

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Packaging and Labeling Regulation

RULE NO.: 5F-3.001

PURPOSE AND EFFECT: The purpose of 5F-3.001 is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2000 edition of National Institute of Standards and Technology Handbook 130 and change the title of the subsection. Adoption of the current national standards will make Florida's requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: Requirements for package and labeling of commodities sold in package form in Florida.

SPECIFIC AUTHORITY: 531.41 (3) FS.

LAW IMPLEMENTED: 531.41 (13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 24, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2000 ~~1999~~ Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2000 ~~1999~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800. Copies of this uniform regulation are available

from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4) FS. History--New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99,

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices

RULE NO.: 5F-5.001

PURPOSE AND EFFECT: The purpose of this rule is to amend 5F-5.001 to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2000 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida's requirements with the national requirements to facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

SPECIFIC AUTHORITY: 531.40, 531.41 (3) FS.

LAW IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 24, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2000 ~~1999~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of

Agriculture and Consumer Services. A copy of NIST Handbook 44, 2000 ~~1999~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
 RULE NO.: 5F-7.005

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the method of sale of commodities established by the National Conference on Weights and Measures and published in the 2000 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The methods of sale allowable for commodities being sold by weight, measure or count.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 24, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2000 ~~1999~~ Edition, as the Rule for the

method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2000 ~~1999~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLES:	RULE NOS.:
Specific Exemptions	12A-1.001
Sales and Use Tax on Services; Sale for Resale	12A-1.0161
Exemption Certificates; Suggested Formats	12A-1.038
Sales for Resale	12A-1.039
Public Use Forms	12A-1.097

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.001, FAC. (Specific Exemptions); Rule 12A-1.0161, FAC. (Sales and Use Tax on Services; Sale for Resale); Rule 12A-1.038, FAC. (Exemption Certificates; Suggested Formats); and Rule 12A-1.097, FAC. (Public Use Forms); and the proposed substantial rewording of Rule 12A-1.039, FAC. (Sales for Resale), is to implement ss. 18, 19, 20, 21, 22, 23, and 24, Chapter 99-208, L.O.F. This law substantially amended provisions regarding the exemption provided for sales made for the purpose of resale. The proposed amendments will remove obsolete guidelines for sales to exempt organizations, sales for the purposes of resale, suggested formats of resale/exemption certificates, and interest rates for failure to timely pay tax due.

The purpose of the proposed amendments to Rule 12A-1.001, FAC. (Specific Exemptions), is to remove provisions regarding sales made directly to the United States Government, a state, county, municipality, or political subdivision and suggested formats for exemption certificates that will be provided in the proposed amendments to Rule 12A-1.038, FAC.

The purpose of the proposed amendments to Rule 12A-1.0161, FAC. (Sales and Use Tax on Services; Sale for Resale), is to provide current guidelines regarding the sale of taxable services for resale and to remove obsolete guidelines regarding sales to exempt organizations. Guidelines regarding sales to exempt organizations and the suggested formats for exemption certificates are provided in the proposed amendments to Rule 12A-1.038, FAC. Guidelines regarding sales for the purpose of resale are provided in the proposed substantial rewording of Rule 12A-1.039, FAC.

The purpose of the proposed amendments to Rule 12A-1.038, FAC. (Exemption Certificates; Suggested Formats), is to provide current guidelines regarding purchases or rentals of

property or services to the federal government, to state and local governments, and to non-profit organizations that hold a Consumer's Certificate of Exemption. Suggested formats for exemption certificates to be issued by such governmental entities or non-profit organizations to the selling dealer are provided. The proposed amendments provide that, in lieu of obtaining an exemption certificate from an organization that holds a Consumer's Certificate of Exemption, the dealer making tax exempt sales to such organizations may: 1) obtain a copy of the organization's Consumer's Certificate of Exemption; 2) obtain a transaction authorization number from the Department; or 3) obtain a vendor authorization number from the Department. Guidelines for each of these methods are provided in the proposed amendments. Guidelines are also provided for purchases or rentals of property or services that are exempt from sales tax under a specific provision in Chapter 212, F.S., based on the use of the property or service. Examples of such tax exempt property and services are provided in a proposed exemption certificate to be issued to the selling dealer by persons making tax exempt purchases of such property or services. Obsolete guidelines regarding sales for the purposes of resale that will be provided in the proposed substantial rewording of Rule 12A-1.039, FAC, are removed. Obsolete provisions regarding the interest rate, amended by the 1999 Legislature, are also removed from Rule 12A-1.038, FAC., as proposed.

The proposed substantial rewording of Rule 12A-1.039, FAC., implements Chapter 99-208, L.O.F., regarding the exemption provided for sales for resale and the Department's requirement to issue an "Annual Resale Certificate" to dealers actively registered with the Department. The proposed substantial rewording removes obsolete provisions regarding the use of resale certificates and provides guidelines for the three methods that a selling dealer may use to properly document an exempt sale for resale. These methods are: 1) Obtain a copy of the purchaser's Annual Resale Certificate; 2) Obtain a transaction resale authorization number provided by the Department telephonically; and 3) Obtain a vendor resale authorization number provided by the Department electronically.

The purpose of the proposed amendments to Rule 12A-1.097, FAC., is to incorporate by reference Form DR-13, Annual Resale Certificate, as required by s. 120.54, F.S.

SUBJECT AREA TO BE ADDRESSED: This workshop will discuss the proposed amendments to Rules 12A-1.001, 12A-1.0161, 12A-1.038 and 12A-1.097, FAC., and the proposed substantial rewording of Rule 12A-1.039, FAC. The subject of these rule amendments is the Department's proposed implementation of ss. 18, 19, 20, 21, 22, 23, and 24, Chapter 99-208, L.O.F. The guidelines and requirements imposed upon dealers regarding sales of tax exempt property and services and tax exempt sales for resale purposes will be presented for discussion.

SPECIFIC AUTHORITY: 212.07(1)(b), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.091(3), 120.57(1),(2), 120.60(3), 120.80(14), 212.02(10),(12),(14),(16),(20),(21), 212.03, 212.031, 212.04, 212.05, 212.0515, 212.054, 212.055, 212.0596(7), 212.06(1)(a),(2),(9), 212.07(1),(8), 212.08, 212.084, 212.085, 212.13(4), (5)(c), 212.17, 212.18, 212.21(2), 213.053(7)(b),(10), 213.12(2), 213.37, 403.715 FS., ss. 21, 22, 23, 24, Ch. 99-208, L.O.F.

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

TIME AND DATE: 10:00 a.m., April 25, 2000

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Vicki Allen, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4846

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.001 Specific Exemptions.

(1) through (8) No change.

(9) GOVERNMENTAL UNITS.

~~(a) All sales made directly to the United States Government, a state, or any county, municipality, or political subdivision of a state are exempt, except machines, equipment, parts, and accessories therefor used in the generation, transmission, or distribution of electricity. Except for purchases by employees of the United States Government, this exemption is not available for any taxable transaction when payment is made by a governmental employee by use of personal funds, including cash, checks, or credit cards, when the employee is subsequently reimbursed by the governmental entity. Payment must be made directly to the dealer by the governmental entity of a state, or any county, municipality, or political subdivision of a state. Purchases made by Federal employees on behalf of their agency are exempt even though the employee is subsequently reimbursed by the agency. Such governmental entities desiring to qualify for the exemption must obtain from the Department of Revenue a consumer's certificate of exemption (see Rule 12A-1.038 and 12A-1.039,~~

F.A.C.). The exemption provided in this subsection shall be strictly defined, limited, and applied to each entity as provided herein.

(b) through (c) renumbered (a) through (b) No change.

(d) Vendors are required to document exempt sales. Federal employees, other government employees, and employees of nonprofit organizations described in subsection (3) of this rule shall provide the vendor with proper documentation of the exempt nature of the sale.

1. A suggested format of the document to be provided by Federal employees to their vendors is the following:

FEDERAL EMPLOYEE'S CERTIFICATE

DATE

SELLING DEALER'S NAME

SELLING DEALER'S ADDRESS

I, the undersigned, am an employee of the Federal agency identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations on (DATE[S]) from the business identified above is in pursuit of my employer's affairs. The Government of the United States either will pay the seller directly, or will provide reimbursement to the employee for the actual cost of the purchase or lease of tangible personal property, services, or sleeping accommodations made on this date(s).

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

SIGNATURE OF EMPLOYEE

NAME OF FEDERAL AGENCY

ADDRESS OF FEDERAL AGENCY

THIS CERTIFICATE MAY NOT BE USED TO MAKE EXEMPT PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL EMPLOYED BY A UNITED STATES GOVERNMENT AGENCY. PROPER IDENTIFICATION IS REQUIRED BEFORE THIS CERTIFICATE MAY BE ACCEPTED BY THE SELLER.

2. A suggested format of the document to be provided by other government employees or employees of nonprofit organizations to their vendors is the following:

EMPLOYER'S AUTHORIZATION TO MAKE PURCHASES ON BEHALF OF AN EXEMPT GOVERNMENTAL OR NONPROFIT ORGANIZATION

DATE

TO: SELLING DEALER'S NAME

SELLING DEALER'S ADDRESS

I, the undersigned, am a representative of the exempt governmental or nonprofit organization identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations made on (DATE[S]) from the business identified above is for use by the exempt governmental or nonprofit organization identified below.

The charges for the purchase or lease of tangible personal property or services or the rental of living accommodations from the dealer identified above will be billed to and paid directly by the exempt governmental or nonprofit organization.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

AUTHORIZED SIGNATURE ON BEHALF OF EXEMPT ENTITY

NAME OF EXEMPT ENTITY

ADDRESS OF EXEMPT ENTITY

CONSUMER'S CERTIFICATE OF EXEMPTION NUMBER

THIS CERTIFICATE MAY NOT BE USED TO MAKE PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL REPRESENTING THE EXEMPT ENTITY IDENTIFIED ABOVE.

(10) through (21) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 92.525, 212.02(10),(12),(16),(20),(21), 212.03, 212.031, 212.04, 212.05, 212.0515, 212.06(2),(9), 212.08(4),(5)(a),(e),(6),(7)(a),(b),(c),(d),(f),(g),(h),(i),(k),(l),(m),(n),(o),(p),(q),(r),(s),(u),(v),(x),(bb),(cc),(dd),(kk),(nn), (8), 212.085, 212.17, 212.18, 213.12(2), 213.37, 403.715 FS. History-Revised 1-7-68, 1-7-70, Amended 1-17-71, Revised 6-16-72, Amended 7-19-72, 12-11-74, 5-27-75, 10-21-75, 9-7-78, 9-28-78, 10-18-78, 9-16-79, 2-3-80, 6-3-80, 7-7-80, 10-29-81, 12-3-81, 12-31-81, 7-20-82, 11-15-82, 10-13-83, 4-12-84, Formerly 12A-1.01, Amended 7-9-86, 1-2-89, 12-1-89, 7-7-92, 9-14-93, 5-18-94, 12-13-94, 3-20-96, 4-2-00.

12A-1.0161 Sales and Use Tax on Services; Sale for Resale.

(1) through (3) No change.

(4)(a) Sales of services made directly to the United States Government, a state, any county, municipality, or political subdivision of a state, or any qualifying nonprofit religious, nonprofit charitable, nonprofit educational, nonprofit veterans', or nonprofit scientific organization or institution, are exempt from tax.

(b) Also exempt are sales made to nonprofit corporations who hold a current federal exemption under section 501(c)(3) of the Internal Revenue Code, if the corporation's primary purpose is:

- 1. to raise funds for military museums;
- 2. to operate homes for the aged pursuant to s. 196.1975(2), Florida Statutes;
- 3. to operate nursing homes licensed under Chapter 400, Florida Statutes;
- 4. to provide special educational, cultural, recreational, and social benefits to minors; or
- 5. to operate a facility which has been designated as a State Theater Program facility by s. 265.287, Florida Statutes.

(c) Sales made to these governmental entities, nonprofit organizations, institutions, or corporations will be considered exempt only if the governmental entity, nonprofit organization, institution, or corporation holds a consumer's certificate of exemption and presents it to the service provider at the time of sale, except that such sales made to the United State Government are exempt with or without a consumer's certificate of exemption.

(d) The following is a suggested format for an exemption certificate to be used when making sales of services to governmental units or other exempt entities.

This is to certify that the service(s) purchased on or after _____ (date) from _____ (name) pursuant to _____ (contract number or other form of agreement) is purchased by a governmental entity, nonprofit organization, institution, or corporation which holds a consumer's certificate of exemption.

Purchaser _____
 Address _____
 By _____
 _____ (Signature)
 Date _____
 Consumer's Certificate of Exemption No. _____
 Effective Date of Certificate _____
 Expiration Date of Certificate _____

(4)(5)(a) A sale of a service is a sale for resale and is exempt from sales tax when the service is later sold under the following conditions:

- (a)1- The service provides a direct and identifiable benefit to a single client or customer of the purchaser; and
- (b)2- The purchaser of the service buys the service pursuant to a written contract (or other evidence sufficient for audit purposes) with the seller which specifically designates the client or customer on whose behalf the purchaser is buying the service; and
- (c)3- The purchaser of the service separately states the value of the service in the charge for the service when it is subsequently sold to the purchaser's client or customer; and

4. The selling dealer obtains a resale certificate from a purchasing dealer who is primarily engaged in the business of selling taxable services. In order to purchase a service tax exempt as a sale for resale, the purchaser's sales tax number must end in digits 92 or 93.

(d)5- The selling dealer complies with the provisions of Rule 12A-1.039, F.A.C., with regard to documenting sales for resale. When a sale of a service is made to a person who claims to be entitled to purchase services for resale, the seller of the service being a duly registered dealer pursuant to Chapter 212, F.S., shall obtain from the purchaser of the service a resale certificate. The resale certificate, executed by the purchaser of the service, shall contain a statement to the effect that the service is being purchased exclusively for resale and the statement shall include the following information:

- a. The name of the person selling the service;
- b. The purchaser's Certificate of Registration Number;
- c. The effective date of the purchaser's Certificate of Registration;
- d. The purchaser's name and address;
- e. The signature of the person executing the statement; and
- f. The date of execution of the statement.

(b) The following is a suggested service resale certificate to be completed by the purchaser and presented to the seller on each purchase of a service for resale:

This is to certify that the service(s) purchased on _____ (date) from _____ (name) pursuant to _____ (contract number or other form of agreement) is purchased for resale.

Purchaser _____
 Address _____
 By _____
 _____ (Signature)
 Date _____
 Certificate of Registration No. _____
 Effective Date of Certificate _____

(c) Any dealer who makes a sale for resale of a service which is not in compliance with the provisions of this subsection shall himself be liable for and pay the tax.

(6) through (13) renumbered (5) through (12) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.05(1)(b),(j), 212.054, 212.055, 212.0596(7), 212.06(1)(a),(2)(k), 212.07(1)(b),(8), 212.08(7),(v) FS. History--New 5-13-93, Amended 1-4-94, 10-17-94, 3-20-96, 4-2-00, _____.

12A-1.038 Resale and Exemption Certificates; Suggested Formats.

(1) It is the specific legislative intent that each and every sale, admission, use, storage, consumption, or rental is taxable under Chapter 212, F.S., unless such sale, admission, use, storage, consumption, or rental is specifically exempt. The exempt nature status of the transaction must be established by the selling dealer. Unless the selling dealer shall have taken

from the purchaser the required documentation as provided in subsections (3), (4), (5) and (6) of this rule a certificate signed by the dealer or the dealer's authorized representative to the effect that the property or service was purchased for resale and bearing the date, the name and address of the purchaser, the effective date of the certificate and the number of the dealer's certificate of registration, or a certificate signed by an authorized representative of the organization bearing the number of the organization's consumer's exemption certificate, the effective date of the certificate, and the expiration date of the certificate, the sale shall be deemed to be a taxable, except sales or leases to organizations that are specifically exempt from tax imposed pursuant to Chapter 212, F.S. (See Rule 12A-1.001(3)(b)1.-6., F.A.C.). sale at retail, except sales of alcoholic beverages by distributors, licensed by the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, to others who are also licensed by the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation. Subsection (3) of this rule governs sales made to exempt entities (other than governmental units) that hold a Consumer's Certificate of Exemption. Subsection (4) of this rule governs sales made to governmental units that hold a Consumer's Certificate of Exemption. Subsection (5) of this rule provides general rules regarding the use of exemption certificates by any entity or governmental unit that holds a Consumer's Certificate of Exemption. Subsection (6) of this rule governs exempt sales made to persons other than exempt entities or governmental units (exemptions on account of use).

