be increased to the higher limit corresponding to the applicant's actual family size, including each anticipated unborn child as a family member.

(3) No change.

(4) The maximum resource limit is \$2,000 for those individuals: (a) whose Medicaid coverage is based on their status as eligible based on payment standard income criteria [Refer to rule paragraph 65A-1.716(2)] for cash assistance; or, (b) are children living with their parent(s) and who, as children, would qualify for cash assistance except for their age; ~~or, (e) are individuals disqualified from cash assistance due to failure to cooperate with work requirements.~~ The maximum resource limit of \$2,000 also applies to those coverage groups indicated in Rule 65A-1.703. However, there is no asset limit for the coverage groups specified in Rule 65A-1.703~~(3)(4)~~ and ~~(4)(5)~~.

(5) No change.

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 12-9-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rodney McInnis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: September 24, 1999

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5L-3	Aquaculture Best Management Practices
RULE NOS.:	RULE TITLES:
5L-3.001	Purpose
5L-3.002	Definitions
5L-3.003	Requirement for an Aquaculture Certificate of Registration
5L-3.004	Aquaculture Best Management Practices
5L-3.005	Aquaculture Certificate of Registration
5L-3.006	Minimal Impact Aquaculture Facilities
5L-3.007	Failure to Comply With the Best Management Practices

**NOTICE OF CHANGE**

**SUMMARY OF CHANGE:** Notice is hereby given that the following changes have been made to the proposed amendments to rules in accordance with subparagraph 120.54(3)(d)1., Florida Statutes. Notice of rulemaking was published in Vol. 26, No. 24, June 16, 2000, issue of the Florida Administrative Weekly. These changes resulted from a review of public comments and testimony at a public hearing held on July 10, 2000, in Tallahassee, Florida.

1. Rule 5L-3.002:

a. Section 5L-3.002 Law Implemented is changed to: 570.07(23), 597.002, 597.003(1)(a)(j), 597.004(2) F.S.

2. Rule 5L-3.004:

a. Section 5L-3.004(2) is changed to:

“(2) Aquaculture Best Management Practices Manual, July May 2000.”

To obtain a copy of the revised manual, contact Sherman Wilhelm, Director, Division of Aquaculture at (850)488-4033 or visit the division’s website at [www.FloridaAquaculture.com](http://www.FloridaAquaculture.com).

3. Rule 5L-3.005:

a. Section 5L-3.005 is changed to:

(1) Any person engaging in aquaculture must be certified by the department. The applicant for a certificate of registration shall submit the following to the department: Any person seeking to be certified as an aquaculture producer shall

~~complete and submit an aquaculture certificate of registration application form, which includes a signed statement of Notice of Intent to comply with the applicable best management practices adopted by the Department. Aquaculture producers shall contact the Department:~~

~~(a) Applicant's name/title. Prior to constructing a new individual production unit;~~

~~(b) Company name. Prior to modifying an existing individual production unit;~~

~~(c) Complete mailing address. To renew an existing aquaculture certificate of registration; or~~

~~(d) Legal property description of all aquaculture facilities. To be issued a new aquaculture certificate of registration.~~

~~(e) Actual physical street address for each aquaculture facility.~~

(f) Description of production facilities.

(g) Aquaculture products to be produced.

(h) Fifty dollar annual registration fee.

(2) The Department shall issue an aquaculture certificate of registration when an applicant:

~~(a) has submitted the required information pursuant to Chapter 597.004 (1), Florida Statutes. has submitted a complete application to the Department;~~

~~(b) signs a statement of intent to comply with the BMPs in 5L-3.003; and signs the certificate application statement of intent to comply with the BMPs in 5L-3.003; and~~

~~(c) pays the appropriate fee to the Department.~~

4. Rule 5L-3.006:

a. Section 5L-3.006(1) is changed to:

“(1) When determined by the Division of Aquaculture’s evaluation of facility design and on site inspections, the following individual production units are deemed to have minimal impacts on water resources and are not required to follow the effluent treatment BMPs in 5L-3.004. All other applicable 5L-3.004 applicable BMPs must be followed.”

b. Section 5L-3.006(1)(a) is changed to:

“(a) Recirculation systems that do not discharge to waters of in the state.”

5. Rule 5L-3.007:

a. Section 5L-3.007 is changed to:

If any aquaculture producer fails to comply with the best management practices required for certification, the Department shall take action consistent with its authority to assure proper implementation and compliance with s. 597.0041, F.S. Any person who violates any provision of Chapter 597, Florida Statutes, or Rule 5L-3, Florida Administrative Code, commits a misdemeanor of the first degree, and is subject to a suspension or revocation of his or her certificate of registration. The Department may, in lieu of, or in addition to the suspension or revocation, impose on the violator an administrative fine in an amount not to exceed \$1,000 per violation per day.

(1) First time offenders will receive written notice of the BMP deficiencies and given 60 days to comply.

(2) Operators not in compliance with BMPs after 60 days will be fined \$100 – \$500 per day per occurrence depending upon the type of violation and circumstances contributing to the violation. Failure to comply after 60 days may result in an administrative fine of up to \$1000 per day per occurrence until compliance is obtained.

(3) Second time violators will be fined \$500 – \$750 per day per occurrence depending upon the type of violation and circumstances contributing to the violation. Continued failure to comply may result in the suspension/revocation of the producer’s aquaculture certificate and an administrative fine of up to \$1000 per day per occurrence until compliance is obtained.

(4) Third time violators will be fined \$750 – \$1,000 per day per occurrence depending upon the type of violation and the circumstances contributing to the violation. Repeat offenders may be subject to suspension/revocation of the producers aquaculture certificate and an administrative fine of up to \$1000 per day per occurrence until compliance is obtained and the department will request that legal measures be initiated to impose misdemeanor charges.

(5) Continued failure to comply will result in the suspension/revocation of the producer’s aquaculture certificate and an administrative fine of \$1000 per day per occurrence until compliance is obtained. Any person failing to meet the BMPs and/ or refusing to implement the BMPs must obtain all necessary permits/authorizations required by the Department of Environmental Protection, Water Management District, Florida Fish and Wildlife Conservation Commission and any other appropriate regulatory authority.

(6) Repeat offenders will be subject to suspension/revocation of the producers aquaculture certificate and an administrative fine of \$1000 per day per occurrence until compliance is obtained and the department will request that legal measures be initiated to impose misdemeanor charges.

(7) Any person failing to meet the BMPs and/or refusing to implement the BMPs must obtain all necessary permits/authorizations required by the Department of Environmental Protection, Water Management District, Florida Fish and Wildlife Conservation Commission and any other appropriate regulatory authority.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-6.015  
 RULE TITLE: Monitoring of Continuing Education Requirements

A RULE HEARING ON THE ABOVE REFERENCED PROPOSED RULE, WHICH PROPOSED RULE WAS PUBLISHED IN THE FLORIDA ADMINISTRATIVE WEEKLY ON JULY 7, 2000, WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., August 21, 2000  
 PLACE: Department of Business and Professional Regulation, Board Meeting Room (Room 130), Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE HEARING IS: Tom Thomas, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring a special accommodation to participate in this hearing is asked to advise the agency at least forty-eight (48) hours prior to the meeting by contacting Tom Thomas, (850)488-0062. If you are hearing or speech impaired, please contact the agency by using the Florida Dual Party Relay System, which can be reached by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-20.504  
 RULE TITLE: Fees  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 31, August 4, 2000, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors’ Licensing Board**  
 RULE NO.: 61G6-5.0035  
 RULE TITLE: Certification of Registered Contractors

NOTICE OF ADDITIONAL PUBLIC HEARING  
 The Electrical Contractors’ Licensing Board hereby gives notice of an additional public hearing on the above-referenced rule to be held on September 12, 2000 at 10:00 a.m., at Windham Miami, 1601 Biscayne Boulevard, Miami, Florida 33132, (305)374-0000. The rule was originally published in Vol. 26, No. 24, of the June 16, 2000 issue of the Florida Administrative Weekly. This meeting is scheduled due to public interest and comments, and this Notice is to give all persons affected the opportunity to present evidence and argument on the issues concerning this rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750



Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-5.001  
 RULE TITLE: Disciplinary Guidelines

**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. 24, June 16, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. The Board held its regularly scheduled board meeting on July 24-25, 2000, and determined that subsection (2) of the rule shall be changed to read as follows:

(2) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating factors the following:

- (a) the danger to the public;
- (b) the length of time since the date of the violation(s);
- (c) prior discipline imposed upon the licensee;
- (d) the length of time the licensee has practiced;
- (e) the actual damage, physical or otherwise, to the patient;
- (f) the deterrent effect of the penalty imposed;
- (g) the effect of the penalty upon the licensee's livelihood;
- (h) any efforts for rehabilitation;
- (i) the actual knowledge of the licensee pertaining to the violation;
- (j) attempts by the licensee to correct or stop violations or failure of the licensee to correct or stop violations;
- (k) related violations against the licensee in another state, including findings of guilt or innocence, penalties imposed and penalties served;
- (l) any other mitigating or aggravating circumstances.

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, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: 64B20-2.002  
 RULE TITLE: Educational Requirements

**CORRECTED NOTICE OF CHANGE**

The Board of Speech-Language Pathology and Audiology hereby gives notice of this correction to the Notice of Change which was recently published in the July 28, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 30. The rule was originally published in the November 12, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 45. Subsection (3)(a) shall now read as follows:

(3)(a) For the speech-language pathologist, hours in the evaluation and treatment of speech disorders in children and adults, evaluation and treatment of language disorders in children and adults, and hearing disorders as required by an accredited institution or an institution with equivalent curricula. Experience in both evaluation and management shall be gained within each area.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Speech-Language Pathology and Audiology/MQA, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258

**Section IV  
 Emergency Rules**

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE TITLE: Forms Used by Public  
 RULE NO.: 12BER00-2

SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Communications Services Tax Simplification Law (Chapter 2000-260, L.O.F.) requires that communications services providers and local governments file information returns with the Department of Revenue on forms provided by the Department. The statute mandates that such returns be filed by September 20, 2000, and September 30, 2000, respectively. Failure to promptly implement this statutory mandate poses an immediate danger to the public health, safety or welfare.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized promulgation of emergency rules to administer the provisions of the Communications Services Tax Simplification Law. Additionally, an emergency rule is the most appropriate means of adopting public use forms that are required under the specific provisions of the

Communications Services Tax Simplification Law to be available for filing with the Department of Revenue on or prior to September 30, 2000.

The Department of Revenue has sought comment on the forms to the extent possible within the time restraints resulting from the statutory requirements. The forms, which are designed to be available both in hardcopy form and on computer disks, have been reviewed by members of the Florida League of Cities, Florida Association of Counties, Florida Telecommunication Industry Association, and the Revenue Estimating Conference. Diskette copies of the form were reviewed and tested in detail by two local governments and two industry members.

**SUMMARY OF THE RULE:** This emergency rule adopts and incorporates by reference two forms required to be available by the Communications Services Tax Simplification Law. Those forms are DR-700010, "Communication Providers Revenue Estimating Conference Data Report," and DR-700011, "Local Taxing Jurisdictions Revenue Estimating Conference Data Report." The emergency rule also provides information as to how copies of the forms may be obtained.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Robert D. Heyde, Senior Attorney, Technical Assistance and Dispute Resolution, Office of the General Counsel, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443

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

12BER00-2 Forms Used by Public.

The following public use forms and instructions are utilized by the Department of Revenue, dated below, and are made part of this rule by reference. The instructions on the forms listed below have the same authority as the rules. Copies may be obtained by: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at 1(800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://sun6.dms.state.fl.us/dor/revenue.html>). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331. For those with other disabilities, please inform the Department as to how your inquiry may be reasonably accommodated.

<u>Form</u>	<u>Effective</u>
<u>Number</u>	<u>Date</u>
(1) DR-700010	7/00
<u>Communication Providers</u>	

	<u>Revenue Estimating</u>	
	<u>Conference Data Report</u>	
(2) DR-700011	<u>Local Taxing Jurisdictions</u>	<u>7/00</u>
	<u>Revenue Estimating</u>	
	<u>Conference Data Report</u>	

Specific Authority 202.26(2)(4) FS., s. 18, Ch. 2000-260, L.O.F. Law Implemented 202.20(3)(a),(c) FS., s. 12, Ch. 2000-260, L.O.F. History-New 7-27-00.

**THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.**  
EFFECTIVE DATE: July 27, 2000

**DEPARTMENT OF THE LOTTERY**

**RULE TITLE:** Florida Lottery MEGA MONEY™ Promotion  
**RULE NO.:** 53ER00-33  
**SUMMARY OF THE RULE:** This emergency rule sets forth the provision for the Florida Lottery MEGA MONEY™ Promotion which players may enter for a chance to win \$250,000 cash and/or one of fifty (50) personal computers and \$1,000 cash.

**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:**

53ER00-33 Florida Lottery MEGA MONEY™ Promotion.

(1) Beginning Monday, July 31, 2000, until close of MEGA MONEY™ sales Friday, September 8, 2000, MEGA MONEY BONUS DRAWING coupons will print through retailer on-line terminals with MEGA MONEY ticket purchases of \$5 or more. A MEGA MONEY purchase of more than \$5 on a single ticket will produce only one coupon. The MEGA MONEY BONUS DRAWING coupon can be mailed to Lottery Central or turned in at Lottery District Office locations for a chance to win \$250,000 cash and/or one of fifty (50) IBM® Aptiva™ Personal Computers and \$1,000 cash.

(2) Prizes.

(a) The grand prize of \$250,000 will be paid in a single cash payment, and will be awarded to one grand prize winner at the end of the contest period. All MEGA MONEY BONUS DRAWING entries received between Monday, July 31, 2000, and Friday, September 15, 2000, will qualify for the grand prize. Federal income taxes will be withheld from the prize amount at the time payment is made pursuant to applicable provisions of the Internal Revenue Code and Regulations. The reporting and subsequent payment of any additional federal, state, and/or local taxes shall be the responsibility of the winner.

(b) One IBM Aptiva personal computer and \$1,000 cash will be awarded to each of the ten (10) winners selected during each of the five (5) scheduled drawings, for a total of 50 prizes. Prize computers will be IBM® Aptiva™ E-Series 2270-34U Computers, and will include the following: Intel® Celeron™ 533MHz Processor, 64 MB SDRAM, 10GB HDD, 48 x /20x CD-ROM, 56k v.90 Modem, Rak II Keyboard, Scroll Point II Mouse, Microsoft® Windows® 98, Lotus SmartSuite® Millennium, MS Works 2000, Quicken® 2000, Norton AntiVirus, and 15" Monitor. In the event the Lottery is unable to obtain personal computers with the exact specifications listed above, the Lottery reserves the right to award a different model computer and software which will be as equivalent as practicable to the specified equipment. Internet access will be made available by NetZero®. Winners will be responsible for activating a NetZero® account and will be subject to provisions of its license agreement and terms and conditions. Winners will be responsible for payment of any fees assessed when they request additional services or equipment. The Lottery will not be responsible for the order or delivery of any additional services requested by a winner. The Florida Lottery provides no warranty for the computers or software. Any warranties and guarantees are those of the manufacturer only. Computer prizes may not be redeemed for cash.

(c) The Florida Lottery will include a \$1,000 cash prize with each of the fifty (50) computers for the establishment of an on-line stock trading account, or such other purposes as determined by the winner. Activation of an on-line trading account will be at the winner's option and the account would be subject to the terms and conditions of the selected provider.

(d) Except as set forth in paragraph (6)(b) below, the reporting and payment of any federal, state, and/or local taxes on the value of the computer (\$859) and the \$1,000 cash prize shall be the responsibility of the winner.

(3) How to enter the Florida Lottery MEGA MONEY Promotion.

(a) To enter the Florida Lottery MEGA MONEY Promotion, a player should mail one MEGA MONEY BONUS DRAWING coupon in a postage-paid green "BONUS DRAWING" envelope, which is available to players at Florida Lottery On-Line Retailers and at any Florida Lottery District Office. A MEGA MONEY BONUS DRAWING coupon may also be mailed in an envelope no larger than 4 1/2" x 9 1/2" addressed to Bonus Drawing, 250 Marriott Drive, Tallahassee, Florida 32399-9916, or turned in at any Florida Lottery District Office. If drawn, envelopes with a total area larger than 4 1/2" x 9 1/2" will be disqualified. Coupons mailed in

envelopes addressed to a Florida Lottery address other than the BONUS DRAWING address will be included in a drawing only if the mailing envelope is opened prior to the drawing in the regular course of business.