(2) The effective date of such resale certificate shall be the postmark date of the Application for Registration, if mailed by the taxpayer, or the date the DR 1, Application for Registration, is received by the Department, if delivered by the taxpayer. Any purchases made prior to the effective date of the certificate are subject to tax.

(3)(a) A resale certificate is required from every purchaser who purchases tangible personal property or service for resale, subject to the provisions of subsection (1) of this rule. Otherwise, the dealer will be required to collect and remit the tax to the Department of Revenue.

(b) The provisions for purchasing services listed in Rule 12A-1.0161, F.A.C., for resale or by an exempt entity are stated in Rule 12A-1.0161(4) and (5), F.A.C.

(c) Purchases for resale outside the State of Florida by unregistered, out of state dealers are governed by Rule 12A-1.064(2)(b), F.A.C. Caution: See Rule 12A-1.093, F.A.C.

(4) A dealer shall refuse to accept a resale certificate, except as provided in Rule 12A-1.064(2)(b), F.A.C., and shall collect the tax unless the purchaser has obtained a dealer's certificate of registration from the Department of Revenue and the number of his dealer's certificate of registration is stated on the resale certificate.

(5)(a) Any resale certificate containing the statement to the effect that a purchase is for resale which contains the date, purchaser's name, address, dealer's certificate of registration number, effective date of the certificate, and the dealer's or authorized representative's signature shall be sufficient compliance with the law only to the extent provided by this rule. Such certificate shall show that the property or service was purchased for resale or for incorporation as a material part of other tangible personal property to be produced for sale by manufacturing, assembling, processing, or refining, or for some other purpose which is exempt under the law. Resale certificates may be given only by a purchaser who has obtained a dealer's certificate of registration from the Department of Revenue.

(b) Any exemption certificate issued by an organization holding a consumer's certificate of exemption which contains the date, the exempt entity's name, address, consumer's certificate of exemption number, the effective date of the certificate, the expiration date of the certificate, a statement that the property or service is purchased for use by the organization, and signed by an authorized representative shall be sufficient compliance with the law only to the extent provided by this rule.

(6) In cases where all of the purchases made by a person from a particular dealer are for resale or are to be incorporated as a material or part of other tangible personal property to be produced for sale by manufacturing, assembling, processing or refining, the dealer is authorized to take a blanket certificate of resale from the purchaser stating that all of the purchases made by such person for a definite period will be purchased from the dealer for either of the above mentioned purposes, provided each subsequent order contains the certificate of registration number of the purchaser.

(2)(7) HOW TO OBTAIN A FLORIDA CONSUMER'S CERTIFICATE OF EXEMPTION.

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

3. The charitable organization receiving a temporary certificate must qualify for a permanent certificate before its temporary certificate expires. If the Department determines that the organization will not qualify as a charitable institution under the provisions of s. 212.08(7)(o)2.b., F.S., and Rule 12A-1.001(3)(g), F.A.C., for a regular certificate, the temporary certificate must be canceled and the taxes and interest on all purchases for which the temporary exemption certificate was used are due within 30 days after the cancellation. Interest shall accrue on the tax due at the rate of 1 percent per month (prorated daily) of the amount due from the date of purchase until the date on which the tax is paid. The decimal equivalent of the daily interest rate (.00328767) shall be applied to any delinquent period which is less than a month.

4. No change.

(c) through (f) No change.

(3) SALES MADE TO EXEMPT ENTITIES OTHER THAN GOVERNMENTAL UNITS.

(a) An entity that holds a current Consumer's Certificate of Exemption (Form DR-14) issued by the Florida Department of Revenue may make purchases and rentals for use in its customary activities exempt from sales and use tax. It is not the responsibility of the selling dealer to determine whether the transaction is for purchases for use in the exempt entity's customary activities or for resale. It is the exempt entity's responsibility to provide the proper documentation depending on the nature of the purchase. A selling dealer who accepts a Consumer's Certificate of Exemption or an Annual Resale Certificate that appears valid on its face will not be held liable for the tax on the transaction.

(b) The exempt entity must issue either a copy of its Consumer's Certificate of Exemption or an exemption certificate to the selling dealer in order to make exempt purchases or rentals in this state. The exemption certificate must contain the exempt entity's name, address, and Consumer's Certificate of Exemption Number, as well as the effective date and expiration date of the Consumer's Certificate of Exemption, and the signature of an authorized representative of the exempt entity. The Consumer's Certificate of Exemption will be good through the expiration date listed on the document. A suggested format for an exemption certificate is provided in paragraph (g) of this subsection. A dealer selling or leasing taxable property or services to an entity holding a Consumer's Certificate of Exemption must retain the copy of the entity's Consumer's Certificate of Exemption or the properly executed exemption certificate in order to document the exempt nature of the transaction, as provided in subsection (7) of this rule.

(c) Exempt purchases made under this subsection must be made with the purchasing entity's funds and may not be made with personal funds of the purchasing entity's authorized representative. When the payment for taxable property or services is made with an authorized representative's personal funds, the purchase is subject to tax, even if the representative is subsequently reimbursed with the entity's funds. A selling dealer who accepts payment from a purchaser that is a holder of a Consumer's Certificate of Exemption and complies with paragraphs (b), (d), and (e) of this subsection shall not be held liable for the tax on the transaction.

(d) TRANSACTION AUTHORIZATION NUMBER ISSUED AT POINT-OF-SALE – VALID FOR SINGLE TRANSACTION ONLY. In lieu of obtaining a copy of the exempt entity's Consumer's Certificate of Exemption or the exemption certificate, prior to making a sale to an exempt entity, the selling dealer may obtain from the Department a transaction authorization number.

1. A transaction authorization number must be obtained by the selling dealer at the point-of-sale through use of an automated nationwide toll-free verification system. The nationwide toll-free number to access the system is 1(877)357-3725.

2. The selling dealer must key in the purchaser's Consumer's Certificate of Exemption number through use of a touch-tone phone. The system will either issue a 13 digit transaction authorization number or alert the selling dealer that the purchaser does not have a valid Consumer's Certificate of Exemption. Callers who do not have a touch-tone phone will be connected to a live operator. Persons with hearing or speech impairments may call the Department's TDD, at 1(800)367-8331.

3. The transaction authorization number is not valid to exempt subsequent purchases made by the same purchaser. A selling dealer must obtain a new transaction authorization number for each and every sales transaction.

4. The selling dealer must document the transaction authorization number on the sales invoice, purchase order, or a separate form that is prepared by either the purchaser or the selling dealer. The sales invoice or purchase order form must contain the following statement: "The purchaser hereby certifies that the real property leased, licensed, or rented, transient rental property rented, tangible personal property purchased, leased, licensed, or rented, services purchased, or admissions purchased are for use by an exempt entity in the customary activities of such entity. I understand that if I will be reimbursed by the entity I represent, I must pay tax to the selling dealer on my purchases, leases, licenses or rentals of taxable property or services." This statement must be followed by the signature of the purchaser. The signature may also be obtained by the selling dealer through use of an electronic signature pad or other electronic method.

(e) VENDOR AUTHORIZATION NUMBER FOR REGULAR CUSTOMERS VALID FOR CALENDAR YEAR ISSUED. In lieu of obtaining a copy of the exempt entity's Consumer's Certificate of Exemption or an exemption certificate prior to making a sale to an exempt entity, the selling dealer may obtain from the Department a vendor authorization number.

1. The "vendor authorization number" is a customer-specific authorization number that will be valid for all sales made to an exempt entity during the calendar year.

2. To obtain vendor authorization numbers, the selling dealer must send a list of his or her regular customers, who have a prior Consumer's Certificate of Exemption or exemption certificate on file, to the Department, through use of a floppy disk or other electronic medium. In response to this request, the Department will issue to the selling dealer, through use of the same electronic medium as the request, a listing containing a unique vendor authorization number for each exempt entity who is a holder of a Consumer's Certificate of

Exemption. The electronic format for sending the customer data may be obtained from the Department's web site at <http://sun6.dms.state.fl.us/dor/> or by calling (850)488-3516.

(f) An exemption certificate granted by any other state, District of Columbia, or territory of the United States to the selling dealer is not sufficient to make tax-exempt purchases or rentals in Florida. The fact that an entity holds a s. 501(c)(3), I.R.C., exemption from federal income tax is not sufficient to make tax exempt purchases or rentals in Florida.

(g) The following is a suggested format of an exemption certificate to be issued by an entity (other than a governmental unit) that holds a Consumer's Certificate of Exemption:

This is to certify that the real property leased, licensed, or rented, transient rental property rented, tangible personal property purchased, leased, licensed, or rented, services purchased, or admissions purchased after (date) from (Selling Dealer's Business Name) are being purchased, leased, licensed, or rented for use by an exempt entity that holds a Consumer's Certificate of Exemption in the customary activities of such entity.

I understand that if I will be reimbursed by the entity I represent, I must pay tax to the selling dealer on my purchases or leases of taxable property or services.

I understand that it is a criminal offense to fraudulently issue this certificate to evade the payment of sales tax and that I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

Consumer's Certificates of Exemption may be verified by calling the Department of Revenue's touch tone telephone authorization system at 1(877)357-3725. Persons with hearing or speech impairments may call the Department's TDD, at 1(800)367-8331.

Exempt Entity's Name _____
Name and Title of Authorized Representative _____
Exempt Entity's Address _____
Consumer's Certificate of Exemption No. _____
Effective Date of Consumer's Certificate of Exemption _____
Expiration Date of Consumer's Certificate of Exemption _____
By _____
(Signature of Purchaser's Authorized Representative)
Title _____
(Title of authorized representative of an exempt entity)
Date _____

(4) SALES MADE DIRECTLY TO GOVERNMENTAL UNITS.

(a) Any state, or any county, municipality, or political subdivision of a state that holds a current Consumer's Certificate of Exemption (Form DR-14) issued by the Florida Department of Revenue may make purchases and rentals exempt from sales and use tax. The United States Government is not required to hold a Consumer's Certificate of Exemption

to make purchases and rentals exempt from sales and use tax. This subsection does not apply to purchases or rentals that are for resale. If a governmental unit that holds a Consumer's Certificate of Exemption desires to make purchases or rentals for resale, the governmental unit must comply with the provisions of Rule 12A-1.039, F.A.C. It is not the responsibility of the selling dealer to determine whether the transaction is for a purchase(s) for use by the governmental unit or for resale. It is the governmental unit's or authorized representative's responsibility to provide the proper documentation, depending on the nature of the purchase.

(b) All governmental units and their authorized representatives must issue proper documentation to the selling dealer in order to make exempt purchases or rentals in this State. The documentation must contain the governmental unit's name, address, and Consumer's Certificate of Exemption Number, as well as the effective date and expiration date of the Consumer's Certificate of Exemption, and the signature of an authorized representative of the governmental unit. A suggested format for the documentation is provided in paragraph (d) of this subsection. A dealer making sales to a governmental unit or its authorized representative must retain the properly executed documentation in order to document the exempt nature of the transaction, as provided in subsection (7) of this rule. However, an employee of a governmental unit making a purchase with an authorized Purchasing or Procurement Card ("P-Card") is not required to provide the documentation described in this paragraph to the selling dealer. The selling dealer who accepts the "P-Card" should retain the certificate of exemption number, account number, and cardholder name for its permanent records. However, if upon examination the selling dealer did not retain this information, the Department will verify the exempt nature of the transaction. The "P-Card" indicates on its face that it is a Florida government purchasing card for official business only. Information printed on the front of the card will include the agency's name, the agency's consumer's certificate of exemption number, the account number, the name of the cardholder (employee), and the expiration date.

(c)1. Payment for tax exempt purchases or rentals of property or services must be made directly to the selling dealer by the governmental unit of a state, or any county, municipality, or political subdivision of a state. Payments made with an authorized P-Card are considered to be made directly by the governmental unit. When the payment for taxable property or services is made with the personal funds of an authorized representative of the governmental unit, the purchase is subject to tax, even if the representative is subsequently reimbursed with the governmental unit's funds. A selling dealer who accepts payment from a governmental unit or authorized representative and complies with paragraphs (b) and (d) of this subsection shall not be liable for tax on such transaction.

2. The provisions of subparagraph 1. do not apply to purchases made by Federal employees on behalf of their agency when the employee is subsequently reimbursed by the Federal agency. Such purchases are exempt when Federal employees provide the selling dealer with proper documentation of the exempt nature of the sale. A suggested format of the document to be provided by the Federal employee to his or her vendor is provided in paragraph (d) of this subsection.

(d) Selling dealers are required to document exempt sales. Federal employees and other government employees described in this subsection shall provide the selling dealer with proper documentation of the exempt nature of the sale.

1. A suggested format of the document to be provided by Federal employees to the selling dealer is the following:

FEDERAL EMPLOYEE'S CERTIFICATE

DATE

SELLING DEALER'S NAME

SELLING DEALER'S ADDRESS

I, the undersigned am an employee of the Federal agency identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations on (DATE[S]) from the business identified above is in pursuit of my employer's affairs. The Government of the United States either will pay the seller directly, or will provide reimbursement to the employee for the actual cost of the purchase or lease of tangible personal property, services, or sleeping accommodations made on this date(s).

Under penalties of perjury, I declare that I have read the foregoing and the facts stated in it are true.

SIGNATURE OF EMPLOYEE

NAME OF FEDERAL AGENCY

ADDRESS OF FEDERAL AGENCY

THIS CERTIFICATE MAY NOT BE USED TO MAKE EXEMPT PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL EMPLOYED BY A UNITED STATES GOVERNMENTAL AGENCY. PROPER IDENTIFICATION IS REQUIRED BEFORE THIS CERTIFICATE MAY BE ACCEPTED BY THE SELLER.

2. A suggested format of the document to be provided by other government employees to the selling dealer is the following:

EMPLOYER'S AUTHORIZATION TO MAKE PURCHASES ON BEHALF OF AN EXEMPT GOVERNMENTAL UNIT

DATE

TO:

SELLING DEALER'S NAME

SELLING DEALER'S ADDRESS

I, the undersigned, am a representative of the exempt governmental unit identified below. The purchase or lease of tangible personal property or services or the rental of living accommodations made on (DATE[S]) from the business identified above is for use by the exempt governmental unit identified below.

The charges for the purchase or lease of tangible personal property or services or the rental of living accommodations from the dealer identified above will be billed to and paid directly by the exempt governmental unit.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

AUTHORIZED SIGNATURE ON BEHALF OF EXEMPT GOVERNMENTAL UNIT

NAME OF EXEMPT GOVERNMENTAL UNIT

ADDRESS OF EXEMPT GOVERNMENTAL UNIT

CONSUMER'S CERTIFICATE OF EXEMPTION NUMBER

THIS CERTIFICATE MAY NOT BE USED TO MAKE PURCHASES OR LEASES OF TANGIBLE PERSONAL PROPERTY OR SERVICES OR RENTAL OF LIVING ACCOMMODATIONS FOR THE PERSONAL USE OF ANY INDIVIDUAL REPRESENTING THE EXEMPT ENTITY IDENTIFIED ABOVE.

(5) USE OF EXEMPTION CERTIFICATES BY ENTITIES THAT HOLD A CONSUMER'S CERTIFICATE OF EXEMPTION (EXEMPT ENTITIES OR GOVERNMENTAL UNITS).

(a) The effective date of an exemption certificate issued by any entity holding a current Consumer's Certificate of Exemption (Form DR-14) shall be the effective date of the Consumer's Certificate of Exemption. This date is found in the block labeled "Issue Date" on Form DR-14. Taxable property or services purchased by an exempt entity prior to the effective date of the entity's Consumer's Certificate of Exemption are subject to tax.

(b) The expiration date of an exemption certificate issued by any entity holding a current Consumer's Certificate of Exemption (Form DR-14) shall be the expiration date of the

Consumer's Certificate of Exemption. This date is found in the block labeled "Expiration Date" on Form DR-14. Sales of taxable property or services made on or after the expiration date of a Consumer's Certificate of Exemption (Form DR-14) to the entity are subject to tax. A selling dealer must obtain a new exemption certificate when an exempt entity or governmental unit's Consumer's Certificate of Exemption expires.