(b) The front and back of the MEGA MONEY BONUS DRAWING coupon should be legibly completed. If the coupon is incomplete, identifying data from the mailing envelope shall be used by the Lottery to supplement the information to the extent possible. Only one name per coupon should be used. If more than one name appears on a MEGA MONEY BONUS DRAWING coupon, the prize will be awarded to the person whose name appears first on the line designated for the name. Only one IBM Aptiva Personal Computer and accompanying \$1,000 cash prize will be awarded per envelope, and per person.

(c) Players may enter the promotion as many times as they wish, but each envelope should contain only one MEGA MONEY DRAWING coupon. If a drawn envelope contains multiple coupons bearing different names, the Lottery will select one coupon by random selection and the prize will be awarded to the individual whose name appears on that coupon.

(d) BONUS DRAWING envelopes and other envelopes sent to the Bonus Drawing address will be opened only if they are selected in the MEGA MONEY BONUS DRAWING. For this reason, winning lottery tickets should not be submitted in a BONUS DRAWING envelope or to the BONUS DRAWING address.

(e) Only valid BONUS DRAWING coupons are eligible for entry into the drawing. Coupons will be declared invalid and shall be disqualified if any part of the coupon is illegible, altered, mutilated, tampered with or duplicated, except as set forth in paragraph (4)(b) below. A MEGA MONEY BONUS DRAWING coupon generated from a MEGA MONEY ticket that is subsequently cancelled is not a valid coupon and shall be disqualified if submitted and drawn.

(4) MEGA MONEY BONUS DRAWINGS.

(a) The prizes described in paragraphs (2)(b) and (c) above will be awarded to each of ten (10) prize winners selected in each of the five (5) scheduled drawings (a total of fifty (50) prize packages). Twenty-five (25) envelopes will be drawn per drawing. The first ten (10) qualified entry coupons will be the weekly winners and the remaining qualified entry coupons will be alternates. Coupons received during one of the five (5) drawing periods shown below will be included only in the corresponding bonus drawing.

<u>DRAWING</u>	<u>DRAWING PERIOD IN WHICH COUPON IS RECEIVED BY LOTTERY</u>	<u>DATE OF DRAWING</u>	<u>WINNER ANNOUNCEMENT</u>
1	<u>Monday, July 31, 2000 through Monday, August 7, 2000, 5:00 p.m.</u>	<u>Tuesday, August 8, 2000</u>	<u>Tuesday, August 8, 2000</u>

<u>DRAWING</u>	<u>DRAWING PERIOD IN WHICH COUPON IS RECEIVED BY LOTTERY</u>	<u>DATE OF DRAWING</u>	<u>WINNER ANNOUNCEMENT</u>
<u>2</u>	<u>Tuesday, August 8, 2000 through Tuesday, August 15, 2000, 5:00 p.m.</u>	<u>Wednesday, August 16, 2000</u>	<u>Friday, August 18, 2000</u>
<u>3</u>	<u>Wednesday, August 16, 2000 through Wednesday, August 23, 2000, 5:00 p.m.</u>	<u>Thursday, August 24, 2000</u>	<u>Friday, August 25, 2000</u>
<u>4</u>	<u>Thursday, August 24, 2000 through Thursday, August 31, 2000, 5:00 p.m.</u>	<u>Friday, September 1, 2000</u>	<u>Friday, September 1, 2000</u>
<u>5</u>	<u>Friday, September 1, 2000 through Friday, September 15, 2000, 5:00 p.m.</u>	<u>Thursday, September 18, 2000</u>	<u>Friday, September 19, 2000</u>
<u>GRAND PRIZE</u>	<u>Monday, July 31, 2000 through Friday, September 15, 2000, 5:00 p.m.</u>	<u>Thursday, September 21, 2000</u>	<u>Friday, September 22, 2000</u>

\*Winner announcements will appear during the live telecast MEGA MONEY drawings conducted at 11:00 p.m. on the dates indicated above.

(b) Coupons received by the Florida Lottery on or before 5:00 p.m. on Friday, September 15, 2000, will be included in the Grand Prize Drawing to be held on Thursday, September 21, 2000. A copy of each of the coupons previously drawn in the five bonus drawings will be placed in a separate envelope and included in the Grand Prize Drawing. Ten (10) envelopes will be drawn in the Grand Prize drawing. The first qualified entry coupon will be the grand prize winner and the remaining qualified entry coupons will be alternates.

(c) The risk of loss or late delivery of a coupon submitted by mail remains with the player.

(d) All drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(e) The odds of winning a prize are dependent upon the number of BONUS DRAWING coupons received.

(5) Award of prizes.

(a) Participants need not be present to win. The Florida Lottery will attempt to notify prize winners by telephone or certified mail no later than two weeks after the winners are announced.

(b) Prior to the receipt of a computer package prize, the winner must complete a Winner Claim Form DOL 173-2, Revised 07/93, or DOL 173-S, Revised 05/95, and Florida Lottery MEGA MONEY Promotion Release Form 2000 DOL 400, Revised 07/00. The forms are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, FL 32395-4045. The executed Winner Claim Form and Release Form must both be received by the Florida Lottery no later than March 22, 2001. A winner who does not return his or her Winner Claim Form and Release Form by March 22, 2001, will forfeit his or her right to claim the computer package prize and

the first qualified alternate coupon (previously selected in the drawing which produced the original prize winner) will designate the alternate winner, who will be announced on March 23, 2001. An alternate winner must return his or her Claim Form and Release Form to the Florida Lottery no later than May 18, 2001. An alternate who does not return his or her Claim and Release Form by May 18, 2001, will forfeit his or her right to claim the computer package prize. In such event, no further alternate winners will be selected.

(c) Prior to payment of the grand prize, the winner must complete and return a Winner Claim Form. The executed Winner Claim Form must be received by the Florida Lottery no later than March 22, 2001. A winner who does not return his or her Winner Claim Form by March 22, 2001, will forfeit his or her right to claim the grand prize and the first qualified alternate coupon (previously selected in the grand prize drawing) will designate the alternate winner, who will be announced on March 23, 2001. An alternate winner must return his or her Claim Form to the Florida Lottery no later than May 18, 2001. An alternate who does not return his or her Claim Form by May 18, 2001, will forfeit his or her right to claim the grand prize. In such event, no further alternate winners will be selected.

(d) The risk of loss or late delivery of a Claim Form and/or Release Form submitted by mail remains with the player. The Lottery will award the computer prizes and grand prize no later than thirty (30) days following receipt of the completed forms. Computers will be available to be picked up by a winner at the district office closest to the winner's residence. Winners residing outside the state of Florida will receive their computers by delivery.

(6) Cash will not be awarded in lieu of stated merchandise prizes except as follows:

(a) The Florida Lottery reserves the right, due to unavailability of the computer prizes, to award cash prizes of \$859 instead of computers. In the event cash prizes are awarded, the reporting and payment of any federal, state and/or local taxes shall be the responsibility of the winner.

(b) A non-resident alien who is selected as a winner of the personal computer and \$1,000 cash prize will be awarded the cash value of the computer (\$859) in lieu of the personal computer. Federal income taxes at the rate of 30% will be withheld from both the \$859 and \$1,000 prize amounts at the time payment is made pursuant to applicable provisions of the Internal Revenue Code and Regulations. The reporting and subsequent payment of any additional federal, state, and/or local taxes shall be the responsibility of the non-resident alien.

(7) The right to claim a MEGA MONEY promotion prize cannot be assigned to another person or entity.

(8) Participants must be at least 18 years of age.

(9) Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to win a MEGA MONEY promotion prize.

(10) Entry into the Florida Lottery MEGA MONEY BONUS DRAWING Promotion constitutes permission for the Florida Lottery to photograph and/or videotape and record the prize winner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prize winner for advertising or publicity purposes without additional compensation.

(11) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Entry into the promotion constitutes agreement to abide by the official rules of the promotion. 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 be 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.

(12) Between July 31, 2000, and September 30, 2000, each \$5 or more non-winning MEGA MONEY ticket will qualify for a 5% discount per order off the purchase of specified IBM PC products selected by IBM (taxes, shipping/handling are not included). Customer orders must be placed by calling 1(800)426-7235, Ext. 4146, or by accessing the applicable IBM website at [www.ibm.com/shop/ibmdeals/lotto](http://www.ibm.com/shop/ibmdeals/lotto). The above telephone number will be printed on each MEGA MONEY ticket of \$5 or more. Players may also utilize the phone number and website for a complete list of items available for the discount and to obtain more information.

(13) The Florida Lottery will publish a complete list of all MEGA MONEY PROMOTION winners following the conclusion of the promotion, including the city and state of residence. To receive a copy of the winner list, write to Florida Lottery, Public Information, Capitol Complex, Tallahassee, Florida 32399-4016.

(14) A copy of the complete MEGA MONEY PROMOTION rules may be obtained by writing the Florida Lottery, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011 or by calling (850)487-7724. The rules also are available on the Lottery's website at [www.flalottery.com](http://www.flalottery.com).

Specific Authority 24.109(1), 24.115(1), 24.105(10)(a),(c),(d),(e) FS. Law Implemented 24.115(1), 24.105(10)(a),(c),(d),(e) FS. History—New 7-28-00.

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

EFFECTIVE DATE: July 28, 2000

#### DEPARTMENT OF THE LOTTERY

RULE TITLE: Retailer MEGA MONEY™ Promotion

RULE NO.: 53ER00-35

SUMMARY OF THE RULE: This emergency rule sets forth the provision for the Retailer MEGA MONEY™ Promotion in which Retailers may win one of twenty-two personal computers.

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:

#### 53ER00-35 Retailer MEGA MONEY™ Promotion.

(1) Commencing July 31, 2000, through Friday, September 8, 2000, the Florida Lottery shall conduct a Retailer MEGA MONEY™ Promotion in which Retailers may win one of twenty-two IBM® Aptiva™ personal computers.

(2) During the promotion period, one MEGA MONEY BONUS DRAWING coupon will print through on-line Retailer terminals with each \$5 or more MEGA MONEY ticket purchase. For each coupon generated by the Retailer, one entry will automatically be recorded and included in one of two random drawings per district; one drawing will include corporate Retailers, and one drawing will include independent Retailers. The Lottery, via computer, will randomly select one Retailer entry from among the total entries within each of the two Retailer categories and within each of the eleven Districts for award of a total of twenty-two personal computers. The twenty-two random computer drawings will be held on September 9, 2000, each drawing producing one Retailer winner.

(3) Cancellation of a MEGA MONEY ticket that generated a MEGA MONEY BONUS DRAWING coupon will cancel the entry for that coupon.

(4) Award of all personal computers under this rule shall be subject to the provisions in subsections (6), (7), (8). The personal computers awarded will be the IBM® Aptiva™ E-Series 2270-34U Computer, and will include Intel® Celeron™ 533MHz Processor, 64MB SDRAM, 10 GB HDD, 48x/20x CD-ROM, 56v.90 Modem, Rak II Keyboard, Scroll Point II Mouse, Microsoft® Windows® 98, Lotus SmartSuite® Millennium, MS Works 2000, Quicken® 2000, Norton AntiVirus, and a 15" Monitor. In the event the Lottery is unable to obtain personal computers with the exact specifications listed above, the Lottery reserves the right to award a different model computer and software which will be as equivalent as practicable to the specified equipment. Internet access will be made available by NetZero®. The Retailer will be responsible for activating the NetZero® account and will be subject to provisions of its license agreement and terms and conditions. The Retailer is responsible for payment of any fees assessed when the Retailer has requested additional services or equipment. The Lottery will not be responsible for the order or delivery of any additional services requested by a Retailer. The Florida Lottery provides no warranty for the computers or software. Any warranties and guarantees are those of the manufacturer only.

(5) Cash will not be awarded in lieu of computers.

(6) Retailers must have recorded MEGA MONEY sales during each week of the promotion period and must remain active throughout the promotion period, except as follows. A Retailer location that experienced a change of ownership during the promotion period shall be included in the promotion. In such case, all entries generated from that Retailer location shall be credited to the Retailer with the last recorded sales or redemption activity, and any prize won shall be awarded to that Retailer.

(7) Retailers must be in good financial standing with the Florida Lottery at the time the computers are awarded. Good financial standing is defined as having no unpaid dishonored electronic funds transfers or associated penalties, or any other accounts receivable outstanding at the time the computers are awarded. If the Retailer is not in good standing as defined in the previous sentence, the next randomly drawn eligible Retailer will be substituted for the ineligible Retailer until all prizes are awarded.

(8) Retailers who are selected for award of a personal computer but whose Florida Lottery contracts are terminated or inactivated subsequent to the promotion period and prior to the award of the personal computer, shall be awarded the personal computer provided said termination or inactivation was not due to violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(9) The value of the computer (approximately \$859) will be considered compensation to the Retailer for Internal Revenue Service purposes.

Specific Authority 24.105(10)(a), 24.109(1), 24.112(1) FS. Law Implemented 24.105(10)(a)(c), 24.112(1) FS. History--New 7-28-00.

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

EFFECTIVE DATE: July 28, 2000

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

### DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN by the Florida Department of Citrus that the petition filed July 7, 2000 by Flavors From Florida, Inc. seeking a variance or waiver from the mandatory requirements for inspection and grading by USDA of its diluted juice products pursuant to Rule 20-64.019, Florida Administrative Code, was considered by the Florida Citrus Commission at its July 19, 2000 meeting. The Commission would like to extend a comment period through the end of business September 1, 2000. Notice of the Petition was published in the FAW on August 4, 2000.

Comments on the petition should be filed with the Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148.

For additional information or a copy of the petition contact: Joan Martin, Legal Department, Florida Department of Citrus at the above address, telephone (863)499-2531 or e-mail [jmartin@citrus.state.fl.us](mailto:jmartin@citrus.state.fl.us).

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a joint petition from Sprint-Florida Incorporated and Office of the Public Counsel in Docket No. 991377-TL, filed July 27, 2000, seeking a limited waiver from Rules 25-4.066(2), 25-4.070(3)(a), 25-4.073(1)(c), 25-4.073(1)(d), and 25-4.110(2), Florida Administrative Code (FAC.). These rules address the service standards for incumbent local exchange carriers. Rule 25-4.066(2), FAC., requires that most installation of primary service be completed within 3 working days. Rule 25-4.070(3)(a), FAC., requires that most restoration of interrupted service be completed within 24 hours of the report. Rule 25-4.073(1)(c), FAC., requires that calls made to directory assistance, repair and the business office be answered within a specific time. Rule 25-4.073(1)(d), FAC., defines the processing of calls from customers to the business office. Rule 25-4.110(2), FAC.,

requires a pro rata refund or adjustment when a subscriber's service is out of order in excess of 24 hours after the subscriber notices the company.

Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice.

For additional information, please contact Patricia Christensen, Senior Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

---

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Telaleasing Enterprises, Inc.'s petition for waiver exemption from Rule 25-24.515(13), Florida Administrative Code, filed April 17, 2000, in Docket No. 000445-TC was approved by the Commission at its June 20, 2000 Agenda Conference. Order No. PSC-00-1233-PAA-TC, issued July 7, 2000, memorialized the decision. The rule addresses the requirement that each telephone station shall allow incoming calls. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on May 3, 2000.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

---

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Florida Power & Light Company, filed July 17, 2000, in Docket No. 000868-EI, seeking a variance from Rule 25-17.0832(4)(e), Florida Administrative Code. The rule provides that standard offer contracts for the purchase of firm energy and capacity from qualifying facilities must specify a minimum ten year term. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Cochran Keating, Division of Legal Services, at the above address or telephone (850)413-6199.

---

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Tampa Electric Company, filed June 2, 2000, in Docket No. 000684-EQ, seeking a variance from Rule 25-17.0832(4)(e)7., Florida Administrative Code. The rule provides that standard offer contracts for the purchase of firm energy and capacity from qualifying facilities must specify a minimum ten year term. Comments on the petition should be filed with the

Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of Records and Reporting. For additional information, please contact Cochran Keating, Division of Legal Services, at the above address or telephone (850)413-6199.

---

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for a two-year waiver from Rule 25-24.515(13), Florida Administrative Code, filed April 18, 2000, in Docket No. 000449-TC was closed administratively, pursuant to Section 2.07(6)(d), Administrative Procedures Manual. On June 1, 2000, BellSouth withdrew its request for a waiver from Rule 25-24.515(13). The rule requires that all pay telephone stations must allow incoming calls to be received "with the exception of those located at penal institutions, hospitals and schools at locations specifically exempted by the Commission". No Commission action was taken, other than the issuance of a FAW Notice, published on May 12, 2000.

A copy of the Notice can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

---

#### **DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on April 11, 2000, by Allen T. Jackson, M.D. The Board considered the Petition at its June 3, 2000 meeting, held in Ft. Lauderdale, Florida. The Board's Order, filed on July 25, 2000, grants the petition for waiver finding that the underlying purpose of the statute implemented by Rule 64B8-5.001, has been achieved by other means, that is to ensure currency of medical knowledge and clinical competency.