(c) An entity whose Consumer's Certificate of Exemption (Form DR-14) has been revoked by the Department is prohibited from purchasing taxable property or services exempt from tax. However, a selling dealer who accepts a certificate that appears valid on its face shall not be subject to assessment or other punitive action if the selling dealer has complied with subsections (3) and (4) of this rule.

(6) SALES EXEMPT ON ACCOUNT OF USE.

(a) The provisions of this subsection apply only to persons (other than the United States Government) who do not hold a Consumer's Certificate of Exemption, that purchase or lease, license, or rent tangible personal property or purchase services that will be exempt based on account of use.

(b) A person who qualifies for an exemption from sales and use tax under Chapter 212, F.S., on tangible personal property that is purchased or leased, licensed, or rented, or services that are purchased for a particular exempt purpose, must issue an exemption certificate to the selling dealer in order for the sale to be exempt from tax. The requirement of an exemption certificate as provided in this paragraph does not apply to sales of utilities to individual residential households; however, the selling dealer is still required to document that the utility is sold for residential use. The dealer selling, leasing, licensing or renting property or selling services exempt from sales and use tax under an exemption based on account of use as provided in Chapter 212, F.S., must retain the properly executed exemption certificate in order to document the exempt nature of the transaction, as provided in subsection (7) of this rule. This subsection does not apply to purchases or rentals that are for resale. A person who desires to make purchases or rentals for resale must comply with the provisions of Rule 12A-1.039, F.A.C.

(c) The exemption certificate must contain the purchaser's name, address, and the signature of an authorized representative of the purchaser. A suggested format for an exemption certificate is provided in paragraph (f) of this subsection. Exemptions based on account of use that do not apply to a particular purchaser should be eliminated from the suggested format of the exemption certificate. Suggested formats for exemption certificates are also found elsewhere in Rule Chapter 12A-1, F.A.C., as well as in Department-issued Taxpayer Information Publications.

(d) Selling dealers are required to obtain only one exemption certificate issued under this subsection to exempt sales of taxable property or services to purchasers other than

exempt entities or governmental units. A dealer is not required to obtain an exemption certificate from a purchaser for each and every subsequent exempt transaction that is covered by the initial exemption certificate.

(e) Selling dealers may contact the Department at 1(800)352-3671 to verify the specific exemption specified by the purchaser. Persons with hearing or speech impairments may call the Department's TDD, at 1(800)367-8331.

(f) The following is a suggested format of an exemption certificate to be issued by a purchaser who does not hold a Consumer's Certificate of Exemption, but who claims that the purchase, lease, license, or rental of the property or purchase of the services is for an exempt purpose:

This is to certify that the tangible property purchased, leased, licensed, or rented, or services purchased, after (date) from (Selling Dealer's Business Name) are purchased, leased, licensed, or rented for the following purpose as checked in the space provided. This is not intended to be an exhaustive list:

() Materials, containers, labels, sacks, or bags intended to be used one time only for packaging tangible personal property for sale at other than retail by persons not required to be registered under s. 212.18(3), F.S.

() Export of tangible personal property for use outside this state, as provided in Rule 12A-1.064(1), F.A.C.

() Motor vehicles and parts thereof used by common carriers to transport persons or property in interstate or foreign commerce, as provided in s. 212.08(9)(b), F.S.

() Railroads and parts thereof used by common carriers to transport persons or property in interstate or foreign commerce, as provided in s. 212.08(9)(b), F.S.

() Incorporation into items of tangible personal property manufactured, produced, compounded, processed, or fabricated for one's own use as provided in Rule 12A-1.043, F.A.C.

() Printing of a newspaper, magazine, newsletter, shopper, or community newspaper that is exempt under the provisions of s. 212.08(7)(w), F.S.

() Items, such as paper and ink, that will be incorporated into and become a component part of a newspaper, magazine, newsletter, shopper, or community newspaper that is exempt under the provisions of s. 212.08(7)(w), F.S.

() Nets purchased by commercial fisheries, as provided in s. 212.08(5)(a), F.S.

() Self-propelled, power-drawn, or power-driven equipment, when purchased, rented, or leased for exclusive use on a farm or in a forest in plowing, planting, cultivating, or harvesting crops or products as produced by those agricultural industries included in s. 570.02(1), F.S., or for fire prevention and suppression work with respect to such crops or products, taxable at the rate of 3 percent under the provisions of s. 212.08(3), F.S.

() Generators purchased, rented, or leased for exclusive use on a poultry farm, as provided in s. 212.08(5)(a), F.S.

() Fertilizers (including peat, topsoil, and manure, but not fill dirt), insecticides, fungicides, pesticides, and weed killers used for application on or in the cultivation of crops, groves, home vegetable gardens, and commercial nurseries, as provided in s. 212.08(5)(a), F.S.

() Insecticides and fungicides, including disinfectants, used in dairy barns or on poultry farms for the purpose of protecting cows or poultry or used directly on animals, as provided in s. 212.08(5)(a), F.S.

() Field and garden seeds, nursery stock, seedlings, cuttings, or other propagative material for growing on or growing stock, as provided in s. 212.08(5)(a), F.S.

() Portable containers used for harvesting or processing farm products, such as boxes, cartons, crates, picking bags, field boxes, glass jars, or cans, as provided in s. 212.08(5)(a), F.S.

() Agricultural supplies used for packaging tangible personal property for sale, including items such as baling wire and twine used for baling hay; burlap, cans, nails, and other materials used in packaging plants for sale; shipping cases, window cartons, cellophane wrappers, and other packaging materials for one time use in the sale of farm products; honey containers, labels, and mailing cases; glue for tin and glass for use by apiarists; and wax moth control with paradichlorobenzene for use in preparing and packaging farm products, as provided in s. 212.08(5)(a), F.S.

() Cloth, plastic, or similar material used for shade, mulch, or protection from frost or insects on a farm, as provided in s. 212.08(5)(a), F.S.

() Liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised, as provided in s. 212.08(5)(a), F.S.

() Motor vehicle rented or leased by a dealer that will be provided at no charge by such dealer to a person whose motor vehicle is being repaired, adjusted, or serviced by such dealer, as provided in s. 212.0601(4), F.S.

() Other (include description and statutory citation):

I understand that if I use the property or service for any purpose other than the one I stated, I must pay tax on the purchase or lease price of the taxable property or service directly to the Department of Revenue.

I understand that it is a criminal offense to fraudulently issue this certificate to evade the payment of sales tax and I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

The exemption specified by the purchaser may be verified by calling 1(800)352-3671.

Purchaser's Name

Purchaser's Address

Name and Title of Authorized Representative

Sales and Use Tax Certificate of Registration No. (if applicable)

By

(Signature of Purchaser or Authorized Representative)

Title

(Title – only if purchased by an authorized representative of a business entity)

Date

(7) Selling dealers must maintain blanket resale and exemption certificates based on the Department's suggested format provided in Rule 12A-1.039, F.A.C., effective 12-13-94, as well as exemption certificates or other documentation issued under the provisions of this rule, as amended, until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S.

(8) Purchases by the United States government are exempt whether or not a Consumer's Certificate of Exemption (Form DR 14) is presented to the dealer. See Rule 12A-1.0161(4), F.A.C.

(8)(9) An exempt entity may not provide an exemption certificate or a copy of its a consumer's certificate of exemption may be used on the purchase of tangible personal property, and may not be applied to a contractor to be applied to contracts for the construction or improvement of real property. See Rule 12A-1.094, F.A.C., for guidance on direct purchases by exempt entities of construction materials in real property projects.

(10) Civic, commercial, cooperative, fraternal and social organizations do not qualify for exemption.

(11) A suggested format for a purchaser's resale and exemption certificate is found in Rule 12A-1.039, F.A.C.

(9)(12) Any person who knowingly fraudulently issues an exemption to any vendor or agent of the State a certificate or statement in writing for the purpose of evading payment of sales tax will prior to January 1, 1993, in addition to being liable for payment of the sales tax, plus a mandatory penalty of 100% of the tax, shall also be liable for civil penalties provided in s. 212.085, F.S. fine and punishment as provided by law for conviction of a felony of the third degree, as provided in Section 775.082, Section 775.083, or Section 775.084, F.S. Effective January 1, 1993, the mandatory penalty is 200% of the tax.

Specific Authority 212.07(4)(b), 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 95.091(3), 120.57(1),(2), 120.60(3), 120.80(14), 212.02(14), 212.05(1)(b),(j)(4), 212.07(1), 212.08, 212.084, 212.085, 212.13(5)(c), 212.18(2), 212.21(2), 213.053(7)(b) FS. History-Revised 10-7-68, 6-16-72, Amended 9-28-78, 7-20-82, 4-29-85, Formerly 12A-1.38, Amended 8-10-92, 3-17-93, 9-14-93, 12-13-94.

(Substantial rewording of Rule 12A-1.039 follows. See Florida Administrative Code for present text.)

12A-1.039 Sales for Resale Suggested Forms.

(1)(a) It is the specific legislative intent that each and every sale, use, storage, consumption, or rental is taxable, unless such sale, use, storage, consumption, or rental is specifically exempt. The exempt nature of the transaction must be established by the selling dealer.

(b) A sale for resale is exempt from the tax imposed by Chapter 212, F.S., only when the sale for resale is in strict compliance with the provisions of this rule. For purposes of this rule, a "sale for resale" includes the following sales, leases, or rentals, when made to a person who is an active registered dealer. This is not intended to be an exhaustive list.

1. The sale of tangible personal property or telecommunication services to a dealer when such property or telecommunication service will be resold to the dealer's customers.

2. The sale, lease, or rental of tangible personal property to a dealer when such property will be held exclusively for leasing or rental purposes, pursuant to Rule 12A-1.071(2)(a), F.A.C.

3. The sale of taxable services identified in Rule 12A-1.0161(1), F.A.C., to a dealer when such services are being resold to the dealer's customers under the conditions stated in Rule 12A-1.0161(4), F.A.C.

4. The lease or rental of real property to a dealer when such property will be leased, rented, or licensed to the dealer's tenants.

5. The lease or rental of real property to a dealer when such property will be rented as transient accommodations to the dealer's guests or tenants.

6. The sale of tangible personal property to a dealer when such property will be incorporated as a material, ingredient, or component part of tangible personal property that is being produced for sale by manufacturing, processing, or compounding.

7. The sale of inserts of printed materials that are distributed as a component part of a newspaper or magazine, as provided in s. 212.05(1)(h), F.S.

8. The sale of tangible personal property to a repair dealer, when such property will be incorporated into and sold as part of a repair of tangible personal property by such dealer.

9. The alteration, remodeling, maintenance, adjustment, or repair of tangible personal property (when labor and materials are provided) that is held in inventory for resale or exclusively for leasing purposes by a dealer.

(c) For purposes of this rule, "active registered dealer" means a person who is registered with the Department as a dealer for sales tax purposes and who is required to file a sales and use tax return during each applicable reporting period, as provided in s. 212.11(1), F.S.

(2) ANNUAL RESALE CERTIFICATE.

(a) For each calendar year, the Department of Revenue will issue to each active registered dealer an Annual Resale Certificate (Form DR-13, incorporated by reference in Rule 12A-1.097, F.A.C.). A newly registered dealer will receive the Annual Resale Certificate along with his or her Certificate of Registration. The expiration date of the Annual Resale Certificate will be printed on the face of the certificate.

(b) Dealers who lose their Annual Resale Certificate may request a replacement by contacting the Department at 1(800)352-3671. Persons with hearing or speech impairments may call the Department's TDD, at 1(800)367-8331. Written requests should be addressed to Central Registration, Florida Department of Revenue, 5050 West Tennessee Street, Building E, Tallahassee, Florida 32399-0100.

(3) A dealer making a sale for resale must document the exempt nature of the transaction by using one of the following three methods, except as provided in paragraphs (4)(b) and (c) of this rule:

(a) ANNUAL RESALE CERTIFICATE. Prior to making a sale for resale, the selling dealer must obtain from the purchaser a copy of the purchaser's current Annual Resale Certificate.

1. The copy of the Annual Resale Certificate must be signed by the purchaser or the purchaser's authorized representative.

2. A selling dealer may make sales for resale to a purchaser whose current Annual Resale Certificate is on file without seeking a new Annual Resale Certificate for each subsequent transaction during that calendar year. A selling dealer may only make exempt sales for resale to purchasers during the calendar year for which the purchaser's Annual Resale Certificate appears valid on its face. A new Annual Resale Certificate must be obtained each calendar year. However, there is an exception to this requirement for sales to purchasers who purchase on account from a dealer on a continual basis.

3. For sales to purchasers who purchase on account from a dealer on a continual basis, the selling dealer may rely upon a Department-issued Annual Resale Certificate beyond the expiration date of the certificate, and shall not be required to obtain a new Annual Resale Certificate each calendar year. For purposes of this subparagraph, the phrase "purchase on account from a dealer on a continual basis" means that the selling dealer has a continuing business relationship with a purchaser, and makes recurring sales on account to that purchaser in the normal course of business. For purposes of this subparagraph, a sale "on account" refers to a sale where the dealer extends credit to the purchaser and records the debt as an account receivable, or where the dealer sells to a purchaser who has an established cash or C.O.D. account, similar to an "open credit account." For purposes of this subparagraph, purchases are made from a selling dealer on a "continual basis" if the selling

dealer makes sales to the purchaser no less frequently than once in every twelve month period in the normal course of business.

(b) TRANSACTION RESALE AUTHORIZATION NUMBER ISSUED AT POINT-OF-SALE – VALID FOR SINGLE TRANSACTION ONLY. Prior to making a sale for resale, the selling dealer must obtain from the Department a transaction resale authorization number.

1. A “transaction resale authorization number” must be obtained by the selling dealer at the point-of-sale through use of an automated nationwide toll-free telephone verification system. The nationwide toll-free number to access the system is 1(877)357-3725.

2. The selling dealer must key in the purchaser's sales tax certificate of registration number through use of a touch-tone phone. The system will either issue a 13 digit transaction resale authorization number or alert the selling dealer that the purchaser does not have a valid resale certificate. Callers who do not have a touch-tone phone will be connected to a live operator. Persons with hearing or speech impairments may call the Department's TDD, at 1(800)367-8331.

3. A transaction resale authorization number is not valid to exempt subsequent resale purchases or rentals made by the same purchaser. A selling dealer must obtain a new transaction resale authorization number for each and every resale transaction.

4. The selling dealer must document the transaction resale authorization number on the sales invoice, purchase order, or a separate form that is prepared by either the purchaser or the selling dealer. The sales invoice, purchase order, or separate form must contain the following statement: “The purchaser hereby certifies that the property or services being purchased or rented are for resale.” This statement must be followed by the signature of the purchaser. The signature may be obtained by the selling dealer through use of an electronic signature pad or other electronic method.

5. Alternatively, in lieu of meeting the requirements of subparagraph 4., the transaction resale authorization number may be documented on a properly completed Uniform Sales and Use Tax Certificate-Multijurisdiction, as provided in subsection (9) of this rule.

(c) VENDOR RESALE AUTHORIZATION NUMBER FOR REGULAR CUSTOMERS WHO HAVE PREVIOUSLY SUBMITTED DOCUMENTATION TO THE SELLING DEALER – VALID FOR CALENDAR YEAR ISSUED. Prior to making a sale for resale, the selling dealer must obtain from the Department a vendor resale authorization number.

1. The “vendor resale authorization number” is a customer-specific authorization number that will be valid for all sales for resale made to a particular customer during the calendar year.

2. To obtain vendor resale authorization numbers, the selling dealer must send a list of his or her regular customers, who have a prior resale certificate on file, to the Department, through use of a floppy disk or other electronic medium. In response to this request, the Department will issue to the selling dealer, through use of the same electronic medium as the request, a list containing a unique vendor resale authorization number for each customer who is an active registered dealer. The electronic format for sending the customer data may be obtained from the Department's web site at <http://sun6.dms.state.fl.us/dor/> or at (850)488-3516. This option is available to selling dealers throughout the calendar year without limitation.

3. The selling dealer may make exempt sales for resale to a customer during the period in which the vendor resale authorization number for that customer is valid. Vendor resale authorization numbers are valid for the remainder of the calendar year during which they are issued. However, vendor resale authorization numbers issued by the Department in November or December shall be valid for the remainder of the current calendar year and the next calendar year.

(4) RESPONSIBILITIES OF A DEALER MAKING A SALE FOR RESALE

(a) In order to make an exempt sale for resale, the selling dealer must document the exempt nature of the transaction. The selling dealer must retain, as part of his or her books and records, a copy of that receipt or invoice, as well as the Annual Resale Certificate described in paragraph (3)(a), or a resale authorization number described in paragraph (3)(b) or (c), until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S. Electronic storage by the selling dealer of the copy of the Annual Resale Certificate or other required documentation through use of imaging, microfiche, or other electronic storage media shall be considered sufficient compliance with this paragraph.

(b) The sale of alcoholic beverages by distributors licensed by the Division of Alcoholic Beverage and Tobacco, Department of Business and Professional Regulation, to others who are also licensed by the Division of Alcoholic Beverage and Tobacco, Department of Business and Professional Regulation, are deemed to be sales for resale, and such sales need not be in compliance with the documentation requirements provided in subsection (3) of this rule.

(c) The sale of motor vehicles or recreational vehicles through a motor vehicle auction licensed by the Department of Highway Safety and Motor Vehicles, pursuant to s. 320.27(1)(c)4., F.S., to other motor vehicle dealers licensed by the Department of Highway Safety and Motor Vehicles under s. 320.27(2), F.S., are deemed to be sales for resale and such sales need not be in compliance with the documentation requirements provided in subsection (3) of this rule.

(5) BURDEN OF ESTABLISHING EXEMPT NATURE OF SALES FOR RESALE

(a) A selling dealer who makes a sale for resale in good faith, and who complies with the requirements of subsections (3) and (4) of this rule, has met his or her burden of proof of establishing the exempt nature of the sale, and is relieved from any liability for sales tax on that sale. The submission of Annual Resale Certificates to the Department that are obtained after the sale from purchasers who were active registered dealers at the time of the sale will be considered sufficient compliance with subsection (3) when submitted during audit or protest, but will not be acceptable if submitted during any proceeding under chapter 120, F.S. or in any circuit court action under chapter 72, F.S.

(b)1. A sale that is not in compliance with the requirements of subsections (3) and (4) of this rule is presumed to be a retail sale, and the selling dealer will be liable for any applicable sales tax not collected and remitted on that sale.

2. For a sale that is not in compliance with the requirements of subsections (3) and (4), but that is made to a person who was an active registered dealer at the time of the sale, the presumption that the sale is a retail sale can be overcome during an audit or protest if:

a. the selling dealer makes a reasonable attempt to obtain a signed Annual Resale Certificate from the purchaser, but is unable to do so; and

b. it would be reasonable to assume, based on the nature of the purchaser's business, that the sale was for resale.

3. A sale made to a person who was not an active registered dealer at the time of the transaction is a retail sale, and can never be considered a sale for resale. However, a selling dealer who accepts an Annual Resale Certificate that appears valid on its face will not be held liable for tax on this transaction, if it is later determined that the purchaser was not an active registered dealer at the time of the transaction.

(6) A sale to an unregistered nonresident dealer for resale outside this state is governed by Rule 12A-1.064(2)(b), or Rule 12A-1.007(6), F.A.C.

(7) Resale certificates created and issued by purchasers that were based on the Department's suggested format provided in Rule 12A-1.039, F.A.C., effective 12-13-94, are valid only for the purpose of documenting sales for resale made prior to February 1, 2000. Selling dealers must retain such certificates until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under s. 95.091(3), F.S.

(8) PROVISIONS APPLICABLE TO PERSONS CLAIMING THE RESALE EXEMPTION.

(a) Annual Resale Certificates may only be used by purchasers who hold a valid Sales and Use Tax Certificate of Registration issued by the Department, and whose registration status is currently active. For dealers who have been in business for less than the full calendar year, the effective date of the Annual Resale Certificate (Form DR-13) will be the postmark or hand delivered date of the Sales and Use Tax

Application for Certificate of Registration. The effective date is found in the block labeled "Registration Effective Date" on the Sales and Use Tax Certificate of Registration.

(b) A dealer whose Sales and Use Tax Certificate of Registration has been revoked or whose registration status has been inactivated by the Department is prohibited from purchasing, leasing, or renting taxable property or services for the purposes of resale exempt from tax. However, a selling dealer who accepts an Annual Resale Certificate that appears valid on its face will not be held liable for tax on this transaction, if it is later determined that the purchaser was not an active registered dealer at the time of the transaction.

(c) A purchaser who files returns on a consolidated basis (80 code) may extend, and the selling dealer may accept, a copy of the Annual Resale Certificate bearing the purchaser's consolidated sales tax registration number (80 code number), in lieu of extending a copy of the Annual Resale Certificate for each active location that is reported under the consolidated sales tax registration number (80 code number).

(d) For dealers who report sales tax using a county-control number, the Annual Resale Certificate will only be issued to the active reporting number(s) within each county. Dealers who report using a county-control number must use the Annual Resale Certificate issued to the active reporting number(s) to make purchases for resale, except dealers who file returns under a consolidated sales and use tax registration number (80 code). Sales tax numbers issued to the individual locations within a county are inactive, and will not be issued an Annual Resale Certificate.

(e) Wholesalers and certain other sales tax dealers who are currently on an inactive reporting status will need to contact the Department at 1(800)352-3671 (Florida only) or (850)488-6800 (outside Florida) to have their sales tax registration number activated in order to obtain the Annual Resale Certificate and make exempt purchases for resale. By activating the sales tax registration number, the dealer will then be required to file a sales tax return during each applicable reporting period, as provided in s. 212.11(1), F.S.

(f) Purchasers who are holders of a Direct Pay Permit, New and Expanding Business Permit, or other permits or exemption certificates issued pursuant to Chapter 212, Florida Statutes, need not extend or provide copies of their Annual Resale Certificate to any vendor nor otherwise comply with the requirements of this rule when making purchases authorized under the Direct Pay Permit, New and Expanding Business Permit, or other exemption certificates or permits issued pursuant to Chapter 212, F.S.

(g) Purchasers of vessels and parts thereof used to transport persons or property in interstate or foreign commerce must complete the affidavit as required in Rule 12A-1.064(5), F.A.C.

(h) A person who has made a purchase or rental of tangible personal property that is intended for resale by complying with the provisions of this rule, but who later uses the tangible personal property in a manner inconsistent with the purposes described in paragraph (1)(b) of this rule, owes use tax as provided in s. 212.05(1)(b), F.S., on such property that is no longer held for resale, but that is used, consumed, distributed, or stored for use or consumption in this state.

(i) The resale exemption may only be claimed for purchases or rentals that are intended for resale, and it may not be used by a dealer to make all of his or her purchases exempt from tax. Although the selling dealer may rely upon an Annual Resale Certificate as a blanket certificate for an entire calendar year, a purchaser may choose to limit the scope of a copy of an Annual Resale Certificate submitted to a particular selling dealer by including language on the copy of the certificate that limits the applicability of the certificate to only certain dates or types of purchases.

(j) Any person who, for the purpose of evading tax, uses an Annual Resale Certificate or signs any statement in writing in which he or she claims the resale exemption from sales tax when he or she knows, at the time of purchase or rental, that the property or services being purchased or rented are for a purpose other than for resale is subject to the civil and criminal penalties provided in s. 212.085, F.S.

(k) The resale exemption shall also apply to the importation of tangible personal property into this state for resale by an active registered dealer. A dealer who imports tangible personal property into this state for resale must be an active registered dealer at the time the property is imported into this state in order for the resale exemption to be applicable. The determination whether a particular item of tangible personal property imported into this state is for resale is based on the same criteria described in paragraph (1)(b) of this rule.

(9) USE OF MULTI-STATE UNIFORM RE SALE CERTIFICATE. The Department will allow purchasers to use the Multistate Tax Commission's Uniform Sales and Use Tax Certificate – Multijurisdiction. However, the use of this uniform certificate must be in conjunction with the telephonic or electronic authorization number method described in paragraph (3)(b) or (c) of this rule.

Specific Authority 212.07(1)(b), 212.17(6), 212.18(2), 213.06 (1) FS. Law Implemented 95.091(3), 212.02(14), 212.05(1)(b),(j) 212.06(4)(b), 212.07(1)(b), 212.08(3),(5)(a),(6),(7)(e),(9), 212.085, 212.13(4),(5)(c), 212.17(1)(b),(6), 212.18(2),(3), 212.21(2), 213.053(10) FS., ss. 21, 22, 23, 24, Ch. 99-208, L.O.F. History–Revised 10-7-68, 1-7-70, 6-16-72, 9-26-77, Amended 7-20-82, 4-12-84, Formerly 12A-1.39, Amended 1-2-89, 9-14-93, 12-13-94, _____.

12A-1.097 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
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(2) through (7) No change.

(8) DR-13	Sales and Use Tax Annual Resale Certificate (r. 02/00)	_____
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(8) through (10) renumbered (9) through (11) No change.

~~(12)(11)*DR-14~~ Consumer's Certificate of Exemption (r. ~~04/90~~) 08/92

(12) through (29) renumbered (13) through (30) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.17(6), 212.18(2),(3) FS. History–New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, _____.

PUBLIC SERVICE COMMISSION

DOCKET NO. 000154-SU

RULE TITLE: _____ RULE NO.: _____

Flows to be Used for Wastewater Treatment

Plan Used and Useful Calculations 25-30.432

PURPOSE AND EFFECT: To adopt a rule specifying the time period to be used in the equation for calculating the used and useful percentage of wastewater treatment plant.

SUBJECT AREA TO BE ADDRESSED: Flow data for calculating the used and useful percentage for wastewater treatment plant.

SPECIFIC AUTHORITY: 350.127(2), 367.121(1)(f) FS.

LAW IMPLEMENTED: 367.081(2) FS.

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

TIME AND DATE: 1:30 p.m., Tuesday, May 9, 2000

PLACE: Room 180, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

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, which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Christiana T. Moore, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.432 Flows to be Used for Wastewater Treatment Plant Used and Useful Calculations.

The used and useful percentage of a wastewater treatment plant shall be calculated using a ratio of actual flows, plus the amount calculated pursuant to Rule 25-30.431 and minus excess infiltration and inflow, to the permitted plant capacity. The denominator shall be the plant capacity as stated on the permit issued by the Department of Environmental Protection

for the utility's treatment plant. The flows in the numerator shall be the flow data stated in the same unit of measurement as the denominator.

Specific Authority 350.167(2), 367.121(1)(f) FS. Law Implemented 367.081(2) FS. History—New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Drivers
RULE NO.: 33-601.605

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth guidelines for: the selection and utilization of inmates as drivers of work release vehicles; the renewal of licenses; the training of inmates in the commercial vehicle driving vocational program; and the driving restrictions of permanent party inmates and inmates at major institutions.

SUBJECT AREA TO BE ADDRESSED: Inmate drivers.

SPECIFIC AUTHORITY: 944.09, 945.091 FS.

LAW IMPLEMENTED: 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 FS.

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

TIME AND DATE: 9:00 a.m. April 27, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.605 Inmate Drivers.

(1) Definitions.

(a) Approving Authority, where used herein, refers to the Secretary of the Florida Department of Corrections or his or her designee, who will be the warden or assistant warden who has operational responsibility for a specific work release center.

(b) Commercial Motor Vehicle, where used herein, refers to any motor vehicle used on the streets and highways which has a gross vehicle weight rating (declared weight or actual weight) of 26,001 pounds or more, is designed to transport more than 15 persons including the driver, or is utilized to carry hazardous materials.

(c) Commercial Vehicle Driving Vocational Program – a vocational program designed to prepare inmates for employment as tractor trailer or truck drivers. Instruction will include 1000 miles of road driving under the supervision of a qualified commercial vehicle driver prior to completion of the program. Road driving activities will include experience on

two-lane, four lane, interstate and city streets and highways. Twenty percent or more of the experience will occur at night on both wet and dry roads.

(d) DMV, where used herein, refers to the Department of Highway Safety and Motor Vehicles.

(e) Work Release Center (WRC), where used herein, refers to a facility where a community based transition program for approved minimum custody inmates prior to release from custody is conducted.

(2) License Requirements for Inmate Drivers.

(a) Any inmate who operates a work release center vehicle must have a valid Florida Driver's License.

(b) No inmate will be authorized to operate a vehicle that qualifies as a commercial motor vehicle without a valid Florida Commercial Driver's License.

(3) Selection Criteria for WRC Inmate Drivers.

(a) The inmate must meet the criteria for the work release program and not have a current or prior conviction in any of the following categories:

1. Any degree of murder or attempted murder.

2. Homicide.

3. Manslaughter.

4. Driving under the influence.

5. Driving while licensed suspended or revoked.

6. Kidnapping.

7. False imprisonment.

8. Escape, or a disciplinary report for escape or attempted escape for which the inmate was found guilty, or

9. Vehicle theft.

(b) The inmate must have demonstrated stability, maturity and satisfactory institutional adjustment for a period of six months.

(c) The inmate must be in minimum custody and have proven his or her trustworthiness by performing in an outside minimum custody assignment ninety days prior to his or her selection.

(d) The inmate must hold a valid Florida Driver's License or be eligible for licensing.

(e) The inmate must have a favorable driving record which does not reflect any moving violations within the last three years prior to incarceration.

(4) The classification officer considering an inmate as a work release center driver shall review the inmate's driving history utilizing the Kirkman Data Center database. Questions or concerns regarding the Kirkman Data Center database are to be directed to the work release coordinator in the Bureau of Classification and Central Records.

(5) Prior to driving a department vehicle, a WRC inmate driver must be authorized in writing by the approving authority.

(6) Obtaining licenses for non-licensed inmate drivers.

(a) When an inmate who does not have a valid Florida Driver's License on file is assigned as a WRC inmate driver, the classification officer shall contact the nearest DMV Driver's License Office by telephone and arrange for the license examination.

(b) A correctional officer shall escort the inmate to DMV for the scheduled appointment and shall remain with the inmate while he or she completes the license examination.

(c) Routine fees for driver's examinations, licenses and renewals will be paid by the work release center where the inmate is assigned at the time the fee is incurred. Any additional costs to obtain a driver's license will be the financial responsibility of the inmate and will be paid directly to the DMV Driver's License Office.

(d) Once the license is obtained, the correctional officer shall return with the inmate to the work release center, secure the driver's license in the control room and provide the classification officer with any paperwork received from DMV for the inmate's file.

(7) Issuance of WRC Inmate Driver's Licenses. The correctional officer working in the control room shall issue the license and the keys to the inmate upon departure from the work release center, and shall ensure that the license and the keys are returned to the control room upon the inmate's return to the work release center at the end of his or her driving duty shift. The correctional officer in control room shall document on the control room log every time a driver's license and keys are given to and received from an inmate. For security reasons, both items will be stored in the control room when not in use.

(b) The Correctional Officer in the control room will make the appropriate documentation on the Control Room Log, DC6-207, every time a driver's license and keys are given to and received from an inmate. Form DC6-207 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is _____.

(7) Supervision of WRC Inmate Drivers. A correctional officer sergeant at the work release center will be assigned to ensure the inmate driver fulfills the driving duties in the prescribed manner:

(a) The responsibilities of the assignment will be thoroughly explained to the inmate and the inmate will be required to sign the Inmate Driver Agreement Form, DC4-874A. Form DC4-874A is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is _____.

(b) The sergeant shall thoroughly familiarize the inmate with the route(s) he or she is to follow and shall accompany the inmate on his or her first run of the route. If, after one run, the correctional officer sergeant believes the inmate is not familiar enough with the route, the correctional officer sergeant shall continue to accompany the inmate on the route until the inmate is familiar enough with the route to drive it by himself.

(c) The inmate driver is restricted to authorized transportation duties only, shall not be permitted to drive for any non-department business duties, and shall not be required to drive a department vehicle for more than 12 hours per every 24-hour period. Under no circumstances will the inmate be permitted to operate a vehicle outside of the state.

(d) If any inmate is involved in an accident with a department vehicle, the shift supervisor at the work release center will notify the Florida Highway Patrol so that they can investigate the accident. If an inmate driver receives a traffic citation or is involved in an accident, the inmate's driving privileges will be immediately suspended pending a review by the approving authority. Reinstatement as an inmate driver will require written authorization by the approving authority.