A copy of the Board's Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753.

---

NOTICE IS HEREBY GIVEN that the Board of Psychology issued a Final Order in response to a Petition for Waiver filed on May 15, 2000 by Timothy Spruill, Ed.D., seeking a waiver of Rule 64B19-11.003(5), Florida Administrative Code. The Petition was first published in Vol. 26, No. 23 of the June 9, 2000 issue of the Florida Administrative Weekly, and a corrected petition was published June 30, 2000 in the Vol. 26, No. 26 issue of the Florida Administrative Weekly.

Petitioner requested the Board extend the time of enrollment prior to graduation from the program from seven (7) to nine (9) years. The Board voted to GRANT Petitioner's request based on section 120.542, Florida Statutes that it would create a substantial hardship to Petitioner if his request was not granted,

and that the purpose of the statute has been achieved by other means. The Order was issued and filed with the Clerk July 25, 2000.

For a copy of the Final Order, contact: Kaye Howerton, Executive Director, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that on June 29, 2000, the Department of Health received a petition from George E. Nelson, President, representing Stonel Associates, Incorporated, requesting a variance pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a variance from 64E-6.013(2)(f), Florida Administrative Code, which requires septic tank inlet and outlet devices to be in accordance with ASTM C 923-98.

Comments on this petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

A copy of the petition may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that the Florida Housing Finance Corporation received on July 25, 2000, a petition from Affordable Housing Solutions Central Florida, Inc., on behalf of Old Cutler Village Associates, Ltd./Old Cutler Village (PLP 98-022), seeking a waiver under section 120.542, Florida Statutes in connection with Applicant's 1998 Predevelopment Loan Program application for funding. The Waiver involves Rule 67-38.008(10)(d), Florida Administrative Code, which describes the eligible uses for the Advance and Loan. To receive "Post Acquisition Phase" funds the Sponsor must provide a "Firm Commitment" for construction and/or permanent financing in an amount sufficient to repay the Loan and complete the Project. The petition has been assigned case number 2000-010.

Copies may be obtained from, and written comments submitted to: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329; Attn: Mark E. Kaplan, Executive Director. Comments must be received within 14 days from the date of publication of this notice.

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

**DEPARTMENT OF STATE**

The **Historic Preservation Advisory Council** announces three public meetings to which all persons are invited.

**DATES AND TIME:** Tuesday, September 19, 2000; Wednesday, September 20, 2000; Thursday, September 21, 2000, 9:00 a.m.

**PLACE:** R. A. Gray Building, Auditorium, 500 South Bronough Street, Tallahassee, Florida

**PURPOSE:** To review applications submitted to the Bureau of Historic Preservation by May 31, 2000 for Special Category grant assistance for historic preservation projects, and to recommend priority ranking and funding levels for grant awards.

A copy of the agenda may be obtained by writing: Mr. Frederick Gaske, Chief, Bureau of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250 or calling (850)487-2333.

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, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation by telephone (850)487-2333 or by Fax (850)922-0496.

**RESCHEDULING OF RULE DEVELOPMENT WORKSHOP** – Notice is hereby given that the **Department of State** Rule development workshop for Rule 1B-24, Public Records Scheduling and Dispositioning, originally scheduled for August 7, 2000, which was published in Vol. 26, No. 30, July 28, 2000 issue of the Florida Administrative Weekly has been rescheduled as follows:

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

**PLACE:** The Florida Records Storage Center, 4319 Shelfer Road, Tallahassee, Florida

**DEPARTMENT OF LEGAL AFFAIRS**

The Employment Committee of the **Florida Commission on the Status of Women** will hold a conference call on:

**DATE AND TIME:** August 28, 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 Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

---

#### **DEPARTMENT OF BANKING AND FINANCE**

The Florida **Board of Funeral and Cemetery Services** announces a public telephone conference Board Meeting and all persons are invited to attend.

**DATE AND TIME:** August 23, 2000, 10:00 a.m. – 12:00 Noon

**PLACE:** Telephone conference

**PURPOSE:** Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

To obtain further information on how to participate contact: Gladys Hennen, Administrative Assistant II, Division of Securities and Finance, 101 East Gaines St., Fletcher Bldg., Room 624P, Tallahassee, FL 32399-0350, telephone number (850)410-9847. An agenda will be available seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Gladys Hennen, (850)410-9847, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Gladys Hennen via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

---

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

**DATE AND TIME:** August 29, 2000, 10:00 a.m. – 3:00 p.m.

**PLACE:** Room 547, Fletcher Bldg., 101 E. Gaines Street, Tallahassee, Florida

**PURPOSE:** Regular Rules Committee business.

To obtain further information and to obtain a copy of the agenda contact: Gladys Hennen, Administrative Assistant II, Division of Finance, 101 East Gaines St., Fletcher Bldg., Room 624P, Tallahassee, FL 32399-0350, telephone number (850)488-9898, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Gladys Hennen, (850)488-9898, at least 48 hours before the meeting. If you are

hearing or speech impaired, contact Gladys Hennen via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

---

#### **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Department of Agriculture and Consumer Services** announces the quarterly meeting of the "Friends of Florida State Forests, Inc.," a non-profit corporation established to assist the Florida Division of Forestry in the support of its programs and activities.

**DATE AND TIME:** August 31, 2000, 8:00 a.m.

**PLACE:** Division of Forestry, 265 Geddie Road, Tallahassee, Florida 32304

**PURPOSE:** To conduct the business of the Corporation.

A copy of the agenda can be obtained by contacting: Harriett L. Abrams, FFSF Coordinator, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)414-0869.

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

---

The **Department of Agriculture and Consumer Services** announces a meeting of the Animal Industry Technical Council.

**DATE AND TIME:** September 1, 2000, 1:30 p.m.

**PLACE:** Flamingo Motel, 4101 Highway 441, South, Okeechobee, Florida 34974, (863)763-6100

**PURPOSE:** To discuss animal health issues of concern to the agricultural industry both intrastate and interstate and to provide a forum for the Department to keep agricultural industry groups abreast of state and national activities as they relate to animal health issues in Florida, and activities of other states and USDA, affecting Florida's agriculture animal industries.

A copy of the agenda can be obtained by contacting: Dr. Leroy Coffman, Florida Department of Agriculture and Consumer Services, 335 Mayo Building, Tallahassee, FL 32399-0800, (850)410-0900.

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

---

The **Department of Agriculture and Consumer Services** announces a public meeting of the Florida Amusement Device and Attraction Advisory Committee to which all persons are invited.

**DATE AND TIME:** Tuesday, September 12, 1999, 10:00 a.m.

**PLACE:** Boardroom, Hilton Garden Inn, Orlando Airport, 7300 Augusta National Drive, Orlando, Florida 32822

**PURPOSE:** Regularly scheduled meeting of the Florida Amusement Device and Attraction Advisory Committee.

A copy of the agenda may be obtained by writing: Isadore Rommes, Chief, Bureau of Fair Rides Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or by calling Isadore Rommes, (850)488-9790.

Pursuant to 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 Isadore Rommes, (850)488-9790. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line at 1(800)955-8771.

**DEPARTMENT OF EDUCATION**

The Florida **Department of Education** announces a public conference call to which all interested parties are invited to participate.

DATE AND TIME: August 18, 2000, 9:00 a.m.  
 PLACE: Call (850)488-8295, Suncom 278-8295, confirmation #20C0731  
 PURPOSE: To conduct a conference call with 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 **Florida Endowment Foundation for Florida's Graduates** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 22, 2000, 10:00 a.m.  
 PLACE: Office of the Commissioner of Education, Suite 08, Plaza Level, The Capitol, Tallahassee, Florida 32399, (850)413-0326  
 PURPOSE: Meeting of the full board to discuss the proposed budget and school sites.

The Florida Endowment Foundation for Florida's Graduates welcomes participation from any interested members of the public. Any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Laura Rand, Office of the Chief of Staff, Florida Department of Education, (850)413-0326, at least five calendar days before the meeting.

The State of Florida, **Education Standards Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, September 14, 2000; Friday, September 15, 2000, 8:30 a.m.

PLACE: Department of Education, Turlington Building, Conference Room 1721/25, 325 West Gaines Street, Tallahassee, Florida 32399

PURPOSE: Members of the Education Standards Commission will meet and discuss issues related to the Commission's charge.

To obtain a copy of the agenda, please call or write: Florida Education Standards Commission, 325 West Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399, Telephone (850)488-1523 or Suncom 278-1523.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Dr. Adeniji Odotola at the above address or telephone numbers.

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: August 25, 2000, 9:00 a.m.  
 PLACE: Room 1505, Florida Education Center, Tallahassee, Florida

PURPOSE: Approval of Subcontract in Excess of \$1 Million between the University of South Florida and Tulane University; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity and Diversity, (850)201-7160 (Voice), (850)201-7333 (TDD), at least 7 days in advance, so that their needs can be accommodated.

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE OF CORRECTIONS – The **Florida Building Commission** announces an application for waiver from the accessibility requirements has been added to that already published August 4, 2000 and another application has been deleted.

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Highway, Kissimmee, Florida, (407)396-1234

DATE AND TIME: August 20, 2000, 1:00 p.m.  
 Meeting of the Product Approval Subcommittee on Grandfathering as been cancelled.

DATE AND TIME: August 21, 2000, 8:00 a.m.  
 Meeting of the Accessibility Advisory Council.

PURPOSE: To consider the following applications for waiver from the accessibility requirements: Paradise Beach Resort, Daytona Beach, FL; Bar & Grill, Orlando, FL; Latin American Gourmet Restaurant, Inc., Miami, FL; Baez Investments

Group, Inc., Miami, FL; BellSouth Telecommunications, Inc., Miami, FL; Mullins Park Gymnasium, City of Coral Springs, Coral Springs, FL; CCS Charter School, Phase II, Gymnasium, Miami, FL; Galbreath Realty Building, Leesburg, FL; Southridge Park – Bleachers, Miami, FL; The Pier – Phase One, Daytona Beach, FL; Govinda's Restaurant & Café, Alachua, FL; Grandview Condominium, Destin, FL; and to consider an additional application for waiver from the accessibility requirements: United Self Storage, Clearwater, Florida.

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

Meeting of the Product Approval Subcommittee on Grandfathering has been added.

DATE AND TIME: August 21, 2000, 10:30 a.m.

Meeting of the Product Approval Ad Hoc.

DATE AND TIME: August 21, 2000, 1:30 p.m.

Meeting of the Product Session of the Commission.

PURPOSE: Consideration of the accessibility waiver applicants: Paradise Beach Resort, Daytona Beach, FL; Bar & Grill, Orlando, FL; Latin American Gourmet Restaurant, Inc., Miami, FL; Baez Investments Group, Inc., Miami, FL; BellSouth Telecommunications, Inc., Miami, FL; Mullins Park Gymnasium, City of Coral Springs, Coral Springs, FL; CCS Charter School, Phase II, Gymnasium, Miami, FL; Galbreath Realty Building, Leesburg, FL; Southridge Park – Bleachers, Miami, FL; The Pier – Phase One, Daytona Beach, FL; Govinda's Restaurant & Cafe, Alachua, FL; Grandview Condominium, Destin, FL; and consideration of an additional application for waiver from the accessibility requirements: United Self Storage, Clearwater, Florida.

A copy of the Council and Commission meeting agendas may be obtained by sending a request in writing: Jean Easom, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Jean Easom, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Florida Communities Trust** announces a public meeting of the Governing Body to which all persons are invited.

DATE AND TIME: Wednesday, August 23, 2000, 10:00 a.m.

PLACE: Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida  
PURPOSE: Meeting of the Governing Body of the Florida Communities Trust to prepare the board for its review of P10 funding cycle applications. Rules regarding the application cycle, including the public meeting process for scoring, ranking, and selecting applications for funding, will be addressed.

ACTION TO BE TAKEN: Informational presentations only. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability of physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Florida Communities Trust** announces a public meeting of the Governing Body to which all persons are invited.

DATE AND TIME: Wednesday, August 23, 2000, 1:00 p.m.

PLACE: Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida  
PURPOSE: Extend grant contracts for certain funded projects; approve project plans for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability of physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATES AND TIME: August 16, 2000; August 17, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Homewood Suites Orlando/Convention Center, 8745 International Drive, Orlando, Florida 32819

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Baseline Status Report Update
- 2) Prioritization of Work Tasks
- 3) Development of Policy Direction

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Alexander Mack, Community Program Administrator, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF LAW ENFORCEMENT**

The **Department of Law Enforcement**, Florida Crime Laboratory Council announces a Forensic Advisory Committee Meeting.

DATE AND TIME: Tuesday, August 29, 2000, 10:00 a.m.

PLACE: The Campus of The University of Central Florida, National Center for Forensic Science Facility, 4000 Central Florida Blvd., Building #542, Orlando, Florida 32816

PURPOSE: Forensic Advisory Committee Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Florida Crime Laboratory Council Office, (850)410-8300, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mr. Dale H. Heideman, Forensic Coordinator, Criminal Investigation and Forensic Science Program, Florida Crime Laboratory Council, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8300.

**DEPARTMENT OF REVENUE**

NOTICE OF CORRECTION – Notice is hereby given that the following changes have been made to the NOTICE OF PUBLIC MEETING published in the August 4, 2000, Vol. 26, No. 31, issue of the Florida Administrative Weekly, to correctly state a name as follows:

The **Department of Revenue** announces a public meeting of the Property Tax Administration Task Force to which all interested persons are invited.

DATE AND TIME: Wednesday, August 16, 2000, 10:00 a.m.

PLACE: Tallahassee Regional Airport, Dale Mabry Conference Center, Tallahassee, Florida

PURPOSE: To conduct the second meeting of the Property Tax Administration Task Force to further organize the Task Force to consider proposed changes to rules and guidelines, proposed enhancements to the tax roll evaluation process, and other current issues.

A copy of the agenda may be obtained by writing: Director, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000 or by calling Mary Tomlin, (850)488-3338 or Kathy Henley, (850)488-3335.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by calling (850)488-8026. If you are hearing or speech impaired, please contact the Department, 1(800)367-8331 (TDD).

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 23, 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

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct an undocketed staff workshop regarding application of price increases under Section 364.051, Florida Statutes. This provision provides for the adjustment of prices for basic local exchange service upon the elimination of the statutory price caps. The workshop will be held at the following time and place:

DATE AND TIME: Wednesday, August 23, 2000, 9:30 a.m.

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850.

An agenda for this workshop will be made available prior to the workshop, and a copy may be obtained from the Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, (850)413-6770.

For additional information, contact: Lee Fordham, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, (850)413-6226.

---

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990649-TP – Investigation into pricing of unbundled network elements.

DATE AND TIME: August 28, 2000, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

---

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991459-TP – Investigation of possible violation of Commission rules or of Chapter 364, Florida Statutes, by Excel Telecommunications, Inc., and imposition of appropriate penalty.

DATE AND TIME: August 28, 2000, 1:30 p.m.

PLACE: Commission Hearing Room 140, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

---

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: August 28, 2000, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

---

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 29, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, FAC.), by contacting the Division of Records and Reporting, (850)413-6770 or writing: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, 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.

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

The Florida **Public Service Commission** announces a Commission workshop on the following matter to which all persons are invited.

UNDOCKETED MATTER: Commission review of ten-year site plans of electric utilities

DATE AND TIME: Wednesday, August 30, 2000, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: The purpose of this workshop is to afford an opportunity for public comment on the ten-year site plans submitted by Florida's utilities. At the workshop, the utilities will describe their plans, the key assumptions underlying the plans, and the impact of demand-side management goals on the plans. The Florida Reliability Coordinating Council will present the Peninsular Florida Load and Resource Plan and the Peninsular Florida Reliability Assessment.

A copy of the agenda for this workshop may be obtained by contacting: Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Any person with questions concerning this workshop should contact Michael Haff, (850)413-6684.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior

to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN by the Florida **Public Service Commission** that customer service hearings will be held in the following docket at the times and locations set forth below. All persons are invited to attend these hearings.

DOCKET NO. 000108-GU – Request for Rate Increase by Florida Division of Chesapeake Utilities Company.

DATE AND TIME: Thursday, August 31, 2000, 12:00 Noon – 2:00 p.m.

PLACE: John Fuller Auditorium, City Commission Chambers, 451 3rd Street, N. W., Winter Haven, Florida

DATE AND TIME: Thursday, August 31, 2000, 6:00 p.m. – 8:00 p.m.

PLACE: City Council Chambers, 1300 9th Street, St. Cloud, Florida

DATE AND TIME: Wednesday, September 27, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Plant City Commission Chambers, Nettie Berry Draughon Municipal Building, 302 W. Reynolds Street, Plant City, Florida

DATE AND TIME: Wednesday, September 27, 2000, 6:00 p.m. – 8:00 p.m.

PLACE: Plantation Inn and Golf Resort, 9301 West Fort Island Trail, Crystal River, Florida

PURPOSE: To allow the public to present testimony concerning the quality of service provided by the Florida Division of Chesapeake Utilities Company, d/b/a Central Florida Gas Company, for consideration in this docket. All persons wishing to testify are urged to be present at the beginning of these service hearings, because the hearings may be adjourned early if no customers are present. The hearings will commence at the time and location shown above and will continue until all witnesses have been heard.

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

#### EXECUTIVE OFFICE OF THE GOVERNOR

The Florida **Black Business Support Corporation** announces a meeting of its board of directors to which all interested persons are invited.

DATE AND TIME: August 29, 2000, 10:00 a.m. – 5:00 p.m.

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

**PURPOSE:** To further discuss the Board's business plan to identify areas for future Board priorities and approve actions taken by the President and Chairman under delegated authority. A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1713 S. Gadsden Street, Tallahassee, FL 32301, telephone (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at this meeting, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBSC office, (850)487-4850, at least seven (7) days prior to the meeting.

---

The **Executive Office of the Governor** announces a meeting of the Florida Black Business Investment Board to which all interested persons are invited.

**DATE AND TIME:** August 29, 2000, 10:00 a.m. – 5:00 p.m.

**PLACE:** Embassy Suites, Miami Airport, 3974 N. W. South River Drive, Miami, FL

**PURPOSE:** To further discuss the Board's business plan to identify areas for future Board priorities and approve actions taken by the Executive Director and Chairman under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Investment Board, 1711 South Gadsden Street, Tallahassee, FL 32301, telephone (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBIB office (850)487-4850, at least seven (7) days prior to the meetings. If you are hearing or speech impaired, please contact the Office of the Governor by using the Citizen Service Office, (850)488-4441.

---

The **Office of the Governor** announces the following public meeting to which all persons are invited.

**DATE AND TIME:** August 29, 2000, 1:00 p.m. – 4:30 p.m. (Public Testimony will be held from 1:00 p.m. – 3:00 p.m.; General Commission Meeting will be held from 3:00 p.m. – 4:30 p.m.)

**PLACE:** Hillsborough County Planning Commission Meeting Room, 601 E. Kennedy Blvd., 18th Floor, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Commission on the Homeless.

A copy of the agenda may be obtained by contacting: Kimberly Dale, Executive Office of the Governor, 208 The Capitol, Tallahassee, Florida 32399, (850)488-5000.

---

## REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

**MEETING:** I-75 Corridor Council

**DATE AND TIME:** August 21, 2000, 7:00 p.m. – 9:00 p.m.

**PLACE:** Holiday Inn, West, I-75 at S.R. 26, Gainesville, FL

**PURPOSE:** Presentation of proposed design plan for the I-75 corridor from the Georgia border to its intersection with the Florida Turnpike.

**MEETING:** I-75 Corridor Council

**DATE AND TIME:** August 24, 2000, 7:00 p.m. – 9:00 p.m.

**PLACE:** Holiday Inn, I-75 at S.R. 40, Ocala, FL

**PURPOSE:** Presentation of proposed design plan for the I-75 corridor from the Georgia border to its intersection with the Florida Turnpike.

**MEETING:** I-75 Corridor Council

**DATE AND TIME:** September 5, 2000, 7:00 p.m. – 9:00 p.m.

**PLACE:** Holiday Inn, I-75 at U.S. 90, Lake City, FL

**PURPOSE:** Presentation of proposed design plan for the I-75 corridor from the Georgia border to its intersection with the Florida Turnpike.

A copy of the agenda may be obtained by writing: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Any person deciding to appeal any decision of the I-75 Corridor Council with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

---

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

**MEETING:** Executive Committee

**DATE AND TIME:** August 24, 2000, 6:00 p.m.

**PURPOSE:** To conduct the regular business of the Executive Committee.

**MEETING:** Regional Planning Committee

**DATE AND TIME:** August 24, 2000, 6:00 p.m.

**PURPOSE:** To prepare an Evaluation and Appraisal Report for the North Central Florida Strategic Regional Policy Plan.

**MEETING:** Clearinghouse Committee

**MEETING:** Finance Committee

**DATE AND TIME:** August 24, 2000, 6:15 p.m.

**PURPOSE:** To amend the budget for FY 1999-2000.

DATE AND TIME: August 24, 2000, 6:30 p.m.  
 PURPOSE: To conduct the regular business of the Clearinghouse Committee.  
 MEETING: Nominating Committee  
 DATE AND TIME: August 24, 2000, 6:45 p.m.  
 PURPOSE: To nominate new Board members and a new Executive Committee member.  
 MEETING: North Central Florida Regional Planning Council  
 DATE AND TIME: August 24, 2000, 8:00 p.m.  
 PURPOSE: To conduct the regular business of the North Central Florida Regional Planning Council.  
 PLACE: Suwannee River Cove Restaurant, Branford, 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.

---

**NOTICE OF CHANGE – The Treasure Coast Regional Planning Council** announces a change to the meeting originally scheduled for September 15, 2000, to which all persons are invited:  
 DATE AND TIME: September 22, 2000, 9:30 a.m.  
 PLACE: Howard Johnson’s Motor Lodge, 950 U.S. Highway One, Stuart, Florida  
 GENERAL SUBJECT MATTER: To conduct the monthly meeting of the Council.  
 A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.  
 If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

---

**NOTICE OF CHANGE – The Treasure Coast Regional Planning Council** announces a change to the meeting of the Transit/Transportation Task Force which was originally scheduled for September 18, 2000, to which all persons are invited.  
 DATE AND TIME: August 21, 2000, 10:30 a.m.  
 PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

**GENERAL SUBJECT MATTER:** To conduct a meeting of the Transit/Transportation Task Force.  
 A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.  
 If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

---

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.  
 DATE AND TIME: August 24, 2000, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)  
 PLACE: The Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida  
 PURPOSE: To hold a Board Member Orientation Workshop for the Apalachee Regional Planning Council’s Board of Directors.  
 An agenda may be obtained by writing: Apalachee Regional Planning Council, 314 East Central Avenue, Blountstown, FL 32424, (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.  
 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. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

---

**COMMISSION ON ETHICS**

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.  
 DATE AND TIME: Thursday, August 24, 2000, 9:00 a.m.  
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL  
 PURPOSE: Regular Commission Meeting.  
 A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709.  
 Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, at 2822 Remington Green Circle, Suite 101, prior to the meeting.



If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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 Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

---

#### **DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a series of telephone conferences of its Fraud Committee to discuss general issues.

**DATES AND TIME:** Thursday, August 24, 2000; Thursday, August 31, 2000, 9:00 a.m.

**PLACE:** Call (850)487-2613 for instruction on participation

**PURPOSE:** The purpose of the meetings is to discuss issues of interest to the Fraud Committee.

For further information about this telephone conference, contact: Julie Douthit, Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee, Florida 32399-2152, (850)487-2613, two days prior to the date of the conference call.

In the event time and/or date changes, notice of change will be posted on meeting notice bulletin board at 2574 Seagate Drive, Suite 100, Marathon Building, Tallahassee, Florida 32399-2152, (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 five 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 Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Department of Labor and Employment Security**, Workers' Compensation Oversight Board announces a Premiums & Benefits Committee meeting and a Coordinating Committee meeting to which the public is invited.

**DATE AND TIME:** Tuesday, August 29, 2000, 11:00 a.m.

**PLACE:** JM Family Enterprises, 8019 Bayberry Road, Jacksonville, Florida

**PURPOSE:** The purpose is to discuss issues of interest to the committees.

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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

#### **WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

**DATE AND TIME:** August 24, 2000, 11:30 a.m. (EDT)

**PURPOSE:** District Lands Committee meeting – to discuss land acquisition matters.

**DATE AND TIME:** August 24, 2000, 1:00 p.m. (EDT)

**PURPOSE:** Governing Board Meeting – to consider District business.

**DATE AND TIME:** August 24, 2000, 1:15 p.m. (EDT)

**PURPOSE:** Public Hearing on Regulatory Matters – to consider regulatory matters.

**DATE AND TIME:** August 24, 2000, 1:30 p.m. (EDT)

**PURPOSE:** Public Hearing on Land Acquisition Matters – to discuss land acquisition matters.

**PLACE:** District Headquarters, 10 miles west of Tallahassee on U.S. Highway 90.

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at [www.state.fl.us/nwfwmd](http://www.state.fl.us/nwfwmd)).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

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, August 24, 1999, 9:00 a.m.

PLACE: St. Johns River Water Management, Ocklawaha Field Station, 9721 Southeast Highway 464C, Ocklawaha, Florida 32179

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 **Southwest Florida Water Management District** announces the following public meetings to which all persons are invited.

LAND ACQUISITION AD HOC COMMITTEE MEETING

DATE AND TIME: Friday, August 21, 2000, 9:30 a.m.

PLACE: Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Horse Creek Resource Evaluation.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, August 29, 2000, 9:00 a.m. (Note: This is a change of date from the published year-long calendar.)

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Meeting, Public Hearing and Committee Meetings.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, August 30, 2000, 9:00 a.m. (Note: This is a change of date from the published year-long calendar.)

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Meeting and Public Hearing.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only) or (352)796-7211, Extension 4604, Fax (904)754-6874, TDD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces the following public meetings of the Miami-Dade County Lake Belt Plan Implementation Committee to which all interested parties are invited:

DATE AND TIME: August 18, 2000, 9:00 a.m.

PLACE: Rinker Materials Corp. FEC Quarry, 13292 N. W. 118th Avenue (U.S. 27 exit of the Homestead Extension of the Florida Turnpike), Miami, Florida

PURPOSE: Field inspection of the Lake Belt Area including tour of rock mining facilities, tour of non-mining facilities, and an over flight of the study area.

DATE AND TIME: August 22, 2000, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: Workshop to discuss non-mining issues of the Lake Belt Phase II Detailed Master Plan.

DATE AND TIME: August 23, 2000, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: Workshop to discuss the Lake Belt Phase II Detailed Master Plan, including wellfield protection and the potential hydrologic impacts from future mining.

DATE AND TIME: August 24, 2000, 10:00 a.m.

PLACE: South Florida Water Management District, Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: Committee meeting to discuss the Lake Belt Phase II Detailed master Plan, including selection of the alternatives to be considered for further analysis.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally

recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Jim Jackson, Project Manager, (561)682-6334.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: August 29, 2000, 9:00 a.m.

PLACE: Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida

PURPOSE: A meeting of the Study Team for the Southwest Florida Study.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida 33901.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Janet Starnes, Fort Myers Service Center, (941)338-2929, Ext. 7735.

---

The **South Florida Water Management District** announces a public meeting for the Water Supply Contingency Plan to which all interested parties are invited:

DATE AND TIME: August 29, 2000, 1:00 p.m. – 5:00 p.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To provide an opportunity for public review and comments on the Water Supply Contingency Plan developed by the South Florida Water Management District.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Diane Jensen, Water Supply Division, (561)682-6317.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

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

PLACE: Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida

PURPOSE: Meeting of the Resource Team for the Southwest Florida Study.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Fort Myers Service Center, 2301 McGregor Blvd., Fort Myers, Florida 33901.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Janet Starnes, Fort Myers Service Center, (941)338-2929, Ext. 7735.

---

The **South Florida Water Management District** announces tentative dates for special public workshops/meetings which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATES AND TIME: Tuesday, September 5, 2000; Wednesday, September 6, 2000; Monday, September 11, 2000; Tuesday, September 12, 2000; Wednesday, September 13, 2000; Monday, September 18, 2000; Tuesday, September 19, 2000; Wednesday, September 20, 2000; Monday, September 25, 2000; Tuesday, September 26, 2000; Wednesday, September 27, 2000; Monday, October 2, 2000; Tuesday, October 3, 2000; Wednesday, October 4, 2000; Monday, October 16, 2000; Tuesday, October 17, 2000; Wednesday, October 18, 2000; Monday, October 23, 2000; Tuesday, October 24, 2000; Wednesday, October 25, 2000; Monday, October 30, 2000; Tuesday, October 31, 2000; Wednesday, November 1, 2000; Monday, November 6, 2000; Tuesday, November 7, 2000; Monday, November 13, 2000; Tuesday, November 14, 2000; Wednesday, November 15, 2000; Monday, November 20, 2000; Tuesday, November 21, 2000; Wednesday, November

22, 2000; Monday, November 27, 2000; Tuesday, November 28, 2000; Wednesday, November 29, 2000; Monday, December 4, 2000; Tuesday, December 5, 2000; Wednesday, December 6, 2000; Monday, December 11, 2000; Tuesday, December 12, 2000; Monday, December 18, 2000; Tuesday, December 19, 2000; Wednesday, December 20, 2000; Tuesday, December 26, 2000; Wednesday, December 27, 2000, 9:00 a.m.

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

PURPOSE: Tentative Governing Board workshops/meetings to discuss Board business.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information Darryl Bell, Governing Board/Business Operations Coordinator, District, Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-2529.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: September 6, 2000, 9:30 a.m. – 11:30 a.m.

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

PURPOSE: Budget and Finance Advisory Commission meeting to discuss FY20001 budget development and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Patti Nicholas, Planning, Budgeting and Performance Evaluation Department, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, September 7, 2000, 8:30 a.m. – 3:00 p.m.

PLACE: South Florida Water Management District, B-1 Headquarters Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Technical Oversight Committee: tentative agenda includes: 1) update on 2001 Everglades Consolidated Report; 2) update on water quality conditions report; 3) report on water quality sampling at S332D and S332B; interpreting grab vs. composite split samples; 4) follow up on letter to TOC principals on water quality excursions in the ARM Loxahatchee Wildlife Refuge; 5) reductions in trace metals, mercury, and other sampling: update on execution of changes by 10/1/00; and 6) agency responses to work plan for field studies on atmospheric deposition of phosphorus.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Dr. Garth Redfield, (561) 682-6611 or e-mail at [greldfiel@sfwmd.gov](mailto:greldfiel@sfwmd.gov).

---

The **South Florida Water Management District** announces a public hearing which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATE AND TIME: September 12, 2000, 5:15 p.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To receive public comment, vote on tentative FY2000-2001 millage rates and budget, certify the Everglades Agricultural Privilege Tax Rolls and the C-139 Basin Agricultural Privilege Tax Roll, approve Vegetable Classified Acres, and approve Incentive Credits.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information or those wishing to submit written or physical evidence may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

---

The **South Florida Water Management District** announces a public hearing which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: September 26, 2000, 5:15 p.m.

PLACE: South Florida Water Management District, Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: To receive public comment and vote on final adoption of the FY 2000-2001 millage rates and budget.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Aaron Basinger, Director, Planning, Budgeting and Performance, (561)682-6660.

---

The Big Cypress Basin, **South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: August 25, 2000, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, Naples, Florida (The address shall be the designated access point for public attendance of the meeting)

PURPOSE: Conduct Basin Business and Adoption of FY 2001 Final Budget.

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109 or by calling Ann Christian, (941)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Ann Christian, (941)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements. If you are hearing or speech impaired, please contact the Big Cypress Basin by calling (561)697-2574.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (941)597-1505.

---

#### DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services**, Wireless 911 Board announces the following meeting schedule information:  
DATES AND TIME: September 12-14, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Hilton at Longboat Key, 4711 Gulf of Mexico Drive, Longboat Key, Florida

DATES AND TIME: October 5-7, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Hawk's Cay Resort, 67 Hawk's Cay Boulevard, Duck Key, Florida

---

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces the following public meeting of the Division of Hotels and Restaurants' Advisory Council which the public is invited to attend.

DATE AND TIME: Tuesday, August 29, 2000, 10:00 a.m. – 1:00 p.m.

PLACE: The Fontainebleau Hilton Resort, Imperial Three Room, 4441 Collins Avenue, Miami Beach, Florida 33140

PURPOSE: To conduct general Advisory Council business.

If you need additional information, please contact: Ms. Delores Koonce, Administrative Assistant, Office of the Director, Division of Hotels and Restaurants, Department of Business

and Professional Regulation, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-1011, 1(800)749-6368 or (850)410-1495.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Delores Koonce, 1(800)749-6368 or (850)488-1133, at least five calendar days prior to the meeting.

The **Board of Cosmetology** announces a board meeting open to the public and all persons are invited to participate.

DATES AND TIMES: Sunday, August 27, 2000, 10:00 a.m.; Monday, August 28, 2000, 9:00 a.m. (if necessary)

PLACE: Department of Business and Professional Regulation, Board Meeting Room and Secretary's Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-0769

PURPOSE: Regular Board Business and Committee Matters.