(e) The sergeant at the work release center shall review each inmate's driver's license at least quarterly to ensure that the license is still valid and no traffic infractions (citations) have occurred since the inmate was authorized to drive. Should the license be invalid or any new traffic infractions (citations) discovered, notice shall be given to the approving authority who shall reassess the inmate's authorization to drive. The approving authority shall, in writing, advise the correctional officer major or classification officer at the work release center whether the inmate is to remain an inmate driver.

(f) A department vehicle will be assigned to only one inmate at a time. The vehicle will be searched and inspected at the beginning and conclusion of the assigned inmate's driving duty shift and at each intermittent stop at the work release center for contraband and any excess mileage driven by the inmate. The correctional officer searching the vehicle shall document the search on the control room log, Form DC6-207. Any contraband or mileage infractions will be handled through the disciplinary process.

(g) Each time an inmate driver returns to the work release center a correctional officer shall conduct a physical search of the inmate for the detection of contraband and shall document the search on the control room log. An inmate found with contraband will have his or her driving privileges immediately suspended pending review by the approving authority and shall be subject to the disciplinary process.

(8) Driving privileges and restrictions for inmates at major institutions.

(a) Inmates housed at major institutions will not be permitted to operate state vehicles other than farm equipment or other off-highway equipment which does not require a driver's license.

(b) Operation of a farm vehicle or other off-highway equipment must be approved in advance by the warden.

(c) Inmates shall be properly trained prior to using any of the above-listed equipment.

(d) Inmates shall not be authorized to operate farm equipment or other off-highway equipment off institution grounds.

(e) The inmate will only be permitted to have custody of the equipment keys when he or she is operating the machinery and must return the keys to the correctional officer for safe storage upon completion of the job assignment. Under no circumstances will equipment keys be left in the vehicle when not in use or when the vehicle is unattended.

(9) Commercial Vehicle Driving Vocational Program.

(a) In order to qualify for the Commercial Vehicle Driving Vocational Program designed to prepare an inmate for employment as a tractor trailer or truck driver, an inmate must exhibit a safe driving record, be at least 21 years of age, comply with State and Federal licensing requirements, and be otherwise eligible pursuant to paragraph (3) of this rule.

(b) An inmate who does not have a valid Florida Driver's License on file shall be permitted to obtain his driver's license in order to participate in the Commercial Vehicle Driving Vocational Program. The license will be obtained as described in paragraph (6) of this rule. The inmate will be required to purchase the license and Commercial Driver's License (CDL) at his own expense and pay such fees to the DMV Driver's License Office.

(c) Under no circumstances will an inmate be permitted to operate the tractor trailer or truck outside of the state.

(d) An inmate will be authorized to retain his driver's license and CDL on his person only when necessary for that specific part of the program which requires driving. When not in use, the driver's license and the keys to the vehicle shall be returned to the instructor for safe storage. Under no circumstances will an inmate be permitted to complete the field training part of the program that occurs outside the parameters of an institution without proper supervision and the accompaniment of a skilled professional.

Specific Authority 944.09, 945.091 FS. Law Implemented 20.315, 322.03, 322.04, 322.15, 944.09, 945.091 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE TITLE: Bone Marrow Transplantation
RULE NO.: 59B-12.001

PURPOSE AND EFFECT: The Agency proposes an amendment relating to bone marrow transplantation procedures. The proposed revisions would reflect recommendations of the bone marrow transplant panel based on review of current research finding, as required by section 627.4236 (3)(e), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Bone marrow transplant procedures that are accepted within the appropriate oncological specialty and are not experimental for the purposes of section 627.4236, Florida Statutes.

SPECIFIC AUTHORITY: 627.4236 FS.

LAW IMPLEMENTED: 627.4236 FS.

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

TIME AND DATE: 2:00 p.m., April 25, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robbie Roberts, Office of Health Policy, Agency for Health Care Administration, 2727 Mahan Drive Building 3, Tallahassee, Florida 32308, (850)487-7023

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-12.001 Bone Marrow Transplantation.

(1) Upon the recommendation of the Bone Marrow Transplant Panel ~~and in accordance with its final report to the Secretary, dated 2/9/95,~~ each of the following procedures is considered accepted within the appropriate oncological specialty and not experimental for the purposes of Section 627.4236, F.S. Bone marrow transplant refers collectively to hematopoietic stem cell transplantation using stem cells that are collected from peripheral blood and cord blood as well as bone marrow. As used in this rule, the term "appropriate oncological specialty" means that where a particular kind of tumor or disease is usually treated by a subspecialty group within the general discipline of oncology, those who practice within that subspecialty have had specific input into the decision making process:

(a) Autologous bone marrow transplant for acute myelogenous leukemia (stem cells collected in remission); ~~Bone Marrow Transplant for Acute Myelogenous Leukemia;~~

(b) Allogeneic bone marrow transplant for acute myelogenous leukemia (family-related donor with 5/6 or 6/6 match); ~~Bone Marrow Transplant for Acute Myelogenous Leukemia;~~

(c) Autologous bone marrow transplant for acute lymphoblastic leukemia (stem cells collected in remission); ~~Allogeneic Bone Marrow Transplant for Acute Lymphoblastic Leukemia;~~

(d) Allogeneic bone marrow transplant for acute lymphoblastic leukemia (family-related donor with 5/6 or 6/6 match); ~~Bone Marrow Transplant for Chronic Myelogenous Leukemia;~~

(e) Allogeneic bone marrow transplant for chronic, myelogenous leukemia (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Chronic Myelogenous Leukemia, first chronic phase;

(f) Autologous bone marrow transplant for Hodgkin's disease Bone Marrow Transplant for Hodgkin's Disease;

(g) Autologous bone marrow transplant for Non-Hodgkin's lymphoma, except low grade (small lymphocytic, follicular small-cleaved cell, follicular mixed cell types) Bone Marrow Transplant for Non-Hodgkin's Lymphoma;

(h) Allogeneic bone marrow transplant for Non-Hodgkin's lymphoma, except low grade (small lymphocytic, follicular small-cleaved cell, follicular mixed cell types) (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Neuroblastoma, (pediatric);

(i) Autologous bone marrow transplant for Ewing's sarcoma, chemotherapy sensitive after first relapse Bone Marrow Transplant for Rhabdomyosarcoma, pediatric, after failure of first therapy;

(j) Autologous bone marrow transplant for Neuroblastoma Bone Marrow Transplant for undifferentiated sarcoma, pediatric, after failure of first therapy;

(k) Autologous bone marrow transplant for breast carcinoma, stage Bone Marrow Transplant for Breast Cancer, Stage II (8 or more nodes positive);

(l) Autologous bone marrow transplant for breast carcinoma, stage IIIa and IIIb Bone Marrow Transplant for Germ Cell Tumor, Stage IV (metastatic) as part of second therapy;

(m) Autologous bone marrow transplant for germ cell tumor, after failure of first therapy but not progressing on salvage therapy Bone Marrow Transplant for Acute Lymphoblastic Leukemia, High Risk, in Remission, Adults;

(n) Autologous bone marrow transplant for multiple myeloma Bone Marrow Transplant for Acute Lymphoblastic Leukemia, High Risk, in Remission, Pediatric;

(o) Allogeneic bone marrow transplant for myelodysplastic syndrome (family-related donor with 5/6 or 6/6 match) Bone Marrow Transplant for Hodgkin's Disease, Responsive;

(p) Autologous bone marrow transplant for PNET (including medulloblastoma and pinealoblastoma), chemotherapy sensitive after first relapse; Allogeneic Bone Marrow Transplant for Non-Hodgkin's Lymphoma, Responsive;

(q) Autologous bone marrow for medulloblastoma and other PNET tumors, metastatic, at diagnosis, Allogeneic Bone Marrow Transplant Plasma Cell Dyscrasia, Responsive (includes myeloma & Waldenstrom's);

(r) Autologous Bone Marrow Transplant for Wilm's Tumor, Pediatric, at relapse, after appropriate conventional therapy has failed;

(2) Each of the following procedures is considered accepted within the appropriate oncological specialty and not experimental for the purposes of Section 627.4236, F.S., provided that the bone marrow transplantation procedure is performed in the context of a well-designed and conducted Phase II or Phase III clinical treatment trial as described in paragraph (3).

(a) Autologous bone marrow transplant for Non-Hodgkin's lymphoma, low grade (small lymphocytic, follicular small-cleaved cell, follicular mixed cell types) Bone Marrow Transplant for Breast Cancer, Stage IV;

(b) Allogeneic bone marrow transplant for Non-Hodgkin's lymphoma, low grade (small lymphocytic, follicular small-cleaved cell, follicular mixed cell types) (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Breast Cancer, Stage III;

(c) Autologous bone marrow transplant for chronic, myelogenous leukemia Bone Marrow Transplant for Breast Cancer, Inflammatory;

(d) Autologous bone marrow transplant for chronic lymphoblastic leukemia Bone Marrow Transplant for Epithelial Ovarian Cancer, Stage III and Stage IV, consolidation of first response;

(e) Allogeneic bone marrow transplant for chronic lymphoblastic leukemia (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Epithelial Ovarian Cancer, Stage III and Stage IV, chemoresponsive relapse;

(f) Allogeneic bone marrow transplant for Hodgkin's disease (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Plasma Cell Dyscrasia, Responsive, Stage II and Stage III;

(g) Autologous bone marrow transplant for plasma cell dyscrasias other than multiple myeloma (e.g. Waldenstrom's, amyloid) Bone Marrow Transplant for High-Grade Astrocytoma and Glioblastoma Multiforme, as part of 1st Therapy, Pediatric (21 years or less);

(h) Allogeneic bone marrow transplant for multiple myeloma and other plasma cell dyscrasias (e.g. Waldenstrom's, amyloid) (family-related donor with 5/6 or 6/6 match); Autologous Bone Marrow Transplant for Medulloblastoma, first recurrence, Pediatric (21 years or less);

(i) Autologous bone marrow transplant for breast carcinoma, stage II, with four to seven nodes positive Bone Marrow Transplant for Ewing's Sarcoma, localized, pelvic or non-pelvic greater than 8 cm in diameter at diagnosis, Pediatric (21 years or less);

(j) Autologous bone marrow transplant for breast carcinoma, stage IV, except progressive (25 percent or greater increase in the size of measurable disease) despite therapy: Bone Marrow Transplant for Small Cell Lung Cancer, Limited Extent, Responsive (complete or near complete response [more than 90% responsive]).

(k) Autologous bone marrow transplant for high-grade astrocytoma, glioblastoma multiforme, pediatric;

(l) Autologous bone marrow transplant for Ewing's sarcoma, localized, greater than eight cm or metastatic at presentation;

(m) Autologous bone marrow transplant for small-cell lung cancer, limited extent, in complete response;

(n) Autologous bone marrow transplant for ovarian carcinoma (epithelial), stage III and IV, chemosensitive relapse and consolidation of first response;

(o) Autologous bone marrow transplant for soft tissue sarcoma (other than rhabdomyosarcoma), pediatric, after failure of first therapy;

(p) Autologous bone marrow transplant for Wilms' tumor, at relapse;

(q) Autologous bone marrow transplant for germ cell tumor, high risk, at diagnosis;

(r) Alternate donor allogeneic bone marrow transplant for any of the indications in subsections (1) and (2) (unrelated donor, cord blood donor, or family-related donor other than 5/6 or 6/6 match).

(3) A well-designed and conducted clinical treatment trial is one which includes an IRB-approved written protocol. At a minimum, such protocol shall have specific criteria for evaluating the effect of treatment with defined endpoints that are precise, meaningful, and reliable and which allow valid conclusions to be drawn about therapeutic efficacy and safety. Protocols should include an adequate statistical section describing the method of randomization and stratification, if any, expected outcome parameters relating to response rates, time to progression, survival times and other relevant information. Such clinical treatment trials shall be consistent with protocols reviewed and approved by the National Cancer Institute for scientific merit.

(4) It should be noted that there are non-malignant (not oncological) diseases that are genetic disorders, or that result in bone marrow failure or lead to immunodeficiency syndromes for which bone marrow transplantation may be appropriate. While these non-malignant diseases are not described in the preceding lists, there are generally accepted and appropriate indications for bone marrow transplantation in these cases. In addition, there are malignant diseases that are uncommon in their occurrence that also are not detailed in the above lists for which the appropriateness of bone marrow transplantation may be determined on a case by case basis.

Specific Authority 627.4236 FS. Law Implemented 627.4236 FS. History—New 11-9-95, Formerly 10D-127.001, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: Grade Review Procedure
RULE NO.: 61G10-12.018

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule entitled "Grade Review Procedure".

SUBJECT AREA TO BE ADDRESSED: Grade Review Procedure.

SPECIFIC AUTHORITY: 455.217(2) FS.

LAW IMPLEMENTED: 455.217(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dee O'Connor, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLE: Temporary Permit to Practice as an Occupational Therapy Assistant
RULE NO.: 64B11-3.003

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Temporary Permit to Practice Occupational Therapy.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.209(3)(4) FS.

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

TIME AND DATE: 9:00 a.m., April 10, 2000

PLACE: Holiday Inn Select (Formerly the Clarion Hotel), 316 W. Tennessee Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Occupational Therapy Board, 2020 S. E. Capital Circle, BIN #C05, Tallahassee, Florida 32399-3299

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-21.002
Application and Selection Process for Loans	67-21.003
Selection Criteria and Guidelines for Selection of Developments	67-21.004
Determination of Method of Bond Sale	67-21.0045
Selection of Qualified Lending Institutions as Credit Underwriters, Originators or Servicers	67-21.005
Development Requirements	67-21.006
Fees	67-21.007
Terms and Conditions of Loans	67-21.008
Interest Rate on Mortgage Loans	67-21.009
Issuance of Revenue Bonds	67-21.010
No Discrimination	67-21.011
Advertisements	67-21.012
Private Placements of Multifamily Mortgage Revenue Bonds	67-21.013
Credit Underwriting Procedures	67-21.014
Use of Bonds with other Affordable Housing Finance Programs	67-21.015
Compliance Procedures	67-21.016
Transfer of Ownership	67-21.017
Refundings and Troubled Development Review	67-21.018
501(c)(3) Bonds for Multifamily Housing	67-21.019

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

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2001 application and program requirements for the Multifamily Bond Program, as specified in Rule Chapter 67-21, FAC.

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509 FS.

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

TIME AND DATE: 2:00 p.m., April 27, 2000

PLACE: Florida Housing Finance Corporation, Sixth Floor Seltzer Room, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bill Metler, Bond Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:	RULE NO.:
Florida Wild Turkey Stamp Design Contest	68A-28.003

PURPOSE AND EFFECT: The purpose of this rule change is to delete the rule. The result should cause no adverse effect to the participants since the language contained in the rule will be provided in the packets mailed to the participants each year.

SUBJECT AREA TO BE ADDRESSED: Deletion of the existing rule.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME, DATES AND PLACE: May 24-26, 2000, Time and Place to be announced at a later date

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: The preliminary text of the proposed rule development will be available and can be obtained from James V. Antista, General Counsel, 620 South Meridian Street, Tallahassee, FL 32399-1600

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 5 calendar days before the workshop by contacting Andrena Knicely, (850)487-1764. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

Division of Insurer Services

RULE CHAPTER TITLE:	RULE NOS.:
Medical Incident Patient Compensation Program	4J-3.001-.007

PURPOSE AND EFFECT: To repeal rule Chapter 4J-3 FAC., pursuant to section 120.536(2)(b), F.S. review and analysis.

SUMMARY: The Medical Incident Patient Compensation Program, rule Chapter 4J-3, was promulgated pursuant to s. 768.42 and 768.43, F.S. created by the 1976 Florida legislature. However, both sections were then repealed by the legislature in 1977. Based on this the rule should be repealed.

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

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

SPECIFIC AUTHORITY: 768.42(2)(a) FS.

LAW IMPLEMENTED: 768.42, 768.43 FS.

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

TIME AND DATE: 9:00 a.m., May 3, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eugenia Tyus, Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0314, (850)413-2552

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)922-3100, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4J-3.001 Definitions.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Amended 4-14-77, Formerly 4-40.01, 4-40.001, Repealed _____.

4J-3.002 Methods of Funding Patient Compensation Program.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Formerly 4-40.02, 4-40.002, Repealed _____.

4J-3.003 Administrative Fines and Other Disciplinary Measures.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Formerly 4-40.03, 4-40.003, Repealed _____.

4J-3.004 Annual Audit.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Formerly 4-40.04, 4-40.004, Repealed _____.

4J-3.005 Procedure for Conduct of Medical Incident Committee Meetings.

Specific Authority 768.42(2)(a), 768.42(3) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Amended 4-14-77, Formerly 4-40.05, 4-40.005, Repealed _____.

4J-3.006 Flexibility.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Formerly 4-40.06, 4-40.006, Repealed _____.

4J-3.007 Medical Incident Information.

Specific Authority 768.42(2)(a) FS. Law Implemented 768.42, 768.43 FS. History--New 1-1-77, Formerly 4-40.07, 4-40.007, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Fred Whitson, Legal Services and Eugenia Tyus, 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: March 28, 2000

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Community College Concurrent-Use Articulation Agreements 6A-14.0302

PURPOSE AND EFFECT: The purpose is to ensure that the State Board of Community Colleges has a process for community colleges to share information and to work with the State University System and the Independent Colleges and Universities to meet the needs for baccalaureate access in Florida through concurrent-use. The effect is that the State Board of Community Colleges will have rules for the community colleges to follow, as they enter into cooperative agreements to provide baccalaureate access to residents in their college service areas. Such rules will provide that, at a minimum, any private college working with a community college to increase access must be regionally accredited and licensed to operate in Florida.

SUMMARY: The proposed rule establishes guidelines for the State Community College System to follow as the community colleges enter into cooperative agreements to provide baccalaureate access to residents in their college service area.

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: 240.125, 240.325 FS.

LAW IMPLEMENTED: 240.325 FS.

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

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

PLACE: LL-03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.0302 Community College Concurrent-Use Articulation Agreements.

(1) Community colleges are encouraged to enter into concurrent-use articulation agreements that allow community college service area students access to upper-division courses leading to a baccalaureate degree at the community college site. Such concurrent-use agreements shall be established in accordance with guidelines adopted by the State Board of Community Colleges and may be with either state universities or regionally accredited independent colleges or universities. Out-of-state colleges or universities must be in compliance with the licensure requirements of Section 246.021, Florida Statutes.

(2) The State Board of Community Colleges shall review, prior to final adoption by a local board of trustees, all concurrent-use articulation agreements. Approval of an agreement by a local board shall be based on local need and adherence to the guidelines developed by the State Board of Community Colleges. The State Board of Community Colleges shall consult with the Board of Regents and the Postsecondary Education Planning Commission during the review process. The State Board of Community Colleges shall complete their review within sixty (60) days of receiving a formal concurrent-use agreement proposal that addresses the points contained in the guidelines.

(3) Community colleges shall conduct a joint planning process which shall include, at a minimum, all state and independent universities in the community college service area that are interested in providing upper-level course offerings at a community college location. The joint planning process shall be used to determine which institution(s) can best meet the need for a baccalaureate degree program at a community college location. The community college board of trustees shall make the determination of the need for a baccalaureate degree program.

(4) The State Board of Community Colleges shall forward copies of agreements approved by local boards of trustees to the Board of Regents and the Postsecondary Education Planning Commission.

(5) Final approval by a local board is subject to review and action by the State Board of Education if the request for review and action occurs within forty-five (45) days of the local board

decision. If a request for review is not made by a member of the State Board of Education, then the local board determination shall automatically become effective forty-five (45) days from the date of the local board's decision to approve.

Specific Authority 240.125, 240.325 FS. Law Implemented 240.325 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sydney H. McKenzie, III, General Counsel, State Board of Community Colleges

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: J. David Armstrong Jr., Executive Director, Community College System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Computation of Phosphate Rock Tax Rate

RULE NO.: 12B-7.0225

PURPOSE AND EFFECT: Section 211.3103(6), F.S., requires the Department to annually determine the phosphate rock base rate adjustment and the resulting annual phosphate rock tax rate, and to provide written notice to affected producers on or before April 15 of each year. Section 211.3103(6)(e), F.S., authorizes the adoption of another index if the Phosphate Rock Primary Products Index is discontinued. The U.S. Department of Labor, Bureau of Labor Statistics, has discontinued Commodity Code 1475. The Department will now use the Producer Price Index Commodity Code 147. Therefore, the creation of Rule 12B-7.0225, FAC., is necessary to adopted this index.

SUMMARY: The creation of Rule 12B-7.0225, FAC., adopts by reference the U.S. Department of Labor, Bureau of Labor Statistics, Producer Price Index Commodity Code 147, as the index used by the Department to determine the annual phosphate rock tax rate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since this proposed rule only implements statutory provisions, no new regulatory costs are being created. 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: 211.3103(6)(e), 213.06(1) FS.

LAW IMPLEMENTED: 211.3103 FS.

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

TIME AND DATE: 10:00 a.m., May 1, 2000
PLACE: Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joseph Parramore, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4709
NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting: Jamie Phillips, (850)488-0717. If you are hearing or speech-impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE FULL TEXT OF THE PROPOSED RULE IS:

12B-7.0225 Computation of Phosphate Rock Tax Rate.
The U.S. Bureau of Labor Statistics Producer Price Index Commodity Code 147, Chemical and Fertilizer Mineral Mining, is hereby adopted by reference for the purpose of calculating the annual base rate adjustment to the phosphate rock tax rate.
Specific Authority 211.3103(6)(e), 213.06(1) FS. Law Implemented 211.3103 FS. History-New

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Personnel
RULE CHAPTER NO.: 14-17
RULE TITLE: Ethical Conduct
RULE NO.: 14-17.011

PURPOSE AND EFFECT: This amendment adds a subsection (c) to Rule 14-17.011(9), which exempts approved employment teaching in educational institutions from the prohibition against employment or contractual relationship with any individual, partnership, corporation (profit or non-profit), utility, or other organization, whether public or private, doing business with or regulated by the Department. The current subsections (9)(c) through (9)(i) are renumbered as (9)(d) through (9)(j). In 14-17.011(10)(e)2., a revised version of DOT Form 250-011-01, Report of Relatives Working for the Department of Transportation, is incorporated by reference. The revised version of the form removes the Social Security Number in Section 2. and substitutes "District/Work Unit" as an identifier for the relatives listed. Also, the form is editorially updated to remove the obsolete "19_" references in the date blanks.

SUMMARY: This amendment adds a subsection (c) to Rule 14-17.011(9) to provide a special exclusion relating to employment restrictions. The amendment to 14-17.011(10)(e)2. will incorporate a revised version of the form for reporting relatives working for the Department.

SPECIFIC AUTHORITY: 20.23(3)(a), 110.233(6), 110.403(5), 110.605(5), 120.53(1), 334.044(2) FS.
LAW IMPLEMENTED: 20.23(1)(b)1., 110.233(6), 110.403(5), 110.605(5), 334.193, 334.195 FS.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs has been prepared.

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

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: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

- 14-17.011 Ethical Conduct.
(1) through (8) No change.
(9) Conflicting Employment, Contractual Relationship, or Post Employment Prohibited.
(a) Employees of the Department are free to accept, have, or hold any employment or contractual relationship with any individual, partnership, corporation (profit or non-profit), utility or other organization, whether public or private, if the employment or contractual relationship does not constitute a conflict of interest; violate any applicable statutes; or violate the provisions of this rule.
(b) Employees of the Department shall not accept, have or hold any employment or contractual relationship with any individual, partnership, corporation (profit or non-profit), utility or other organization, whether public or private, doing business with or regulated by the Department. As a general rule such employment or contractual relationship shall be presumed to:
1. Cause or appear to cause the employees to be influenced in the conduct of their official duties;
2. Create or appear to create a continuing or frequently recurring conflict between their private interests and performing their duties;
3. Hinder or appear to hinder the full and faithful conduct of their duties; or
4. Interfere or appear to interfere with the normal conduct of their jobs; or
5. Be based or appear to be based upon any understanding that their official action or judgment will be influenced by the relationship.

(c) The prohibition in (b) above, shall not apply to an employee who, with the approval of a District Director, District Secretary, or appropriate SMS supervisor in Central Office, seeks to teach at an institution in the state system of public education as that term is defined in Section 228.041, Florida Statutes, or at a private, accredited, post-secondary educational institution, so long as the employee's teaching at such institution is not in connection with any contract for contractual services in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, or investigation on behalf of the Department while an employee.

(d)~~(e)~~ While employed by the Department, employees who participate in deciding, approving, disapproving, recommending, or preparing any part of a purchase request; influencing the content of any specification or procurement standard; rendering advice; investigating; auditing; or acting in any other advisory capacity in procuring contractual services may not work for a person or entity contracting with the Department. The term "contractual services" is defined in Section 287.012(4), Florida Statutes.

(e)~~(f)~~ Employees of the Department acting in their official capacities are restricted from directly or indirectly procuring contractual services for the Department from any business entity when a relative is an officer, partner, director, or owner or in which such employee or his/her spouse or child, or any combination of them has a material interest.

1. "Material interest" is defined in Section 14-17.011(7)(c) above.

2. For purposes of this section "Relative" means an individual who is related to a Department employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the employee or who otherwise holds himself or herself out as or is generally known as the person whom the employee intends to marry or with whom the employee intends to form a household, or any other natural person having the same legal residence as the employee.

(f)~~(e)~~ After employees of the Department retire or terminate, they are prohibited from having or holding any employment or contractual relationship with any business entity (other than an agency) in connection with any contract in which the employees participated personally and substantially through deciding, approving, disapproving, recommending, rendering of advice or investigating. An "Agency" means any state office, department, board, commission or council of the executive branch or the judicial branch of state government.

(g)~~(f)~~ Employees who retire or terminate from the Department are restricted for two years from having or holding any employment or contractual relationship with any business entity (other than agency) in connection with any contract for contractual services which was within their responsibility while employees of the Department.

(h)~~(g)~~ Senior Management Service (SMS) and Select Exempt Service (SES) employees of the Department are prohibited from personally representing (lobbying for) another person or entity, excluding another state agency, before the Department for a period of two years following the vacating of their respective position. Refer to Section 112.313(9), Florida Statutes, for further information. This post-employment restriction does not apply to:

1. Persons employed by the State prior to July 1, 1989.

2. Persons employed by the State after July 1, 1989 who reach normal retirement as defined in Section 121.021(29), Florida Statutes, and retire from the State by July 1, 1991.

(i)~~(h)~~ For their protection, employees of the Department who are uncertain if an anticipated employment or contractual relationship is permissible should submit the details, in writing, to the Central Personnel Resource Management Officer for further review. A copy of the request and the response will be placed in their official personnel files.

(j)~~(i)~~ All sworn law enforcement officers of the Department must notify the Secretary, the State Highway Engineer, or the Manager of the Motor Carrier Compliance Office of any anticipated acceptance or performance of either police or non-police employment outside the Department. The approval and continuation of such outside employment by Department law enforcement officers shall be subject to the provisions of Section 14-17.011(14) F.A.C., below, applicable statutes and any applicable collective bargaining agreement.

(10) Employment of Relatives.

(a) through (d) No change.

(e) Reporting of Relatives Working for the Department.

1. Each employee or successful applicant is hereby required prior to being appointed, promoted, demoted, transferred, or reassigned in or to a position in the Department, to report any relatives working for the Department who would be in the same organizational unit or who would be in a position in the line of authority above or below the employee or successful applicant as a result of such personnel action. Based on their personal knowledge and the information provided by the employee or successful applicant, each manager or hiring authority taking such personnel action shall certify compliance with Subsection 14-17.011(10)(d) above or gain approval as provided in Subsection 14-17.011(10)(f) below, prior to finalizing such personnel action.

2. Certification required by Subsection 14-17.011(10)(e)1. above, shall be accomplished by using DOT Form 250-011-01, Report of Relatives Working for the Department of Transportation, (Rev. 03/00 2/94), which form is hereby

incorporated by reference. The form and any exception approval shall be completed and submitted with the employment paperwork required for the personnel transaction to the appropriate District or Central Personnel Resource Management Office. DOT Form 250-011-01, Report of Relatives Working for the Department of Transportation, (Rev. 03/00 2/94) is available upon request from the Central Personnel Resource Management Office, any District Resource Management Personnel Office, or the Central Warehouse.

(f) through (16) No change.

Specific Authority 20.23(3)(a), 110.233(6), 110.403(5), 110.605(5), 120.53(1), 334.044(2) FS. Law Implemented 20.23(1)(b)1., 110.233(6), 110.403(5), 110.605(5), 334.193, 334.195 FS. History—New 7-9-89, Amended 1-22-92, 5-10-94, 4-21-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

David Ferguson, Personnel Officer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:

Thomas F. Barry, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

March 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW:

December 17, 1999

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to adopt a water use form entitled Modification Short Form. Forms which the District uses in its dealings with the public must be adopted by rule pursuant to Section 120.55(1)(a)4., Florida Statutes. This rule amendment will incorporate this form by reference into District Rule 40D-1.659, Florida Administrative Code.

SUMMARY: Modification of District Rule 40D-1.659 to incorporate by reference a water use form entitled Modification Short Form.

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

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

SPECIFIC AUTHORITY: 373.044, 373.4113 FS.

LAW IMPLEMENTED: 373.113, 373.413, 373.414, 373.416, 373.419, 373.421 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: Karen E. West, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34609-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this Chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (14) No change.

(15) Modification Short Form – Form No. 42.00-034 (03/00)

(15) through (17) renumbered (16) through (18) No change.

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) through (12) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.113, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.1.901, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Individual Environmental **RULE CHAPTER NO.:** 40D-4

RULE TITLE: Resource Permits **RULE NO.:** 40D-4.042

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to specify a time frame within which the District must act on a Petition for a Formal Determination of Wetlands and Other Surface Waters and provide that Sections 120.569 and 120.57 apply to Petitions for Formal Determinations. The amendments will also provide a time frame for submission of a petition for a property for which a formal determination already exists in order to qualify for a reduced fee.

SUMMARY: Formal determinations are issued in lieu of Declaratory Statements pursuant to Section 373.421(2), Florida Statutes (F.S.). Because the provisions of Section

373.421 do not specify a time frame within which the District must act on a petition, the District has relied on the provisions of Section 120.565, F.S. Section 120.565, F.S. provides that agencies must issue a declaratory statement or deny the petition for a declaratory statement within 90 days after the filing of the petition. This time frame does not provide the District with sufficient flexibility to adequately address insufficient petitions for formal determinations; requests for additional information; site visits and surveys where large geographic areas are involved; and the required advertising schedule. The amendments also specify that sections 120.569 and 120.57, F.S. apply to formal determinations made pursuant to this rule and provide a time frame within which a petition may be submitted for a property for which a formal determination already exists in order to qualify for a reduced fee.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.421(2) FS.

LAW IMPLEMENTED: 373.421(2) 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: Karen E. West, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34609-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.042 Formal Determination of Wetlands and Other Surface Waters.

(1) through (2) No change.

(3)(a) Within 30 days of receipt of a petition for a formal determination, the District shall notify the petitioner of any additional information which may be necessary to complete review of the petition. The District shall complete the determination and shall issue a notice of intended agency action within 90 days after the petition is deemed complete. The District shall publish the notice of intended agency action on the petition in a newspaper of general circulation in the county or counties where the property is located.

(b) The provisions of sections 120.57 and 120.569, F.S., apply to formal determinations made pursuant to this section. Any person whose substantial interests will be affected by the District's proposed action on the petition may request an administrative hearing on the proposed action. If no request for an administrative hearing is filed, the District will then take final action on the petition for the formal determination.

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

(7)(6) A petition for a new formal determination for a property for which a formal determination already exists shall require the reduced fee set forth in Rule 40D-1.607, F.A.C. provided:

(a) No change.

(b) the petition is submitted within 60 days prior to the existing determination's expiration.

(8)(7) No change.

Specific Authority 373.044, 373.113, 373.421(2) FS. Law Implemented 373.421(2) FS. History--New 10-3-95, Amended 7-2-98, _____.

DEPARTMENT OF VETERANS' AFFAIRS

RULE TITLES:	RULE NOS.:
Admittance Priority and Procedure	55-11.006
Health Records and General Register	55-11.007
Residents' Contribution to Support	55-11.008
Resident's Deposits of Personal Property	55-11.011

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee and to conform certain rule provisions to the requirements of, Title 38, United States Code, Section 1741.