\*A copy of the agenda may be obtained by writing: Board of Cosmetology, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-0790.

\*If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern 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 Professional Engineers** announces a public meeting of the Continuing Education Committee to which all persons are invited:

DATE AND TIME: Tuesday, August 22, 2000, 1:00 p.m. or soon thereafter

PLACE: The Breakers Hotel, One South County Road, Palm Beach, FL 33480

PURPOSE: Development of proposed recommendations to the Legislative and Rules Committee on mandatory continuing education requirements.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited:

DATE AND TIME: Wednesday, August 23, 2000, 8:30 a.m. – conclusion of meeting

PLACE: The Breakers Hotel, One South County Road, Palm Beach, FL 33480

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal a decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited:

DATES AND TIME: Thursday, August 24, 2000; continuing Friday, August 25, 2000, 8:30 a.m. if the business of the Boards is not concluded

PLACE: The Breakers Hotel, One South County Road, Palm Beach, FL 33480

PURPOSE: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, September 14, 2000, 9:00 a.m.

PLACE: Via Conference Call

PURPOSE: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Kim Thompson, Board of Accountancy, 2610 N. W. 43rd Street, Suite 1-A, Gainesville, FL 32606, (352)955-2165, as soon as possible.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** (DEP) announces a public meeting of the TMDL Allocation Technical Advisory Committee (TAC) to which all persons are invited.

DATE AND TIME: Monday, August 21, 2000, 9:00 a.m. – 4:30 p.m.

PLACE: Brandon Campus Library, 3924 Coconut Palm Drive, Tampa, Florida

PURPOSE: The purpose of the Allocation TAC is to assist in the preparation of a report, pursuant to s. 403.067(6), Florida Statutes, describing how to allocate load reductions to contributing source(s) once Total Maximum Daily Loads (TMDLs) have been determined for parameters of concern. Discussion may include options to fairly and equitably allocate pollution loads to both nonpoint and point sources, including consideration of existing treatment levels and management practices, and environmental, economic and technological feasibility.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Services Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency, 1(800)955-8771 (TDD).

A copy of the agenda for the meeting may be obtained by contacting: Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, MS 3555, Tallahassee, Florida 32399-2400, (850)921-9488.

**NOTICE OF CHANGE** – The **Acquisition and Restoration Council** (ARC), as defined in Section 259.035, Florida Statutes announces the change of location for their public hearing/meeting to which all interested parties are invited.

FIRST MEETING: Public Hearing

DATE AND TIME: Monday, August 21, 2000, 10:30 a.m.

PLACE: Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Administration Bldg., Eyster Auditorium, 1st Floor, Tallahassee, Florida

SECOND MEETING: Council Meeting

DATE AND TIME: Tuesday, August 22, 2000, 10:00 a.m.

PLACE: Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Administration Bldg., Eyster Auditorium, 1st Floor, Tallahassee, Florida

PURPOSE: 1) conducting business of the Conservation and Recreations Lands Program; 2) reviewing management plans and proposed interim management uses of state-owned lands; 3) other business of the Council.

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 disability or physical impairment should contact: Ms. Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Department of Environmental Protection** announces a one-day public meeting of the Methodology Focus Group (MFG). The MFG is a focus group within the Contaminated Soils Forum (CSF). All persons are invited to participate.

DATE AND TIME: August 24, 2000, 10:00 a.m. – not later than 5:30 p.m.

PLACE: Echelon International (formerly Progress Center), 13709 Progress Blvd., Main Conference Room, Alachua, Florida, (904)462-4040

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The one-day meeting of the MFG will provide opportunities for interested parties to review and discuss chemical-specific decisions that were made related to the proposed revised soil cleanup target levels for Chapter 62-777, FAC. The discussion will include the decisions and reasons behind the changes to specific chemicals due to toxicity value revisions. A public workshop is scheduled for August 30, 2000 to discuss the proposed changes to Chapter 62-777, FAC.

A copy of directions to the meeting room may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. 4505, Room 309B, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address:

<http://www.dep.state.fl.us/dwm/programs/csf>

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: August 24, 2000, 10:00 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; Chapter 62-303, Florida Administrative Code (FAC.), Identification of Impaired Surface Waters; plus History and Present Status of Mercury in Florida. Rule proceedings include: Chapter 62-709, FAC., Criteria for the Production and Use of Compost Made from Solid Waste. 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**, Clean Boating Partnership announces that its Boatyard Committee will be conducting a teleconference meeting to which all persons are invited:

DATE AND TIME: Friday, August 25, 2000, 9:00 a.m. – 12:00 Noon

PLACE: Number to call in (850)921-2591

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Boatyard Committee will explore and discuss directions, goals, objectives and implementation strategies to recommend to the Clean Boating Partnership at their next meeting.

A copy of the agenda may be obtained by contacting: Jan R. De Laney, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)488-5757, Extension 178.

In accordance with the Americans With Disabilities Act, if you need a special accommodation to attend you should contact our office immediately at (850)488-5757, Extension 178 or call 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Office of Beaches and Coastal Systems** announces a meeting with the Gulf Beaches Technical Advisory Committee.

DATE AND TIME: August 24, 2000, 9:00 a.m. – 3:00 p.m.

PLACE: Pinellas County, Indian Shores Town Hall, Council Chambers, 19305 Gulf Blvd., Indian Shores, Florida

PURPOSE: To discuss technical concerns raised by the Gulf Beaches Technical Advisory Committee regarding the reestablishment of the Coastal Construction Control Line in Pinellas Co.

A copy of the agenda may be obtained by contacting: Rosaline Beckham, Environmental Specialist III, The Florida Department of Environmental Protection, Office of Beaches and Coastal Systems, Mail Station 300, Tallahassee, Florida 32399-3000, (850)487-1262.

If an accommodation for a disability is needed to attend this meeting, please advise Rosaline Beckham, (850)487-1262, at least 48 hours before the meeting.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a DEP Advisory Group meeting to which all persons are invited.

DATE AND TIME: Thursday, August 24, 2000, 7:00 p.m. (EDT)

PLACE: City of Fanning Springs, City Hall, 17651 Northwest 90th Court, Fanning Springs, Florida 32626

PURPOSE: To discuss the amended land use plan for Fanning Springs State Recreation Area with the DEP Advisory Group.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting. Any request for special accommodations can be made by writing to the Department of Environmental Protection, Division of Recreation and Parks, District 2 Administration, 4801 Southeast 17th Street, Gainesville, Florida 32641-9299.

#### DEPARTMENT OF HEALTH

The **Department of Health**, Bureau of Chronic Disease will hold the following meeting:

MEETING: Arthritis Prevention and Education Steering Committee Meeting

DATE AND TIME: September 11, 2000, 9:00 a.m. – 4:00 p.m.

PLACE: Orlando, Florida (exact location TBD)

PURPOSE: This is a meeting of the Arthritis Steering Committee. In addition to a general meeting, participants will focus on the development of the vision, mission and goals for the statewide plan on arthritis. Individuals will also be trained on how to facilitate workgroups in preparation for the November consensus-building conference.



The steering committee is a cooperative effort between the Florida Department of Health and the Arthritis Foundation, Florida Chapter. For more information, contact Heather Murphy, (850)245-4330.

The **Department of Health** announces a public meeting to which all persons are invited:

DATE AND TIME: August 25, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: 4025 Esplanade Way, Rm. 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Leadership Council Tobacco Control, Comprehensive tobacco prevention and control.

A copy of the agenda may be obtained by contacting: Karen Goodson, (850)245-4330.

The **Board of Massage Therapy** announces a meeting to which all interested persons are invited to attend. The meeting will be held by way of telephone conference call hookup at the following locations or by calling (850)921-6455.

Thomasena B. Keith, LMT, 3201 Langley Circle, Tallahassee, Florida 32312

Gloria Rosello, LMT, 3390 S. W. 129th Avenue, Miami, Florida 33175

William H. Buckhalt, 4042 Bald Cypress Way, Tallahassee, Florida 32399

Angela Richardson, 4042 Bald Cypress Way, Tallahassee, Florida 32399

Barbara Edwards, 107 W. Gaines Street, Tallahassee, Florida 32399

Gary Asbell, 2727 Mahan Drive, Tallahassee, Florida 32399

DATE AND TIME: Monday, August 21, 2000, 4:30 p.m. or soon thereafter

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399

PURPOSE: A public meeting of the Probable Cause Panel for reconsiderations. Agenda available on request.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Massage Therapy, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Massage Therapy, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings,

and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Massage Therapy** announces a meeting to which all interested persons are invited to attend. The meeting will be held by way of telephone conference call hookup at the following locations or by calling (850)921-6455.

Barbara Parker, P. O. Box 2084, Ocala, Florida 34478

Gloria Rosello, LMT, 3390 S. W. 129th Avenue, Miami, Florida 33175

K. Sue Welfley, P. O. Box 272487, Tampa, Florida 33688

Barbara Edwards, 107 W. Gaines Street, Tallahassee, Florida 32399

William H. Buckhalt, 4042 Bald Cypress Way, Tallahassee, Florida 32399

Angela Richardson, 4042 Bald Cypress Way, Tallahassee, Florida 32399

DATE AND TIME: Tuesday, August 22, 2000, 9:00 a.m. or soon thereafter

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399

PURPOSE: A Continuing Education Committee meeting. Agenda available on request.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Massage Therapy, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Massage Therapy, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Wednesday, August 30, 2000, 12:30 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, at Meet Me Number (850)921-6433

PURPOSE: To review cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, 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, 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 Chiropractic Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

---

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a meeting.

DATE AND TIME: August 18, 2000, 2:00 p.m.

PLACE: Miami International Airport Hotel, N. W. 20th Street Lejeune Road, Miami, Florida 33299-7510, (305)871-4100

PURPOSE: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

---

The **Department of Health, Board of Physical Therapy Practice** announces a meeting and conference call to which all persons are invited.

DATES AND TIME: August 25-26, 2000, 8:00 a.m. or soon thereafter

PLACE: The Airport Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, FL 32218, (904)741-1997

PURPOSE: August 25, 2000 – General Business Meeting, Rules Review and Conference Call; August 26, 2000 – Rules Workshop.

A copy of the agenda and the conference call number for August 25th may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05 Tallahassee, Florida 32399-3255 or by calling Betsey Hines, board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

The Florida **Department of Health**, Bureau of HIV/AIDS, on behalf of the Florida Minority HIV and AIDS Task Force, announces an upcoming public forum and business meeting of the Task Force.

DATES AND TIMES: The public forum will be held Thursday, August 24, 2000, 4:00 p.m. – 8:00 p.m.; The business meeting will be Friday, August 25, 2000, 9:00 a.m. – 3:00 p.m.

PLACE: The public forum will be held at the Smith-Williams Annex, 2281 Pasco Street, Tallahassee, Florida. The business meeting will be held at the Department of Health, 2585 Merchants Row Boulevard, Tallahassee, Florida

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.

For additional information, please contact: Ron Henderson, (850)245-4433.

Written comments for the Task Force to consider may be submitted to the Department of Health, Bureau of HIV/AIDS, 4052 Bald Cypress Way, BIN #A09, Tallahassee, Florida 32399-1715.

Persons requiring special accommodations should contact Ronald Henerson, (850)245-4433, by August 15, 2000.

---

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: August 24, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: Correctional Medical Authority, Conference Room 110P, 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

The **Department of Children and Family Services**, District 5 announces the following 6 months public meeting schedule to which all persons are invited:

Community-Based Care Pinellas Task Force

DATE: August 23, 2000, CANCELLED

Community-Based Care Pinellas Task Force

DATES AND TIME: September 27, 2000; October 25, 2000; November 22, 2000; December 27, 2000; January 24, 2001, 9:00 a.m.

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: To discuss implementation of community-based care in District 5.

Agendas can be obtained seven days in advance of each meeting at: Mary Grizzle State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting at (727)588-7071 or TDD (727)588-6662 to arrange accommodations.

---

The **Department of Children and Family Services**, District 4 announces the following public meeting to which all persons are invited.

DATE AND TIME: August 25, 2000, 10:00 a.m. – 12:00 p.m.

PLACE: Board of Regents Room, University Center, 12000 Alumni Drive, Jacksonville, FL 32224

PURPOSE: Orientation and planning meeting for the District 4 Community Alliance.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083, Attention: Harry Smith.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Harry Smith, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

---

The Florida **Commission on Mental Health and Substance Abuse** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, August 28, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Pensacola Junior College, Bldg. 2A, Hagler Auditorium, 1000 College Blvd., Pensacola, FL 32504, (850)484-1000

PURPOSE: This meeting's focus will be system architecture and financing and rural issues in the state's mental health and substance abuse systems. Written testimony may be sent to: Dr. Nancy Bell, Executive Director, 13301 Bruce B. Downs Blvd., Tampa, FL 33612.

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).

For an agenda, call (813)974-2751.

---

#### NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, August 19, 2000, 8:30 a.m.

PLACE: The Hyatt Regency, 400 S. E. 2nd Avenue, Miami (Miami-Dade County), Florida

PURPOSE: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Public Relations/Speakers, Manatee Sign, and Property Acquisition and Management Committees will meet. Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, telephone (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

---

#### FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a Management Advisory group meeting for the Guana River Wildlife Management Area, located near St. Augustine, in St. Johns County, Florida.

DATE AND TIME: Wednesday, August 16, 2000, 9:00 a.m.  
 PLACE: Agricultural Center, Auditorium, 3125 Agricultural Center Drive, St. Augustine, Florida 32092  
 PURPOSE: To convene a meeting of stakeholders to provide priority considerations to the FWC for future management of the Guana River Wildlife Management Area. The input received will be used to develop the five-year Conceptual Management Plan for the Guana River Wildlife Management Area.

The Florida **Fish and Wildlife Conservation Commission** (FWC) announces a public hearing for the Guana River Wildlife Management Area, located near St. Augustine in St. Johns County, Florida.

DATE AND TIME: Thursday, August 31, 2000, 7:00 p.m. – 9:30 p.m.

PLACE: County Administration Building, Conference Room A, 4020 Lewis Speedway, St. Augustine, Florida 32084

PURPOSE: To receive public comments regarding considerations for the FWC's five-year Conceptual Management Plan (CMP) for the Guana River Wildlife Management Area.

Participants in this hearing should understand that the purpose for this hearing does not include the opportunity to discuss public use and/or hunting regulations for the Guana River Wildlife Management Area. There is a separate public process for this purpose. This hearing is designed exclusively for discussion of the draft conceptual management plan.

A copy of the Guana River Wildlife Management Area Management Prospectus is available upon request from the: Florida Fish and Wildlife Conservation Commission, Land Management Planning Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, telephone (850)922-8777.

**FLORIDA CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION**

The Region XV, Training Advisory Council of the **Florida Criminal Justice Standards and Training Commission** announces a public meeting to which all interested persons are invited:

DATE AND TIME: August 16, 2000, 8:30 a.m.

PLACE: Florida Department of Law Enforcement, Phillips Road, Tallahassee, Florida

PURPOSE: This is a regularly scheduled meeting of the Region XV, Training Advisory Council of the Florida Criminal Justice Standards and Training Commission. The primary business of the meeting will be to discuss training issues for fiscal year 2000/2001.

A copy of the agenda for the above meeting may be obtained by writing: Chief Jim Howell, Florida Highway Patrol Training Academy, 2908 Ridgeway Street, Tallahassee, Florida 32308.

The Region III, Training Advisory Council of the **Florida Criminal Justice Standards and Training Commission** announce a public meeting to which all interested persons are invited:

DATE AND TIME: August 17, 2000, 9:30 a.m.

PLACE: Pat Thomas Law Enforcement Training Academy, U.S. Highway 90, 14 miles west, Tallahassee, Florida

PURPOSE: This is a regularly scheduled meeting of the Region III, Training Advisory Council of the Florida Criminal Justice Standards and Training Commission. The primary business will be to discuss training issues.

A copy of the agenda for the above meeting may be obtained by writing: Director, Jim Murdaugh, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, FL 32333.

**SCHOOL READINESS COALITION**

The Polk County, **School Readiness Coalition**, Inc. announces the following meetings to which all persons are invited.

DATES AND TIME: Wednesday, August 16, 2000; Wednesday, September 20, 2000, 8:30 a.m.

PLACE: Polk County Opportunity Council, Resource Center, 1045 Highway 17, South, Bartow, FL

PURPOSE: Develop a community plan to ensure all children enter kindergarten ready to learn.

For more information access the following website:  
[www.pcsb.k12.fl.us/information/coalition.htm](http://www.pcsb.k12.fl.us/information/coalition.htm)

**PINELLAS WAGES/WELFARE TRANSITION**

Notice of the **Pinellas WAGES/Welfare Transition Hardship Exemption** hearings:

DATES AND TIME: Tuesday, August 22, 2000; Tuesday, September 19, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: 3151 3rd Avenue, North, 300 Plaza, South, Conference Room, St. Petersburg, Florida

DATES AND TIME: Wednesday, August 23, 2000; Wednesday, September 20, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: 4140 49th Street, North, Conference Room, St. Petersburg, Florida

DATES AND TIME: Thursday, August 24, 2000; Thursday, September 21, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: 1100 Cleveland Street, 5th Floor, Conference Room, Clearwater, Florida

PURPOSE: Welfare Transition Hardship Exemption Hearings.

Members of the public are invited to attend. Interested parties may appear and be heard at the hearings. Hearing schedules can be obtained 7 days in advance of the meeting by contacting 13770 58th Street, North, Suite 304, Clearwater, FL 33760, (727)507-6197.

Any person wishing to appeal\* any decision made by the Pinellas WAGES Coalition's Hardship Review Commission with respect to any matter considered at such hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, 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 hearing 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, or telephone (727)507-6197.

\* Appeal may be made through a Fair Hearing with the Department of Children and Family Services and/or through the Coalition's policy.

---

#### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 22, 2000, 1:30 p.m.

PLACE: Moffitt Research Center, Auditorium, 13131 Magnolia Drive, Tampa, FL

PURPOSE: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Lori Payne, by Friday, August 18, 2000.

---

#### **TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a "special" meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: August 24, 2000, 4:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

PURPOSE: "Special" Board Meeting to discuss TRDA government representation and the TRDA Annual Budget.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA Office Manager, (407)269-6330 or llundy@trda.org.

---

#### **FLORIDA CORRECTIONS COMMISSION**

The **Florida Corrections Commission** announces the following public meeting to which all interested persons are invited:

DATE AND TIME: Friday, August 25, 2000, 9:00 a.m. – 3:00 p.m.

PLACE: River Junction Work Camp, 300 Pecan Lane, Chattahoochee, Florida 32324.

PURPOSE: The Commission will hold a meeting for the purposes of discussing issues to be included in the 2000 Annual Report.

A copy of the agenda may be obtained by writing Mr. John Fuller, Executive Director, Florida Corrections Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500 or call (850)413-9330.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

---

#### **FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation Regional Grant Committee to which all persons are invited.

DATE AND TIME: Monday August 28, 2000, 10:00 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Tallahassee, FL 32308

---

### **Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements**

#### **DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN that on August 1, 2000, the Department of Transportation (hereinafter DEPARTMENT) issued a Declaratory Statement in response to a request filed by Robert A. Pauley on June 13, 2000. The following is a summary of the agency's Declaratory Statement: Florida law does not provide authority for the DEPARTMENT to hold a hearing or order removal of non-conforming traffic control devices installed by nongovernmental entities, nor does Florida law provide authority for the DEPARTMENT to prosecute criminal offenses under Section 316.0747, Florida Statutes.

Rather, as recognized by Rule 14-110.001, Florida Administrative Code, enforcement of Section 316.0747, Florida Statutes, is within the authority of the State Attorney.

---

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 24, 2000 from Randall T. Prater. Petitioner is a prisoner seeking amendment of 33-103.015(8).

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

---

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 26, 2000 from Douglas Adams. Petitioner is a prisoner seeking amendment of Rules 33-501.301 and 33-602.402, Florida Administrative Code.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

---

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 26, 2000, from Douglas Jackson. Petitioner is a prisoner seeking amendment of 33-602.402, Florida Administrative Code.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

---

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 27, 2000 from James J. Quigley. Petitioner is a prisoner seeking amendment of Rules 33-602.210, Appendix One, Florida Administrative Code.

A copy of the Petition may be obtained by writing: Giselle Lylen 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 Richard Casper Adamson. The Petitioner requested that the Department of Corrections amend proposed Rule 33-602.401 to delete prohibitions against inmates receiving criminal history records of other inmates in routine mail, to delete provisions providing that mail containing contraband will be returned in its entirety to the sender, to

delete prohibitions against the use of labels and stickers, and to require the Department to address the question of drawings on the exterior of envelopes in outgoing mail.

The Department denied Inmate Adamson's Petition to Initiate Rulemaking with regard to the first objection, finding that permitting inmates to receive criminal history records of other inmates posed a risk to institution security because the information contained in such records was not readily available from other sources.

The Department denied the second claim, that provisions requiring return of mail containing contraband to the sender should be deleted and instead mail containing mail should be purged of contraband and the admissible portions forwarded to the inmate recipient, finding that such a policy would unnecessarily increase the burden involved in the processing of inmate mail.

In addressing the third objection, that prohibitions against the use of labels and stickers should be removed, the Department found that because the use of such items would lead to abuse, a fact conceded by the Petitioner, it would increase the burdens of processing inmate mail and would conflict with the orderly operation of institutions.

Finally, the Department denied the fourth objection, finding that the issue of drawings on the exterior of envelopes in outgoing mail was sufficiently addressed in other rules.

A copy of the Order may be obtained from: Giselle Lylen 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 Mark Osterback. The Petitioner requested that the Department of Corrections amend Rule 33-602.401(6), Routine Mail, to include provisions that inmate routine mail may not be censored for statements which do not threaten institutional security.

The Department denied Inmate Osterback's Petition to Initiate Rulemaking finding that amendment of the rule is unnecessary since it currently sets forth a complete list of reasons for which routine mail may be rejected. The Department concluded that, in the event an inmate believed the provisions of Rule 33-602.401(6) had been misapplied, the grievance process was available as a remedy.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

---

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on July 28, 2000 from James Quigley. Petitioner is a prisoner seeking amendment of Rule 33-208.101(7) and (8), Florida Administrative Code.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an amended declaratory statement in In Re: Petition for Declaratory Statement, Olive Glen Condominium Association, Inc., Petitioner; Docket Number CD2000-075.

The amended declaratory statement corrected the citations to Rule 61B-23.003(7)(f), Florida Administrative Code, on pages 5 and 7 of the declaratory statement.

A copy of the amended declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

**DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Karl Hempel, M.D. and Tallahassee Primary Care Associates, P.A. The Board reviewed the petition at its meeting on April 8, 2000, in Orlando, Florida. The Board published a Notice of Receipt of Petition for Declaratory Statement on March 31, 2000, in Vol. 26, No. 13, of the Florida Administrative Weekly. The Board's Final Order, filed in this cause on July 13, 2000, finds that the contractual arrangement described by Petitioners is permitted pursuant to Section 455.654(3) and (4), Florida Statutes.

The person to be contacted regarding the Declaratory Statement is: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753.

NOTICE IS HEREBY GIVEN that the Board of Psychology has DENIED a request for a declaratory statement on June 30, 2000, in response to the Petition for Declaratory Statement received from Sheldon J. Kaplan, Ph.D., on June 8, 2000. The Final Order was given the number DOH-00-1255-DS-MQA.

Petitioner requested a declaratory statement from the Board in regards to his providing behavior management services using unlicensed observers. The Board found the Petition lacking in sufficient information regarding the Petitioner's proposed delegation of responsibilities.

A copy of the Petition and Order may be obtained by writing: Kaye Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that the Board of Psychology has DENIED a request for a declaratory statement on June 30, 2000, in response to the Petition for Declaratory Statement received from Lisa G. Bridgewater, Ph.D., P.A., Laura C. Hohnecker, Ph.D., P.A. and Carol A. Wartenberg, Ph.D., P.A. on May 15, 2000. The Final Order was given the number DOH-00-1256-DS-MQA.

Petitioners requested a declaratory statement from the Board in regards to their providing career exploration services to individuals via the internet through the use of the world wide web. The Board found the information in the Petition was too generalized and lacked detail as to how this specific service would benefit the interests of the Petitioners.

A copy of the Petition and Order may be obtained by writing: Kaye Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Teachers Insurance and Annuity Association vs. Department of Insurance; Rule No.: 4-149.122(11); Case No.: 00-2578RP; Dismissed

**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 PROPOSALS**

The Department of Education requests proposals for Professional Development Academies. These Academies will consist of partnerships among one or more school districts, post-secondary institutions, and members of the business community in order to deliver professional development for educators pursuant to the requirements of the General Appropriations Bills of 1999-2000 and 2000-2001 and Section 231.6135, Florida Statutes. The fiscal agent shall be the Academies, organized as not-for-profit corporations. The Academies shall be financed during the first year of operation by the award of state funds and an equal or greater cash match from private funding sources. The range of funding is not less than \$1 million and not more than \$2.5 million.

A Request for Proposal package will be mailed to interested parties. Please contact Judith Harriss, (850)922-9750 or send a request for the proposal package to Ms. Harriss at the Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400.

Proposals are due no later than 5:00 p.m. on Friday, January 5, 2001.

**REQUEST FOR BID**

The University of Florida, Purchasing Division will receive sealed bids for the following: 01L-34, W/O 504396, Lift Station Modifications, Lift Station #1 and #2, estimated budget: \$250,000-\$300,000, to be opened September 7, 2000, at 1:30 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Repair and/or modifications to upgrade the main Lift Stations #1 and #2 at the University of Florida. These modifications will include replacement of magnetic coupled drives with Adjustable Frequency Drives (AFD), new AC induction motors, pump control systems with new PLC based systems and communitors. 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 August 24, 2000, at 10:00 a.m., in the Physical Plant

Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-133, Ext. 303, within three (3) days of the event.

**NOTICE TO PROFESSIONAL CONSULTANTS**

The University of Florida announces that Professional Services in the discipline of landscape architecture, with a civil engineering sub-consultant, will be required for the project listed below:

**WORK ORDER 505477**

**CULTURAL COMPLEX LANDSCAPING**

The project consists of designing and constructing landscaping for the 27 acre site at the southeast quadrant of Hull Road and Southwest 34th Street. The work will be done in phases, as funding becomes available. The first phase will include schematic design of a Master Plan for the entire site (Task I); and, construction documents and construction of the landscaping in the area generally defined by the north side of the Phillips Center for the Performing Arts, the west side of the Parking Garage, and the east sides of Powell Hall and the Harn Museum (Task II). The selected firm will provide design, construction documents and administration for the referenced project, as noted. Blanket professional liability insurance will be required for this project in the amount of \$100,000 and will be provided as a part of Basic Services.

**INSTRUCTIONS**

Firms desiring to apply for consideration must submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Board of Regents "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice their profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for



a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualifications Supplements forms, descriptive project information, and selection criteria may be obtained by contacting:

James A. Blair, R.A.  
 Coordinator of Construction Projects  
 Telephone (352)392-2124  
 Fax (352)392-4958  
 E-mail: jablair@admin.ufl.edu  
 University of Florida  
 Physical Plant Division  
 Architecture/Engineering Department  
 Building 700, Room 145  
 P. O. Box 117715  
 Gainesville, Florida 32611-7715

Submittals must be received in the office of James Blair by 5:00 p.m., Eastern Standard Time, on September 8, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

#### REQUEST FOR PROPOSAL

The University of Florida Purchasing Division will receive sealed proposals for the following: 01P-36, BR-103, Hume Residence Hall Demolition. Proposals will be due by September 8, 2000, at 2:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: The Project consists for the complete demolition and offsite disposal of all structures on the site, including six buildings totaling approximately 150,000 GSF, retaining walls, drainage ways, curb and gutter, sidewalks, pavement, utilities, and landscaping. The Contractor will be responsible for field verifying the location of utilities and coordinating their outage or shutoff, fencing, security, safety, environmental protection (including trees to remain), erosion/dust/noise control, asbestos abatement and hazardous waste handling, disposal, and site clearing. Time of Completion for this project is 90 days. The Contractor will salvage, stockpile, and transport within the UF campus a portion of the brick veneer for cleaning by others. Several bid alternates provide for additional deconstruction and salvaging of certain other building components, and the Contractor must coordinate the scheduling and execution of his work with the salvage efforts of the Owner for still other materials.

The method of delivery is Request for Proposal, wherein award is based on a Best Value evaluation of the offeror's technical merit and proposed price and duration. The following criteria shall be used to determine each proposal's technical merit:

1. Past Performance
2. Qualifications, Management, and Approach to Work
3. Safety Plan and Approach
4. Schedule and Approach

Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-proposal Meeting will be held August 24, 2000, at 10:00 a.m., in the UF Purchasing Division Conference Room, Elmore Hall, 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.

#### EDUCATIONAL PROGRAMS FACILITIES STUDY

The State of Florida, Department of Education (DOE) in cooperation with the Department of Juvenile Justice (DJJ), requests qualifications from firms to provide services to conduct a review and analysis of existing educational program spaces in Department of Juvenile Justice facilities statewide, to determine their adequacy for educational use. Firms must be familiar with the State Requirements for Educational Facilities (SREF), experienced in analyzing existing space and educational programs, analysis of buildings for major construction and safety deficiencies, preparation of cost estimates for the construction and equipping of capital projects. Project team qualifications require Florida registered professional architectural or engineering firm with design or construction experience in any of the following types of construction: public schools in Florida or correctional institutions.

The firm selected will be responsible for the inspection and general analysis of educational space and condition of DJJ facilities throughout Florida. A list of facilities will be provided upon request. Consultant will have approximately 8 weeks to complete the work; a plan for implementation shall be provided as a part of the response documentation.

The work will include: an inspection of the educational program space of each identified DJJ facility; an analysis of each facility's educational program spaces compared to provided program criteria and standards included in the State Requirements for Educational Facilities (SREF); the development of cost estimates and a 3-year plan for implementation in the State of Florida Capital Improvements Program Plan format to provide for new construction where needed, new and replacement equipment where necessary, furnishings and new and retrofit technology. The space analysis and cost estimates must be provided in Access or Excel format in addition to printed documentation.

Study fees for all aspects of the work will not exceed \$100,000 in total. This includes but is not limited to: travel, inspections, documentation, printing, meetings and all other expenses and charges for the project. A draft project report will be due on November 21, 2000. The final project report and electronic data must be submitted to the Department of Education by December 5, 2000.

RESPONSE DUE DATE: August 25, 2000, 5:00 p.m., local time

Applications are to be sent to Nancy Irwin, Department of Education, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399, telephone (850)487-1130 E-mail:

DATE AND LOCATION OF SHORTLIST: August 30, 2000, Department of Education, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399, telephone (850)487-1130

DATE PF TELEPHONE INTERVIEWS: August 31, 2000, Department of Education, Room 1054, 325 West Gaines Street, Tallahassee, Florida 32399, telephone (850)487-1130

INSTRUCTIONS: A copy of the list of DJJ facilities, and addresses as well as a copy of the Capital Improvement Program Plan Instructions may be obtained by contacting Nancy Irwin at (850)487-1130. Information may be e-mailed or overnight mailed as requested. The budget document is in PDF format. Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work, proposed data base example, and other relevant information.
2. List of personnel who will work on the project and resume for each.
3. Schedule proposed for implementation of the project for completion by November 21, 2000.
4. Cost proposal for completion of work.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned.

Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firms will be given official notice of selection results by Fax and/or mail. Any protests of the selection must be made within 72 hours of the date of receipt. The selection results will also be published in the Florida Administrative Weekly.

**SPACEPORT FLORIDA AUTHORITY**

Notice of Solicitation of Statements of Interest In  
Participating In Studies of Eastern Range  
Operational Efficiency (SOI 01-08)

The Spaceport Florida Authority (SFA) is soliciting statements of interest from qualified firms and individuals to provide inputs to or collaborate with the development of studies of Eastern Range operations at Cape Canaveral, Florida. SFA's goal is to document a baseline of current Eastern Range configuration and operation to serve future technical and operational development. Additional studies are contemplated to deal with future optimal configuration and operation of the Eastern Range. Responses to this Notice should be in written form, not exceed five pages. The responses should identify the firm, firms or individuals; describe relevant experience and identify a person in the organization from whom further information may be obtained. To be considered, two copies of any response must be received by SFA no later than 4:30 p.m., August 25, 2000. Responses should be addressed to: Mr. Rich Scredon, Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. It is SFA's intent to explore all potential contractual relationships, teaming arrangements or partnerships for developing these studies to determine the appropriate manner in which to proceed. Future procurement or other actions will be taken at SFA's sole discretion pursuant to its policies and procedures.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF INVITATION TO BID  
BID NO. BDRS 04-00/01

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:	Boating Access Facility Improvements
SCOPE OF WORK:	The contractor shall provide the necessary labor, supervision, equipment and materials to preform boat launch maintenance dredging and construct a rock groin structure along the shoreline with associated work at Sebastian Inlet State Recreation Area (Indian River Co.) – Coconut Point
PARK LOCATION:	Sebastian Inlet State Recreation Area 9700 South A1A Melbourne (Brevard 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, August 11, 2000 at: Sebastian Inlet State Recreation Area  
9700 South A1A  
Melbourne, Florida 32951  
Attention: Ron Johns,  
Park Manager  
(321)984-4852

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, September 12, 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.