SUMMARY: The proposed amendment to Rule 55-11.006(4) requires the administrator of the home to issue a certificate of eligibility for residence in the Veterans' Domiciliary Home of Florida to veterans who have been determined to be eligible. In its present form, the rule provides that issuance of such certificates is discretionary with the home administrator. The proposed amendment to Rule 55-11.007(2)(g) deletes a general reference to the information that may be placed in the health records of Veterans' Domiciliary Home residents, and adds a provision specifying certain kinds of documents which may be included in such records. The proposed amendment to Rule 11.008(1)(g) deletes a requirement that residents of the Veterans' Domiciliary Home must apply for certain government funding. The proposed amendment to Rule 11.008(4)(a) deletes the requirement for deduction, from the required contribution of certain residents of the Veterans' Domiciliary Home, of the amount of United States Department of Veterans' Affairs contributions to those residents. The proposed amendment to Rule 55-11.008(6) requires participation in a work incentive therapy program for certain residents who are physically able to work. The proposed amendment to Rule 55-11.011(3) makes mandatory rather than

discretionary the storage of unclaimed property, and the imposition of a storage charge, for one year after the departure or demise of a resident of the Veterans' Domiciliary Home.

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 regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 296.04(2) FS.

LAW IMPLEMENTED: 296.02, 296.04, 296.06, 296.09, 296.10, 296.11, 296.14 FS.

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

TIME AND DATE: 10:00 a.m., April 28, 2000

PLACE: Veterans' Affairs Regional Office, 9500 Bay Pines Blvd., Room 214F, Bay Pines, Florida 33708

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, Telephone (850)487-1533, or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE FULL TEXT OF THE PROPOSED RULES IS:

55-11.006 Admittance Priority and Procedure.

(1) through (3) No change.

(4) After certificates of eligibility have been issued to all applicants who are eligible to be included in the first priority group above, if there is room in the home for other residents, the Administrator will may issue certificates to veterans who are eligible to become residents who have sufficient means for their own support. Prior to admission, and while a resident of the home, such resident shall be required to pay to the home an amount sufficient to defer the full cost of support pursuant to section 55-11.008 herein.

(5) No change.

Specific Authority 296.04(2) FS. Law Implemented 296.08, 296.10(2), 296.10(3) FS. History--New 5-29-90, Amended 12-27-98,_____.

55-11.007 Health Records and General Register.

(1) No change.

(2) A General Register shall be kept in which shall be included the following information concerning each resident admitted to the home:

(a) through (g) No change.

(g) Commendations, disciplinary actions, and staff observation memos ~~Such additional information as the Administrator deems necessary.~~

Specific Authority 296.04(2) FS. Law Implemented 296.09 FS. History--New 5-29-90, Amended 1-17-98,_____.

55-11.008 Residents' Contribution to Support.

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

(d) As a condition for acceptance to residency in the home, and at the time of admission to the home, a resident will be required to authorize the Administrator to verify the resident's income. ~~A resident is required to apply for the receipt of all income that is reasonably made available to the resident through governmental funding sources.~~

(2) through (3) No change.

(4)(a) The required contribution for a resident who is eligible for the VA contribution is the daily cost of care as calculated under subsection (2)(a) herein, ~~minus the amount of the VA contribution~~, not to exceed the amount of the resident's income as calculated under subsection (1)(c) herein.

(b) No change.

(5) No change.

(6) Each resident shall pay the full amount of the resident's contribution for each calendar month, in advance, by the fifth day of the month. A resident who does not have income eligible for co-payment and is physically able to work will may be required to participate in the Work Incentive Therapy Program. In the event the resident is discharged for any reason before the end of the month, a pro-rata portion of the resident's contribution for the month shall be refunded to the resident.

Specific Authority 296.04(2) FS. Law Implemented 296.04(6), 296.10(1) FS. History--New 5-29-90, Amended 3-31-94, 1-25-96, 12-27-98,_____.

55-11.011 Residents' Deposits of Personal Property.

(1) through (2) No change.

(3) If such property is not claimed by the resident at the time of leaving the home, or if the resident is deceased, it will may be held for safekeeping as unclaimed personal property for up to one year from the date of the resident's demise or departure from the home. The Administrator will may make a reasonable monthly storage charge for the safekeeping of such unclaimed property which shall become a lien upon the property if not paid.

(4) through (5) No change.

Specific Authority 296.04(2) FS. Law Implemented 296.14 FS. History--New 5-29-90, Amended 3-31-94, 12-27-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lyndette Aguirre, Administrative Assistant III

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: James W. Sloan, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 28, 1999

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE TITLES:	RULE NOS.:
Admissions Eligibility	55-12.004
Admittance Priority and Procedure	55-12.005
Residents' Contribution to Cost of Care	55-12.006

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee and to conform certain rule provisions to the requirements of Title 38, Section 1741 of the United States Code.

SUMMARY: The proposed amendment to Rule 55-12.004(1)(d) deletes, from the admissions criterion to the Veterans' Nursing Homes of Florida, the restriction from eligibility of any applicant who owes money to the Department for services rendered during any previous stay at a Department facility. The proposed amendment to Rule 55-12.005(1)(b) deletes the requirement that an eligible veteran with a non-service connected disability must have been determined by the United States Department of Veterans' Affairs to be unable to defray the expense of nursing home care, and replaces it with a provision requiring the veteran to make a sworn statement of inability to defray such expense. The proposed amendment to Rule 55-12.006(4)(a) deletes the requirement for deduction, from the required contribution of certain residents of the Veterans' Domiciliary Home, of the amount of United States Department of Veterans' Affairs contributions to those residents.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 296.34(3) FS.

LAW IMPLEMENTED: 296.32, 296.33, 296.34, 296.35, 296.36, 296.37, 296.41 FS.

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

TIME AND DATE: 10:00 a.m., April 28, 2000

PLACE: Veterans' Affairs Regional Office, 9500 Bay Pines Blvd., Room 214F, Bay Pines, Florida 33798

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE FULL TEXT OF THE PROPOSED RULES IS:

55-12.004 Admission Eligibility.

(1) To be eligible for admission an applicant must:

(a) through (c) No change.

~~(d) Not owe money to the Department for services rendered during any previous stay at a Department Facility.~~

(2) No change.

Specific Authority 296.34(3) FS. Law Implemented 296.36 FS. History--New 5-23-93, Amended 12-27-98, _____.

55-12.005 Admittance Priority and Procedure.

(1) In determining admittance priority the following eligible veterans shall be given priority:

(a) A veteran who requires nursing home care for a condition determined by the VA to be service-connected, or be a condition for which the veteran was released from service for disability incurred or aggravated in the line of duty.

~~(b) A veteran who requires nursing home care for a disability which is not service-connected, who is unable to defray the expense of nursing home care and who so states under oath before a notary public or other official authorized to administer an oath. A veteran who requires nursing home care for a nonservice connected disability and has been determined by the VA to be unable to defray the expense of nursing home care.~~

(2) No change.

Specific Authority 296.34(3) FS. Law Implemented 296.36, 296.37(2) FS. History--New 5-23-93, Repromulgated 12-27-98, Amended _____.

55-12.006 Residents' Contribution to Cost of Care.

(1) through (3) No change.

(4)(a) The required contribution for a resident who is eligible for the VA contribution is the daily cost of care as calculated under paragraph (2)(a) herein, ~~minus the amount of the VA contribution~~, not to exceed the amount of the resident's income as calculated under paragraph (1)(c) herein.

(b) The required contribution for a resident who is not eligible for the VA contribution is the daily cost of care as calculated under paragraph (2)(a) herein.

(5) through (7) No change.

Specific authority 296.34(3) FS. Law Implemented 296.37. History--New 5-23-93, Repromulgated 12-27-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lyndette Aguirre, Administrative Assistant III

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: James W. Sloan, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 28, 1999

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

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE TITLE: Definitions
RULE NO.: 55A-7.003

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee.

SUMMARY: The proposed amendment to Rule 55A-7.003 deletes the conjunction "or" from a list of kinds of qualifications set forth in the definition of minimum qualifications to be used as criteria for making an employment selection and adds the phrase "if applicable" in reference to the qualifications of licensure or certification.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 295.07(2) FS.

LAW IMPLEMENTED: 1.01(14), 295.07, 295.11, 295.123, 295.15 FS.

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

TIME AND DATE: 10:00 a.m., April 28, 2000
PLACE: Veterans' Affairs Regional Office, 9500 Bay Pines Blvd., Room 214F, Bay Pines, Florida 33798

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, Telephone (850)487-1533, or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE FULL TEXT OF THE PROPOSED RULE IS:

55A-7.003 Definitions.

As used in this chapter:

(1) through (7) No change.

(8) "Minimum Qualifications" means a specification of the kinds of experience, training, education, and ~~or~~ licensure or certification (if applicable) that provides appropriate job-related evidence that an applicant possesses the minimum required knowledge, skills, and abilities necessary to the discharge of the duties involved.

(9) through (12) No change.

Specific Authority 295.07(2) FS. Law Implemented 1.01(14), 295.07(1) FS. History--New 3-30-88, Formerly 22VP-1.003, Amended 2-12-90, 6-21-92, 7-12-93, 12-27-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lyndette Aguirre, Administrative Assistant III

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: James W. Sloan, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 28, 1999

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

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE: Statutory Chapter and Rules
RULE NO.: 60Y-2.006

PURPOSE AND EFFECT: The goal and effect of the proposed rule amendments is to annunciate and identify the statutory chapter and rules that affect and govern the operations of the Florida Commission on Human Relations.

SUMMARY: The proposed rule amendments will update the current rule by listing all of the statutory chapters and rule chapters that directly affect and govern the operations of the Florida Commission on Human Relations.

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

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

SPECIFIC AUTHORITY: 760.06(12), 760.11(14), 760.31(5) FS.

LAW IMPLEMENTED: 760, 509.092 FS.

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

TIME AND DATE: 10:00 a.m., May 2, 2000
PLACE: Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stan Gorsica, Attorney, Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida 32303-4149, (850)488-7082

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-2.006 Statutory Chapter and Rules.

The mission and duties of the Commission are carried out pursuant to statutory authority delineated in Chapter 760, Florida Statutes. The following additional statutory chapters and rule chapters directly affect and govern the operations of the Commission:

(1) Chapter 120, Florida Statutes.

(2) Chapters 60Y-1, ~~60Y-2~~ through 60Y-10 ~~60Y-5~~, and 60Y-25, Florida Administrative Code.

"advertise goods or services in a manner which is fraudulent, false, deceptive, or misleading in form or content." A false, fraudulent, misleading, or deceptive statement or claim shall include without limitation:

(a) through (f) No change.

(3) No change.

(4) An architect, ~~or firm, or business holding a certificate of authorization~~ may not be negligent in the practice of architecture. The term negligence is defined as the failure, by an architect, to exercise due care to conform to acceptable standards of architectural practice in such a manner as to be detrimental to a client or to the public at large.

(a) No change.

(b) An architect shall be required to coordinate his activities with other professionals involved in those projects wherein the architect is engaged to provide plans, drawings and specifications which result in the production of working documents which are used or intended to be used for the construction of a structure.

(5) No change.

(6) An architect, ~~or firm or business holding a certificate of authorization~~ shall not commit misconduct in the practice of architecture. Misconduct in the practice of architecture shall include but not be limited to:

(a) through (c) No change.

1. through 3. No change.

(d) through (k) No change.

Specific Authority 455.304, 481.2055 FS. Law Implemented 455.303, 455.304, 481.225, 481.2251 FS. History--New 12-23-79, Amended 12-19-82, Formerly 21B-12.01, Amended 9-23-86, 11-8-88, Formerly 21B-12.001, Amended 2-25-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
RULE NO.: 61G1-12.004

PURPOSE AND EFFECT: The Board is amending this rule to update the rule text.

SUMMARY: The Board proposes amendments to this rule in an attempt to further clarify the disciplinary guidelines; range of penalties; aggravating and mitigating circumstances for licensees who violate certain statutes and rules.

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: 455.2273 FS.

LAW IMPLEMENTED: 455.227(1), 455.2273 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-12.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 481, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 481. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 481 or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty. Pursuant to Section 481.219(12), all businesses holding a certificate of authorization are subject to these guidelines.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) No change.		
(b) Signing, sealing, or accepting responsibilities for work not		

competent to perform in violation of <u>481.2251(1)(j), and (481.221(2),(3), F.S.)</u>	First Offense	Reprimand and \$1000 fine	\$1000 fine and one (1) year suspension followed by two (2) years probation	Felony:	One (1) year suspension, followed by two (2) years probation and \$1000 fine	Revocation and \$1000 fine	
Second Offense	\$2000 fine and two (2) years probation	\$3000 fine and two (2) year suspension followed by two (2) years probation	Second Offense	Misdemeanor: \$3000 fine and \$1000 fine two (2) years suspension followed by two (2) years probation	followed by two (2) years probation		
Third Offense	\$5000 fine and one (1) year suspension followed by two (2) years probation	\$5000 fine and revocation	Felony:	Revocation and \$1000 fine	Revocation and \$5000 fine		
(c) through (d) No change.	(e) Attempting to procure license by bribery or fraudulent misrepresentation (<u>481.225(1)(b), and 481.2251(1)(a), and 455.227(1)(h), F.S.</u>)	Revocation and \$1000 fine if licensed (denial of license and refer to State Attorney if not licensed)	Revocation and \$5000 fine	(h) through (j) No change.	(k) Knowingly making or filing false report (<u>481.225(1)(e), and 481.2251(1)(h), and 455.227(1)(l), F.S.</u>)	Misdemeanor: \$3000 fine and two (2) years suspension followed by two (2) years probation	\$5000 fine and revocation
(f) License disciplined by another jurisdiction (<u>481.225(1)(c), and 481.2251(1)(b), and 455.227(1)(f), F.S.</u>)	Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes	First Offense	One (1) year suspension, followed by two (2) years probation and \$1000 fine	Revocation and \$1000 fine			
(g) Criminal conviction relating to architecture (<u>481.225(1)(d), and 481.2251(1)(c), and 455.227(1)(c), F.S.</u>)	First Offense	Misdemeanor: \$1000 fine, and reprimand one (1) year suspension followed by two (2) years probation	Second Offense	Two (2) years suspension and two (2) years probation and \$3000 fine	\$3000 fine and revocation		
First Offense	Third Offense	\$3000 fine and revocation	\$5000 fine and revocation				
(l) Fraudulent, false, deceptive, or misleading advertising (<u>481.225(1)(f), and 481.2251(1)(d), and 455.227(1)(m), F.S.</u>)	First Offense	Reprimand	One (1) year probation and \$1000 fine				

Second Offense	One (1) year probation and \$1000 fine	One (1) year suspension and two (2) years probation and \$3000 fine
Third Offense	One (1) year suspension and two (2) years probation and \$3000 fine	Two (2) years suspension and two (2) years probation and \$5000 fine
(m) No change.		
(n) Fraud or deceit (481.225(1)(g), and 481.2251(1)(i), <u>and</u> 455.227(1)(a), F.S.)		
First Offense	One (1) year suspension followed by two (2) years probation and \$1000 fine	\$1000 fine and revocation
Second Offense	Two (2) years suspension followed by four (4) years probation and \$3000 fine	\$3000 fine and revocation
Third Offense	\$5000 fine five (5) years suspension followed by ten (10) years probation	\$5000 fine and revocation
(o) through (r) No change.		
(s) Aiding unlicensed practice (481.225(1)(i), and 481.2251(1)(f), <u>and</u> 455.227(1)(j), F.S.)		
First Offense	Reprimand and \$1000 fine	\$1000 fine and one (1) year suspension followed by two (2) years probation
Second Offense	\$1000 fine and one (1) year suspension followed by two (2) years probation	\$3000 fine and two (2) years suspension followed by two (2) years probation

Third Offense	\$3000 fine and two (2) years suspension followed by two (2) years probation	\$3000 fine revocation
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(t) through (u) No change.
(3) No change.