**NOTICE OF INVITATION TO BID**

**BID NO. BDRS 05-00/01**

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: Road Repairs  
SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to complete road repairs with associated work at Myakka River State Park.

PARK LOCATION: Myakka River State Park  
13207 Stat Road 72  
Sarasota (Sarasota), Florida

PROJECT MANAGER: Fred Hand  
Bureau of Design and Recreation Services  
(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, August 11, 2000 at: Myakka River State Park 13207 State Road 72 Sarasota, Florida 34241-9542 Attention: Robert Dye, Park Manager (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 4:00 p.m., Tuesday, September 12, 2000, to the below address: Florida Department of Environmental Protection Bureau of Design and Recreation Services 3540 Thomasville Road Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids.

Michael Renard, Contracts Manager, Bureau of Design and Recreation Services

**DEPARTMENT OF HEALTH**

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES PROJECT NUMBER:DOH 99647000

PROJECT NAME: VOLUSIA COUNTY HEALTH DEPARTMENT, DAYTONA BEACH Conversion of existing building with potential to increase scope and phasing.

SAMAS NO. 64-30-2-122002-64200000-00-084093-00 PROJECT LOCATION: DAYTONA BEACH, FLORIDA

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is \$2,890,000 with potential of additional \$5,000,000. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

**INSTRUCTIONS**

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. Letter of interest detailing the firm's qualification to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Response Due Date: Monday, September 11, 2000, 5:00 p.m., Local Time

Applications are to be sent to: Ken Perlowski, Project Manager, Department of Health, 4052 Bald Cypress Way, Bin #B06, Tallahassee, FL 32399-1734, telephone (850)245-4444, Ext. 3168.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes. The Department of Health shall shortlist a minimum of three (3) firms.

Phases to be implemented are dependent on the availability of funding subject to actions of the Florida Legislative process and at sole discretion of the Department of Health.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ENGINEERING**

The Florida Fish and Wildlife Conservation Commission's Florida Marine Research Institute announces that professional services are required for an Engineer for the Southwest Florida Seagrass Mapping Project

BID/PROJECT No: FWC 00/01-06

BID/PROJECT TITLE: The Southwest Florida Seagrass Mapping Project

DESCRIPTION OF WORK BEING PROCURED: A contractor is required for the stereo compilation of aerial photography of benthic habitats and apparent shoreline for the Pine Island Sound, Matlacha Pass, San Carlos Bay, Lower Caloosahatchee River, and Estero Bay regions. The objective is to create a highly accurate digital file to be converted into an ARC/INFO coverage for integration into the FMRI's Marine Resource Geographic Information System (MRGIS) and the South Florida Water Management District GIS database for southwest Florida. A final project report is also required.

The engineer awarded this contract shall be certified under the Florida Statutes to practice or to offer to practice engineering.

Project Coordinator for the Commission: Frank Sargent, (727)896-8626

Response Due Date: August 31, 2000, 2:00 p.m. (EDT)

To request a complete Solicitation of Interest announcement, contact the Commission's Purchasing Office, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600, (850)488-3428.

The results of this selection will be posted at: Florida Fish and Wildlife Conservation Commission, Attn.: Purchasing, Rm. 364, 620 S. Meridian Street, Tallahassee, FL 32399-1600, during regular working hours.

**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:

**RECONSTRUCT HANGAR FLOOR AT RAYTHEON GENERAL AVIATION TERMINAL AND RELATED WORK, TAMPA INTERNATIONAL AIRPORT**

Services to be furnished shall include, but not be limited to, all engineering design and surveys related to civil and structural engineering; testing; assistance during the advertising, bid and award phase; and basic services and resident inspection 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, August 31, 2000 at 10:00 a.m., Local Time, at the office of Hillsborough County Aviation Authority, 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, August 15, 2000.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

By: /s/ Louis E. Miller  
 Louis E. Miller, Executive Director

**FLORIDA SHERIFFS ASSOCIATION**

**BID ANNOUNCEMENTS**

**BID NUMBER:** 00-08-0905  
**BID TITLE:** PURSUIT, ADMINISTRATIVE  
NON-PURSUIT, UTILITY, FIRE  
AND RESCUE VEHICLES,  
TRUCKS AND VANS

**ADVERTISEMENT**

**DATES:** AUGUST 11 AND 18, 2000  
**PRE-BID  
CONFERENCE:** AUGUST 16, 2000, 1:00 P.M.  
**PRE-BID CONFERENCE TO BE HELD AT:**

MARION COUNTY  
SHERIFF'S OFFICE  
CONFERENCE ROOM  
692 N. W. 30TH AVENUE  
OCALA, FL 34475-5608

**BID OPENING DATE:** SEPTEMBER 5, 2000, 10:00 A.M.  
**BID OPENING TO BE HELD AT:**

FLORIDA SHERIFFS  
ASSOCIATION  
COOPERATIVE BID  
COORDINATOR'S OFFICE  
2617 MAHAN DR. (32308)  
P. O. BOX 12519  
TALLAHASSEE, FL  
32317-2519

BIDS MUST BE CONTAINED IN A SEALED ENVELOPE  
ADDRESSED TO THE FLORIDA SHERIFFS  
ASSOCIATION. INDICATE ON THE OUTSIDE OF THE  
ENVELOPE THE BID NUMBER, TITLE, OPENING DATE  
AND TIME. ALL BIDS MUST BE RECEIVED ON OR  
BEFORE THE DATE AND TIME NOTED ABOVE.  
ALL QUESTIONS PERTAINING TO THIS BID, SHOULD  
BE DIRECTED TO GARY PERKINS WITH THE FLORIDA  
SHERIFFS ASSOCIATION AT (850)877-2165.

**GAINESVILLE-ALACHUA COUNTY REGIONAL  
AIRPORT AUTHORITY**

**INVITATION TO BID  
CONSTRUCT GROUP III AIRCRAFT  
STORAGE HANGAR  
BID #00-008**

The Gainesville-Alachua County Regional Airport Authority  
(GACRAA) is soliciting sealed bids for Construct Group III  
Aircraft Storage Hangar. The bid documents and technical  
specifications will be available beginning July 31, 2000 at the  
Gainesville Regional Airport's Administration office, 3880 N.

E. 39th Avenue, Gainesville, Florida 32609, and at Hoyle,  
Tanner & Associates, Inc., 3452 Lake Lynda Drive, Suite 151,  
Orlando, Florida 32817.

The scope of the project includes: Base Bid – Group III Hangar  
Building and Site Work; Bid Alternate #1 – Hangar Floor  
Coating; Bid Alternate #2 – 11" Thick concrete Floor Slab and  
Apron Pavement. All bids submitted shall be effective for 90  
days. Bids must be signed by an authorized official, enclosed  
in a sealed envelope or package and mailed or delivered to  
Airport Engineer, Gainesville Regional Airport, 3880 N. E.  
39th Avenue, Suite A, Gainesville, Florida 32609. Bids  
received after 3:00 p.m., August 30, 2000 will not be  
considered. A non-mandatory prebid conference will be held  
on August 9, 2000 at 9:00 a.m. (EDT) at the Gainesville  
Regional Airport's General Aviation Terminal located at  
Flightline Gainesville, 4701 N. E, 40th Terrace, Gainesville,  
Florida.

GACRAA reserves the right to reject any or all bids received in  
response to this Invitation to bid as determined to be in the best  
interest of the Airport.

For additional information, contact Craig Hedgecock,  
(352)373-0249 or Russ Holliday, (407)380-1919.

**Section XII  
Miscellaneous**

**DEPARTMENT OF BANKING AND FINANCE**

**NOTICE OF FILINGS**

Notice is hereby given that the Department of Banking and  
Finance, Division of Banking, has received the following  
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., September 1, 2000):

**EXPANDED FIELD OF MEMBERSHIP**

Name and Address of Applicant: Florida West Coast Credit  
Union, 3020 Melbourne Blvd., Tampa, Florida 33605-1600  
Expansion Includes: Employees of Saint Michael the  
Archangel Parish and Answering Tampa Bay.

Received: July 31, 2000

Name and Address of Applicant: Miami Postal Service Credit  
Union, Post Office Box 520622, Miami, Florida 33152-0622

Expansion Includes: Select Employee Group, Global Trucking Service, 10850 S. W. 113 Place, Miami, Florida 33176; and the Select Employee Group, Joe's Place, 2491 N. W. 72 Avenue, Miami, Florida 33122.

Received: July 26, 2000

Name and Address of Applicant: City County Credit Union of Ft. Lauderdale, 1982 North State Road 7, Margate, Florida 33063-5710

Expansion Includes: Employees of Countywide Printing, Inc.; employees of TeleComputing, Inc.; individuals or corporate contributors to the D.A.R.E. (Drug Abuse Resistance Education) program, residing or working in the City of Miramar, Florida.

Received: July 31, 2000

---

#### DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs is currently preparing the 1999-00 Florida Small Cities Community Development Block Grant (CDBG) Program Performance and Evaluation Report. This report, which is submitted to the U.S. Department of Housing and Urban Development (HUD) annually on September 30 provides statistical information (i.e., recipients, funding, accomplishments, and beneficiaries) for federal fiscal years 1995 through 2000. A draft of the report is expected to be available for review no later than September 15, 2000. Upon completion, the report will be posted to the Department of Community Affairs web site or made available upon request to the public. If you have comments about the program or would like to obtain a copy of the report, please make your request in writing: Judy Peacock, Community Assistance Consultant, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1887 or [judy.peacock@dca.state.fl.us](mailto:judy.peacock@dca.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, Boss Hoss Cycle, Inc., intends to allow the establishment of Horney's Custom Cycles, Inc., as a dealership for the sale of Boss Hoss Bikes and Trikes, at 6200 Arcway #2 and #4, Fort Myers (Lee County), Florida 33912, on or after April 6, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Horney's Custom Cycles, Inc. are: Richard C. Horney, SR. and Lisa R. Horney of 4614 S. W. 10th Avenue, Cape Coral, Florida 33914

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Meredith Warne, Vice-President, Boss Hoss Cycle, 790 South Main Street, Dyersburgh, TN 38024.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

---

##### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Honda Motor Co., Inc., intends to allow the establishment of Columbia Cycles, Inc., as a dealership for the sale of Honda Motorcycles all terrain vehicles and motor scooters, at 4250 West Highway 90, Lake City (Columbia County), Florida 32055, on or after August 24, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Columbia Cycles, Inc. are: dealer operator: Gregory E. Mackey, 4250 West Highway 90, Lake City, Florida 32055; principal investor(s): Gregory E. Mackey and John G. Aldous, 4250 West Highway 90, Lake City, Florida 32055.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.





Project Description: Transfer CON #9154 from Sacred Heart Hospital of Pensacola  
 Approved Cost: \$8,806,127  
 County: Escambia Service District: 1  
 CON #: 9346 Decision Date: 7/24/2000 Decision: D  
 Facility/Project: Shared Adult Open Heart Surgery Program  
 Applicant: West Florida Regional Medical Center, Inc. and Fort Walton Beach Medical Center, Inc.  
 Project Description: Establish a shared open heart surgery program  
 Approved Cost: \$0  
 County: Dade Service District: 11  
 CON #: 9347 Decision Date: 7/26/2000 Decision: A  
 Facility/Project: The Waterford Convalescent Center  
 Applicant: Brookwood-Extended Care Center of Hialeah Gardens LLP  
 Project Description: Cost Overrun on CON #7800  
 Approved Cost: \$803,399  
 A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.  
 AHCA Purchase Order Number S5900H0396.

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:  
 County: Duval Service District: 4  
 Facility/Project: Life Care of Duval County  
 Applicant: Life Care Health Resources, Inc.  
 Project Description: Transfer of CON #8943 from National Healthcare, L.P.

County: Escambia Service District: 1  
 Facility/Project: Life Care Center of Escambia County  
 Applicant: Life Care Health Resources, Inc.  
 Project Description: Transfer CON #8797 from National HealthCare, L.P.  
 County: Brevard Service District: 7  
 Facility/Project: Life Care Center of Brevard County  
 Applicant: Life Care Health Resources, Inc.  
 Project Description: Transfer of CON #8837 from National HealthCare, LP  
 County: Duval Service District: 4  
 Facility/Project: Life Care Center at St. Luke's  
 Applicant: Life Care Health Resources, Inc.  
 Project Description: Transfer CON #8950 from Vantage Healthcare Corporation  
 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: Hillsborough District: 6  
 ID #: 0000037A Issue Date: 7/28/2000  
 Facility/Project: University Community Hospital  
 Applicant: University Community Hospital, Inc.  
 Project Description: Liner Accelerator Project  
 Proposed Project Cost: \$2,300,000 Equipment Cost:  
 ID #: 00234 Issue Date: 7/28/2000  
 Facility/Project: Larkin Community Hospital  
 Applicant: Larkin Community Hospital, LLC  
 Project Description: Add 10 adult psychiatric beds.  
 Proposed Project Cost: \$50,000 Equipment Cost:  
 AHCA Purchase Order Number S5900H00396.

**DEPARTMENT OF MANAGEMENT SERVICES**

**CONVICTED VENDOR LIST**

**BY**

**DEPARTMENT OF MANAGEMENT SERVICES**

**DIVISION OF PURCHASING**

**TALLAHASSEE, FLORIDA**

Section 287.133(3)(d), Florida Statutes, provides that the Department of Management Services shall maintain a list of the names and addresses of those who have been disqualified from participating in the public contracting process under this section.

The list includes:

<b>NAME</b>	<b>PLACED ON LIST</b>
1) Carl Burgess 830 Polk Street Bartow, Florida 33830	October 1, 1997

For additional information, call: H. P. Barker, Jr., Chief, Bureau of Procurement, (850)488-8131 or Suncom 278-8131.

---

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	NOTICE OF AWARD		TYPE OF SOLICITATION
			VALUE OF AWARD	ORIGINAL AD DATE	
600-680	06-01-00	Dahle North America, Inc 375 Jaffrey Road Peterborough, NH 03458  ECCO Business Systems, Inc. 55 W. 39th Street, 11th Floor New York, NY 10018  HSM of America 882 S. Matlack Street, Unit H West Chester, PA 19382  MBM Corporation 3134 Industry Drive N. Charleston, SC 29418  Office Systems Consultants P. O. Box 147 Tallahassee, FL 32302-0147  Schleicher & Co. of America 5715 Clyde Rhyne Drive Sanford, NC 27330	\$613,542.00	12-08-99 1-11-00 Re-Advertised	ITB
485-060	06-01-00	Affiliated Paper Company 5101 E. Hanna Avenue Tampa, FL 33610  All American Poly 40 Turner Place Piscataway, NJ 08854  Calico Industries 9045 Junction Drive Annapolis Junction, MD 20701-2005  Dade Paper P. O. Box 523666 Miami, FL 33152	\$2,000,000.00	12-08-99 1-13-00 Re-Advertised	ITB
485-060	06-01-00	Dyna-Pak Corporation P. O. Box 967 Lawrenceburg, TN 38464  General Poly P. O. Box 10442 Pompano Beach, FL 33061  Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549-2600  MHMS Corporation 142-A Whitaker Road Lutz, FL 33549	\$2,000,000.00	12-08-99 1-13-00 Re-Advertised	ITB

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Reliable Custodial Maintenance & Supplies 8034 Wiles Road Coral Springs, FL 33067			
		Universal Home Health & Industrial Supplies 333 Falkenburg Road, Suite A126 Tampa, FL 33619			
		Xpedx 5595 Commonwealth Avenue Jacksonville, FL 32254			
388-120	6-15-00	General Mills Sales P. O. Box 1113 Minneapolis, MN 55440	\$1,500,000.00	03-09-00	ITB
		Kellogg Sales Company One Kellogg Square Battle Creek, MI 49016			
		McKee Foods Corporation P. O. Box 750 Collegedale, TN 37315-0750			
		Mutual Wholesale Company P. O. Box 330 Lakeland, FL 33803-0330			
650-001	04-01-00	American Park & Recreation 4423 N. Florida Avenue Tampa, FL 33603	\$1,000,000.00	11-02-99	ITB
		American Rubber Technologies P. O. Box 6548 Jacksonville, FL 32236			
		The Climbing Things, Inc. 5553 West Waters Avenue, Suite 300 Tampa, FL 33634			
		Contract Connection, Inc. 504 S. 2nd Street Jacksonville, FL 32250			
		Florida Tire Recycling, Inc. 9675 Range Line Road Port St. Lucie, FL 34987			
		Gametime P. O. Box 520700 Longwood, FL 32752-0700			
		Global Tire Recycling 1201 Industrial Drive Wildwood, FL 34785			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Hunter Kneppshield Co. P. O. Box 499 LaGrange, KY 40031			
		Jordan's Outdoor Fun 2201 S. E. Indian Street, Unit 0 Stuart, FL 34997			
		Landscape Structures, Inc. 305 Allison Avenue Longwood, Fl 32750			
		Miracle Recreation Equipment P. O. Box 948262 Maitland, Fl 32794-8262			
650-001	04-01-00	No Fault Industries, Inc. 11325 Pennywood Avenue Baton Rouge, LA 70809	\$1,000,000.00	11-02-99	ITB
		Park Structures 12325 W. Sample Road Coral Springs, FL 33065			
		Piazza, Inc P. O. Box 1217 Geneva, FL 32732			
		Playmore 917 S. E. 13th Avenue Cape Coral, FL 33990			
		Rubber Impact Technologies 1915 North 62nd Street Tampa, FL 33619			
		Safe Guard Surfacing Co. P. O. Box 801 St. James, NY 11780			
		Universal Surfacing Systems, Inc. 530 US 41 By-Pass, Ste. 24-B Venice, FL 34291			
840-001	05-28-00	Audio Visual Solutions P. O. Box 222126 Hollywood, FL 33022	\$4,000,000.00	03-24-00	ITB
		Central Audio Visual 1212 S. Andrews Ave. Ft. Lauderdale, FL 33316			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Electric Image Media 3223 N. W. 10th Terrace Ft. Lauderdale, FL 33309			
840-001	08-25-00	MDM Commercial Enterprises 3220 S. 3rd Street Jacksonville, FL 32250 Media Solutions of Miami 12101 N. W. 98th Avenue Hialeah Gardens, FL 33018	\$4,000,000.00	03-24-00	ITB
		Phillips Consumer Electronics 64 Perimeter Center East Atlanta, GA 30346			
		Pro Video Sales 6600 W. Rogers Circle Boca Raton, FL 33487			
		Sharp Electronics Sharp Plaza One Mahwah, NJ 07430			
		Troxell Communications 4532 W. Kennedy Blvd. Tampa, FL 33609			
		Vidicomp Dist. P. O. Box 572928 Houston, TX 77257			
		Watson Industries 11378 Royal Cape Coral, FL 33991	Tee Circle		
991-705	06-19-00	Superior Special Services 8503 Sunshine Street Tampa, FL 33634	\$1,000,000 units	04-03-00	ITB
477-860	05-22-00	Arthur J. Gallagher	\$30,000.00	01-14-00	ITB
252-018	04-01-00	Informix Software One East Broward Blvd Suite 700 Ft. Lauderdale, FL 33301-1843	\$150,000	N/A	Negotiation
252-023	05-01-00	Kronos 555 Winderley Place Suite 120 Maitland, FL 32751	\$150,000	N/A	Negotiation
252-001	04-05-00	Software House International 2 River Drive Somerset, NJ 08873	\$10,000,000	N/A	BID

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
252-014	06-01-00	SAS SAS Campus Drive Cary, NC 27513	\$150,000	N/A	Negotiation
252-002	05-26-00	Oracle 2858 Remington Green, Circle Suite 101 Tallahassee, FL 32308	\$5,000,000	N/A	Negotiation
252-012	06-19-00	Seagate 9211 Pine Island Ct. Tampa, FL 33647	\$150,000	N/A	Negotiation
252-030	06-02-00	Trend Micro 10101 N. DeAnza Blvd. 4th Floor Cupertino, CA 95014	\$150,000	N/A	Negotiation
973-001	05-15-00	A T Hudson & Co. 690 Kinderkamack Rd. Oradell, NJ 07649  Burns & McDonnell 6600 Peachtree Dunwoody Rd. Atlanta, GA 32808  Camber Corporation 635 Discovery Drive Huntsville, AL 35806  Concurrent Technologies Corp. 7990 114th Avenue, N. Largo, FL 33773-5026  Glenn Robertson & Associates 122 S. Calhoun St. Tallahassee, FL 32301  HDR Engineering, Inc. 2202 N. WestShore Blvd. Suite 250 Tampa, FL 33607-5755  IFEM (USA), Inc. 24311 Walden Center Drive, #202 Bonita Springs, FL 34134	\$1,000,000	N/A	Negotiation
973-001	05-15-00	Information Systems of Fla., Inc. 9550 Regency Square Blvd. Suite 100 Jacksonville, FL 32225  James Moore & Co., PL 3303 Thomasville Rd., Suite 301 Tallahassee, FL 32312	\$1,000,000	N/A	Negotiation

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Michael Richardson & Associates 1636 Eagle's Watch Way Tallahassee, FL 32312			
		MGT of America, Inc. 2123 Centre Pointe Blvd. Tallahassee, FL 32308			
		MLC & Associates 17100 Gillete Ave., Suite 220 Irvine, CA 92614			
		MTL Services International, Inc. 10515-A Braddock Rd. Fairfax, VA 22032			
		Nammack Associates, Inc. 6120 New Pembroke Lane Fredericksburg, VA 22407			
		Policy Studies, Inc. 999 18th Street, Suite 900 Denver, CO 80202			
		Pricewaterhouse Coopers LLP 12902 Federal Systems Park, Drive Fairfax, VA 22033-4412			
		Roy Jorgensen Associates P. O. Box 70 Buckeystown, MD 21717			
		Science Applications International Corp. 1710 SAIC Drive, M/S 3-9-2 McLean, VA 22102			
973-001	05-15-00	Sterling Institute 11211 Waples Mill Rd. Suite 310 Fairfax, VA 22030	\$1,000,000	N/A	Negotiation
		Testmasters, Inc. 4167 Avenida DE La Plata #108 Oceanside, CA 92056			
		William M. Mercer, Inc. 3131 East Camelback Rd. Suite 300 Phoenix, AZ 85016			
070-700 Bid	05-25-00	Atlantic Truck Sales 2565 State Road 84 Ft. Lauderdale, FL 33312	\$12,000,000 EST	03-03-00	Competitive



COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		Fountain Motor Co., Inc. DBA King Truck Center 3000 S. Clarcona Road, #417 Apopka, FL 32703			
		International Truck & Engine Corporation 2400 Commerce Avenue Bldg. 1100, Suite 100 Duluth, GA 30096			
991-160	05-01-00	Airborne Express 11777 Central Parkway Jacksonville, FL 32224	2,000,000	02-14-00	Service ITB
		Consolidated Delivery & Logistics 3026 N. Commerce Parkway Miramar, FL 33025 Corporate Express Delivery Systems 5911 Benjamin Center Tampa, FL 33634			
		Express One Panhandle 3053 Bell Grove Drive Tallahassee, FL 32308			
991-160	05-01-00	External Office Systems-1 P. O. Box 7165 Tallahassee, FL 32314	\$2,000,000	02-14-00	Service ITB
		Federal Express P. O. Box 727 Memphis, FL 38101			
		FedEx Ground (formerly RPS) 442 S. Virginia Street Quincy, FL 32351			
		Institutional Courier Services Route 5, Box 6180 Madison, FL 32340			
		Momentum Logistics, Inc. 8923 Western Way, Suite 22 Jacksonville, FL 32556			
		Pony Express Delivery Systems, Inc. 4067 Seaboard Road Orlando, FL 32808			
		Quality Transportation 3013 N. W. 25th Avenue Pompano Beach, FL 33069			
		Red Baron Aviation, Inc. 4023 W. Waters Avenue, #14 Tampa, FL 33614			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
		United Parcel Services (UPS) 7411 Fullerton Street, Suite 101 Jacksonville, FL 32256			
360-240	06-01-00	Beaulieu Commercial P. O. Box 1447 Chatsworth, GA 30705	\$10,000,000	03-08-00	Negotiation
		Collins & Aikman Floorcoverings 1735 Cleveland Highway Dalton, GA 30721			
360-240	06-01-00	J & J Industries, Inc. P. O. Box 306 Dalton, GA 30722-0306	\$10,000,000	03-08-00	Negotiation
		Lee Carpers (Burlington Ind.) 3330 W. Friendly Avenue Greensboro, NC 27410 Mannington Carpets, Inc. P. O. Box 12281 Calhoun, GA 30703-7004			
		Shaw Industries, Inc. P. O. Box 429 Cartersville, GA 30120			
		Sylvan Chemical Co./Milliken 201 Lukken Industries Drive, West LaGrange, GA 30240			
715-001	06-21-00	Apple Books P. O. Box 99842 Pittsburgh, PA 15233 Rand McNally & Co. P. O. Box 1906 Stokie, IL 60076			Added To Multiple Award Contract
		Chelsea House Publishers, LLC 1974 Sproul Road, Suite 400 Broomall, PA 19008			
		Heineman Library P. O. Box 1650 Crystal Lake, IL 60139-2279			
		Millbrook Press, Inc. 95 Madison Avenue, Suite 604 New York, NY 10016			
		Penworthy Company 219 North Milwaukee Street Milwaukee, WI 53202			

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
715-001	06-21-00	R. R. Bowker Publishing 121 Chanlon Road New Providence, NJ 07974 Rainbow Book Company 500 E. Main Street Lake Zurich, IL 60047  Raintree Steck Vaughn Co. P. O. Box 26015 Austin, TX 7855-0055  Unique Books, Inc. 5010 Kemper Avenue St. Louis, MO 63139			Added to Multiple Award Contract
973-520	06-10-00	Matrix Information Systems, Inc. 1355 N. Courtenay Parkway Suite G Merritt Island, FL 32953	\$500,000	N/A	Negotiation
974-002	04-01-00	Solution Architech, Inc. 6008 Pratt Street Tampa, FL 33647	\$500,000	N/A	Negotiation
974-003	04-03-00	Walkabout Computer Resources P. O. Box 10165 Tampa, FL 32302	\$500,000	N/A	Negotiation
974-004	04-14-00	eGovNet.Com 3948 Townsfair Way Suite 200 Columbus, OH 43219	\$500,000	N/A	Negotiation
974-005	04-28-00	Xi Technologies 2223 Mangum, Suite 202 Houston, TX 77092-8115	\$500,000	N/A	Negotiation
974-007	04-28-00	Ajilon 8875 Hidden River Parkway Tampa, FL 33637	\$500,000	N/A	Negotiation
974-008	06-07-00	Woolpert LLP 600 Brickell Avenue, Ste. 801 Miami, FL 33131-2511	\$500,000	N/A	Negotiation
974-009	05-09-00	Sherikon Space Systems 12249 Science Drive Suite 140 Orlando, FL 32826	\$500,000	N/A	Negotiation

COMMODITY	AWARD DATE	NAME/ADDRESS WINNING VENDOR(S)	VALUE OF AWARD	ORIGINAL AD DATE	TYPE OF SOLICITATION
974-010	06-16-00	Public Consulting Group, Inc. 345 South Magnolia Drive Suite A-16 Tallahassee, FL 32301	\$500,000	N/A	Negotiation
973-013	06-16-00	Digital Fusion 400 North Ashley Drive Suite 2600 Tampa, FL 33602	\$500,000	N/A	Negotiation
974-014	06-21-00	Advanced Data Solutions, Inc. 12807 W. Hillsborough Avenue Suite K Tampa, FL 33635	\$500,000	N/A	Negotiation

\* This number was calculated as the total estimated sales through the term of the contract divided by the number of contractors.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF RECEIPT OF SUPPLEMENTAL APPLICATION FOR POWER PLANT CERTIFICATION**

The Department has received a supplemental application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, section 403.501 et seq., Florida Statutes, concerning:

- Florida Power Corporation
- Hines Energy Complex, (Power Block 2)
- Power Plant Siting Application No. 92-33SA
- OGC Case No. 00-1490

The Department is reviewing the application to allow construction and operation of a 530 megawatt (MW) (nominal), natural gas fired power plant at an existing power plant site located at Florida Power Corporation’s Hines Energy Complex, Southwest of Bartow.

A copy of the application for certification is available for review in the office of: 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.

Pursuant to Section 403.507, F.S. and Rule 62-17, FAC., statutory parties to the site certification proceeding should review the application and submit their reports and recommendations.

**POINT OF ENTRY**

This notice does not serve as a point of entry for any person. However, in the future, a hearing will be announced to address environmental impacts. Non-agency parties to the original certification proceedings may become parties to the supplemental certification proceedings by filing a notice of

intent to become a party with the Department within 30 days of the publication of the newspaper notice of filing of the supplemental application published by the applicant pursuant to Section 62-17.231(2), Florida Administrative Code, or within 38 days of the non-agency’s receipt of the application. Any other person who is not a statutory party to the certification proceeding and whose substantial interest is affected and being determined by the proceeding may file a motion to intervene in the proceeding pursuant to chapter 120, Florida Statutes, and the applicable rules; Section 403.508(4), Florida Statutes; Section 62-17.141(4) Florida Administrative Code; and Section 62-17.231(3), Florida Administrative Code, at least 31 days before the date of the certification hearing. Failure to act within the time frame constitutes a waiver of the right to become a party. Intervention may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. The petition must be filed (received) with the Administrative Law Judge, Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 31 days before the date of the certification hearing.

**NOTICE OF AVAILABILITY**

Florida Finding of No Significant Impact – Amendment CS120602060 – WASTEWATER MANAGEMENT SYSTEM  
 The Florida Department of Environmental Protection has determined that the proposed siting of the wastewater treatment plant to serve the Key Largo area of Monroe County would not have a significant adverse environmental impact that cannot be mitigated. Compliance with all local, state, and

federal environmental limitations associated with the site would be required if the project is to qualify for State Revolving Fund assistance. The total project cost is estimated at \$77 million.

A full copy of the Florida Finding of No Significant Impact – Amendment can be obtained by writing: Dick Smith, Bureau of Water Facilities Funding, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

---

**DEPARTMENT OF HEALTH**

On July 26, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ronald Malave, M.D., license number ME 0058695. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 455.225(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

---

**NOTICE TO APPLY FOR EMERGENCY MEDICAL SERVICES COUNTY GRANTS**

AGENCY: Department of Health, Bureau of Emergency Medical Services

GRANT TITLE: Florida EMS County Grants

AUTHORITY: Chapter 401, Part II, F.S.

ELIGIBILITY: Boards of County Commissioners (grantees) may apply to receive their EMS County Grants by submitting their completed EMS County Grant Application and County Resolution to the Department at the address below.

TO OBTAIN AN APPLICATION: Contact the County Grant Award Administrator, Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738.

DEADLINE: Completed applications and county resolutions must be received by the Department of Health, Bureau of Emergency Medical Services no later than 5:00 p.m. (EST), May 4, 2001.

P.O. # X00699

---

**Section XIII**  
**Index to Rules Filed During Preceding Week**

**RULES FILED BETWEEN July 24, 2000  
 and July 28, 2000**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF INSURANCE**

4-211.029	7/26/00	8/15/00	26/21	
4-231.020	7/26/00	8/15/00	26/21	

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-10.024	7/25/00	8/14/00	26/23	
-----------	---------	---------	-------	--

**Florida State University**

6C2-2.009	7/28/00	8/17/00	Newspaper	
6C2-2.0091	7/28/00	8/17/00	Newspaper	

**DEPARTMENT OF TRANSPORTATION**

14-9.001	7/24/00	8/13/00	26/22	
14-100.001	7/24/00	8/13/00	26/4	26/25
14-100.002	7/24/00	8/13/00	26/4	26/25

**DEPARTMENT OF CORRECTIONS**

33-208.501	7/27/00	8/16/00	26/16	26/25
33-208.503	7/27/00	8/16/00	26/16	
33-208.504	7/27/00	8/16/00	26/16	26/19
33-208.505	7/27/00	8/16/00	26/16	
33-208.506	7/27/00	8/16/00	26/16	
33-208.507	7/27/00	8/16/00	26/16	26/25
33-208.508	7/27/00	8/16/00	26/16	26/19

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
33-208.510	7/27/00	8/16/00	26/16	26/25
33-208.511	7/27/00	8/16/00	26/16	
33-208.512	7/27/00	8/16/00	26/16	

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

40E-4.091	7/27/00	8/16/00	26/19	
-----------	---------	---------	-------	--

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-204.800	7/28/00	8/1/00	26/24	
62-212.600	7/28/00	8/17/00	26/23	

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

65C-1.001	7/24/00	8/13/00	26/17	
65C-1.002	7/24/00	8/13/00	26/17	
65C-1.003	7/24/00	8/13/00	26/17	
65C-1.004	7/24/00	8/13/00	26/17	
65C-1.005	7/24/00	8/13/00	26/17	
65C-1.006	7/24/00	8/13/00	26/17	
65C-1.007	7/24/00	8/13/00	26/17	
65C-1.014	7/24/00	8/13/00	26/17	

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

68A-28.002	7/24/00	8/13/00	26/23	
68A-28.003	7/24/00	8/13/00	26/23	