Specific Authority 455.2273 FS. Law Implemented 455.227(1), 455.2273 FS. History—New 12-11-86, Formerly 21B-12.004, Amended 5-16-94, 10-20-96, 10-7-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Architecture and Interior Design
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

**DEPARTMENT OF HEALTH
Board of Massage Therapy**

RULE TITLE: Massage Establishment Operations
RULE NO.: 64B7-26.003
PURPOSE AND EFFECT: The Board added language to this rule for further clarification of the existing text.
SUMMARY: Text was added to this rule to update the language.
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: 480.035(7), 480.043(2) FS.
LAW IMPLEMENTED: 480.043(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Massage Therapy/MQA, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-26.003 Massage Establishment Operations.

(1) No change.

(2) Personnel. A licensed massage therapist must be on the premises of the establishment if a client is in a treatment room for the purpose of receiving massage therapy.

(3) through (4) No change.

Specific Authority 480.035(7), 480.043(2) FS. Law Implemented 480.043(2) FS. History—New 11-27-79, Amended 10-13-81, 9-10-84, 9-25-85, Formerly 21L-26.03, Amended 4-30-87, 6-12-89, 8-15-89, 5-31-92, 11-2-92, Formerly 21L-26.003, 61G11-26.003, Amended 2-16-99, 11-4-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 28, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: March 17, 2000

Section III

Notices of Changes, Corrections and Withdrawals

PUBLIC SERVICE COMMISSION

DOCKET NO. 981104-EU

RULE NO.:

RULE TITLE:

25-6.049

Measuring Customer Service

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 42, October 22, 1999, issue of the Florida Administrative Weekly:

The following sentence shall be added to the end of paragraph (5)(a) in Rule 25-6.049:

This paragraph shall not be interpreted to authorize conversion of any such facilities from individual metering to master metering.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.: RULE CHAPTER TITLE:

59A-25

Minimum Standards for Home Medical Equipment Providers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. No. 26, Florida Administrative Weekly, January 21, 2000,

Purchase Order Number H00973. In response to comments received from the Joint Administrative Procedures Committee the following changes have been made.

In 59A-25.002(3)(a) the following sentences are deleted “However, in the first year of implementation, half of the providers will be given an application for one-year licenses. Those given one-year applications will pay one half of the fees, \$150 for licensing and \$200 for inspection.”

In 59A-25.002(4) the following sentence is deleted “An application for initial licensure shall be made on forms prescribed by AHCA, which is referred to as the Home Medical Equipment Provider Licensure Application that is AHCA form number 3110-1005, Nov. 99.”

In 59A-25.002(4) the following sentences are added “An application for initial licensure shall be made on forms prescribed by AHCA. The application package contains the following forms that are incorporated by reference as part of this rule:

(a) Home Medical Equipment Provider Application for Licensure, form number AHCA 3110-1005; March, 2000;

(b) Affidavit of Good Moral Character, form number AHCA 3110-0001, (Attachment A);

(c) Affirmation of Compliance with Screening Requirements, form number 3110-1006, March, 1999, (Attachment B);

(d) Request for Level 1 Criminal History Check, form number, AHCA 3110-0002, Revised June, 1998;

(e) Florida Abuse Hotline Information System Background Check, form number, AHCA 3110-0003, Revised July 1998; and,

Federal Bureau of Investigation, United States Department of Justice finger print card, form number, FD-258, Revised 12-29-82.” In 59A-25.003(2) the phrase “includes but is not limited to” is deleted.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

RULE TITLE:

59G-4.130

Home Health Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. 26, No. 8, Florida Administrative Weekly, February 25, 2000. These changes are in response to written comments received prior to the public hearing date.

The following change was made to the Home Health Services Coverage and Limitations Handbook, March 2000, which is being incorporated by the reference in the rule.

On page 1-10, we deleted the following: “Recipient’s Acknowledgment of Services: The recipient or the recipient’s family must acknowledge in writing and verify that specific home health service(s) were received on each date of service(s) and the specified time.”

Copies of the full text of the Home Health Services Coverage and Limitations Handbook, March 2000, may be obtained by contacting: Peggy Stafford, Medicaid Program Development, (850)922-7348.

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE CHAPTER NO.: 60L-20
RULE NO.: 60L-20.002
RULE CHAPTER TITLE: State Child Care Program
RULE TITLE: Statements of Policy

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 8, February 25, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by staff of the Joint Administrative Procedures Committee. Subsection (6) of the rule shall now read as follows:

(6) The sponsoring state agency may elect to operate the center when a second request for proposals fails to procure a qualified service provider or when the service provider's contract is canceled and attempts to procure a qualified provider are unsuccessful, provided plans for the direct operation by the sponsoring agency are approved by the Department.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 6, February 11, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-39R
RULE CHAPTER NO.: 62-330
RULE NO.: 62-330.200
RULE CHAPTER TITLE: Environmental Resource Permitting
RULE TITLE: Rules Adopted by Reference

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed amendment to the above rule, as noticed in Vol. 26, No. 9, March 3, 2000, Florida Administrative Weekly (FAW) has been withdrawn. The rule notice published on March 3, 2000, was intended merely as a corrective notice to add language relating to submission of a Statement of Estimated Regulatory Cost that was missing from the otherwise identical notice of rulemaking for this same rule published in Vol. 26, No. 7, of the FAW on February 18, 2000. Withdrawal of this notice as published on March 3, 2000, does

not affect the proposed amendment to the rule as published on February 18, 2000. The proposed amendment to the rule as noticed on February 18, 2000, is not changing; only the notice will be corrected through publication of a separate notice of correction to add the missing statement.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-39R
RULE CHAPTER NO.: 62-330
RULE NO.: 62-330.200
RULE CHAPTER TITLE: Environmental Resource Permitting
RULE TITLE: Rules Adopted by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the notice of proposed rulemaking for the above rule published in Vol. 26, No. 7, February 18, 2000, issue of the Florida Administrative Weekly. That notice failed to include a Summary of Statement of Estimated Regulatory Cost. To correct that error, the following text is hereby to be included as part of the Notice of Proposed Rulemaking to the above referenced rule:

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

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NOS.: 64B14-5.002
64B14-5.004
RULE TITLES: Continuing Education Requirement
Provider Application

NOTICE OF CHANGE

The Board of Orthotists and Prosthetists gives Notice of Change to the above-referenced rules in response to comments received from the Joint Administrative Procedures Committee. The rules were originally published in Vol. 26, No. 7, February 18, 2000, issue of the Florida Administrative Weekly. When changed, Rules 64B14-5.002(1)(b)5. and 64B14-5.004(1) shall read as follows:

64B14-5.002(1)(b)5. Any licensee holding more than one (1) license must complete a minimum of 30 hours of continuing education.

64B14-5.004(1) Applicants for approval as a continuing education provider shall submit a completed Continuing Education Provider Application (Form No. DH-MQA 1024, effective 12/1/99, incorporated herein by reference), with the application fee stated in Rule 64B14-2.010. The form may be obtained from the Board office 2020 S. E. Capital Circle, Bin #C06, Tallahassee, Florida 32399-32359.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 2020 S. E. Capital Circle, Bin #C06, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.820
 RULE TITLE: Special Parenteral/Enteral Compounding

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 1, January 7, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program Office

RULE NOS.:	RULE TITLES:
65D-30.002	Definitions
65D-30.003	Department Licensure and Regulatory Standards
65D-30.004	Common Licensure Standards
65D-30.005	Standards for Addictions Receiving Facilities
65D-30.006	Standards for Detoxification
65D-30.007	Standards for Residential Treatment
65D-30.008	Standards for Day or Night Treatment with Host Homes
65D-30.009	Standards for Day or Night Treatment
65D-30.010	Standards for Outpatient Treatment
65D-30.011	Standards for Aftercare
65D-30.012	Standards for Intervention
65D-30.013	Standards for Prevention
65D-30.014	Standards for Medication and Methadone Maintenance Treatment

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 6, February 11, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received during the public hearing and written response to the proposed rulemaking by the Joint Administrative Procedures Committee.

65D-30.002 Definitions.

(1) through (23) No change.

(24) “Financial Ability” means a provider’s ability to secure and maintain the necessary financial resources to provide services to clients in compliance with required licensure standards.

(24) through (64) renumbered (25) through (65) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311, 397.321(1), 397.419 FS. History—New _____.

Editorial Note: Formerly 65D-16.

65D-30.003 Department Licensure and Regulatory Standards.

(1) Licensure. Unless otherwise exempt from licensure, substance abuse providers must be licensed by the department pursuant to section 397.401, F.S. The department’s districts will be responsible for conducting licensure reviews and for issuing licenses, as permitted under section 20.19(10)(c)2., F.S. A license is required for each facility that is maintained on separate premises and operated under the same management. Only one license is required for all facilities that are maintained on the same premises and operated under the same management.

In the case of separate premises, all components provided at each facility shall be listed on the license. However, a district may elect to issue a separate license for each component provided at a given facility on the condition that the amount of licensure fees would be the same as for a single license listing each component service. The license shall be displayed in a prominent, publicly accessible place within each facility. In the case of addictions receiving facilities, detoxification, and residential treatment, each license shall include the licensed bed capacity. In addition, those components provided in each facility that are accredited by the Rehabilitation Accreditation Commission, known as CARF, the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or other department approved accrediting organization, shall be indicated on the license.

(2) No change.

(a) through (b) No change.

(c) No change.

1. No change.

2. Reissuing an Interim License. The department may reissue an interim license for an additional 90 days at the end of the initial 90-day period in the case of extreme hardship, in which noncompliance is not caused by the provider. ~~In those instances where failure to comply is directly attributable to the provider, the department shall invoke suspension or revocation proceedings as permitted by section 397.415, F.S.~~

(3) License Non-transferable.

(a) through (b) No change.

(c) Information Required Regarding Relocation. In the case of relocation, the provider shall be required to provide proof of liability insurance coverage and compliance with fire and safety standards established by the State Fire Marshall and health, ~~safety, and occupational~~ codes enforced at the local

level. If there is no change in the provider's services, the provider shall not be required to submit any additional information.

(4) No change.

(5) Licensure Fees. Applicants for a license to operate as a licensed service provider as defined in section 397.311(19), Florida Statutes, shall be required to pay a fee upon submitting an application to the department. The fees paid by privately funded providers shall exceed fees paid by publicly funded providers, as required in section 397.407(1), Florida Statutes. Applicants shall be allowed a reduction, hereafter referred to as a discount, in the amount of fees owed the department. The discount shall be based on the number of facilities operated by a provider. The fee schedules are listed by component as follows:

Publicly Funded Providers

Licensable Service Component	FEE
Addictions Receiving Facility	\$325
Detoxification	325
Residential Treatment	300
Day or Night Treatment/Host Home	250
Day or Night Treatment	250
Outpatient Treatment	250
Medication and Methadone	350
Maintenance Treatment	
Aftercare	200
Intervention	200
Prevention	200

Schedule of Discounts

Number of Licensed Facilities	Discount
1	5%
2-5	10%
6-10	15%
11-15	20%
16-20	25%
20+	30%

Privately Funded Providers

Licensable Service Component	FEE
Detoxification	375
Residential Treatment	350
Day or Night Treatment/Host Home	300
Day or Night Treatment	300
Outpatient Treatment	300
Medication and Methadone	400
Maintenance Treatment	
Aftercare	250
Intervention	250
Prevention	250

Schedule of Discounts

Number of Licensed Facilities	Discount
1	None
2-5	5%
6-10	10%
11-15	15%
16-20	20%
20+	25%

(6) No change.

(a) No change.

1. A standard departmental application for licensure, C&F-SA Form 4024, June 1999, titled Application for Licensure to Provide SUBSTANCE ABUSE SERVICES, incorporated herein by reference, copies of which may be obtained from the Department of Children and Families, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700;

2. through 6. No change.

7. Proof of the applicant's financial ability and organizational capability to operate in accordance with these rules, with the exception of providers which are accredited by department approved accrediting organizations identified in subsection (1) and inmate substance abuse programs operated directly by Department of Corrections staff;

8. Proof of professional and property liability insurance coverage, with the exception of inmate substance abuse programs operated directly by Department of Corrections staff;

9. through 12. No change.

13. The DEA registration for a pharmacy; ~~where required by federal and state regulations;~~

14. The DEA registration for all physicians; ~~where required by federal and state regulations;~~

15. A state of Florida pharmacy permit; ~~where required by state regulations;~~

16. through 20. No change.

Items listed in subparagraphs 1.-11. Must accompany the application for licensure. Items listed in subparagraphs 12.-20. Must be made available for review at the provider facility.

In addition, those items listed in subparagraphs 1.-20. that expire during the licensure period shall be renewed by the provider prior to expiration and verification shall be given to the district office in writing immediately upon renewal.

(7) No change.

(8) No change.

(a) No change.

(b) Department District Office Licensure Procedures. The district offices shall be responsible for licensure of providers operating within their jurisdiction and as permitted under section 20.19(10)(c)2., F.S.

1. through 6. No change.

7. Content of Licensure Records. Districts shall maintain current licensure files on each provider licensed under Chapter 397, F.S. The contents of the files shall include those items listed under paragraph (6)(a) and subparagraph (8)(b)5.

8. through 9. No change.

(c) No change.

1. Records. The department's Substance Abuse Program Office shall maintain a record of all licensed providers; and

2. No change.

~~3. Technical Assistance. The department shall provide technical assistance to each district, when requested, to implement the provisions of this subsection.~~

(9) through (10) No change.

(11) Closing a Licensed Provider. Providers shall notify the department in writing at least 30 days prior to voluntarily ceasing operation. If a provider, facility, or component is ordered closed by the department or a court of competent jurisdiction pursuant to section 397.415(4), F.S., the provider shall maintain possession of all its records until the question of closing is resolved. The provider remains responsible for giving the department access to its records. If the decision is made to permanently close the provider, the provider's records shall be turned over to the department. In the interim, the provider, with the department's assistance, shall attempt to place all active clients in need of care with other providers. The respective department district office shall provide assistance in placing clients and for ensuring that all placements are completed in accordance with Title 42, Code of Federal Regulations, Part 2, and section 397.501(7), F.S. The provider shall return its license to the Regional Alcohol, Drug Abuse, and Mental Health Program Office by the designated date of closure.

(12) No change.

Specific Authority 397.321(5) FS. Law Implemented 20.19(10), 397.321(1), 397.401, 397.403, 397.405, 397.406, 397.407, 397.409, 397.411, 397.415, 397.419, 633.02 FS. History—New _____.

65D-30.004 Common Licensure Standards.

(1) through (2) No change.

(3) No change.

(a) through (b) No change.

(c) Chief Executive Officer. The governing body shall appoint a chief executive officer. The qualifications and experience required for the position of chief executive officer shall be defined in the provider's operating procedures. Documentation shall be available from the governing body providing evidence that a background screening has been completed in accordance with Chapter 435, F.S., and there is no evidence of a disqualifying offense. Providers shall notify the district office in writing when a new chief executive officer

is appointed. Inmate substance abuse programs operated directly by Department of Corrections staff are exempt from the requirements in this paragraph.

(4) No change.

(a) No change.

(b) Screening of Staff. Except as otherwise provided in section 397.451(1)(b)-(g), F.S., all staff, volunteers, and host families who have direct contact with unmarried clients under the age of 18 years or with clients who are developmentally disabled shall be fingerprinted and have a background check completed in accordance with section 397.451(3), F.S. In addition, individuals shall be re-screened within 5 years from the date of employment. Re-screening shall include a level II screening in accordance with Chapter 435, F.S. Inmate substance abuse programs operated directly by Department of Corrections staff are exempt from the requirements in this paragraph.

(5) through (6) No change.

(7) No change.

(a) Medical Protocol. Each provider's medical director shall establish written protocols for the provision of medical services pursuant to Chapters 458 and 459, F.S., and for managing medication according to medical and pharmacy standards, pursuant to Chapter 465, F.S. ~~Advance directives for medical services shall be given only by the medical director and documented in each client's record.~~ All medical protocols shall be reviewed and approved by the medical director on an annual basis.

In those cases where there is no requirement for a medical director, providers shall have access to a physician who will be available to consult on any medical services required by these rules.

(b) Emergency Medical Services. Providers shall describe the manner in which medical emergencies shall be addressed. Inmate substance abuse programs are exempt from the requirements of this paragraph but shall provide such services as required by Chapter 33-19, Florida Administrative code, titled Health Services.

(8) State Approval Regarding Prescription Medication. In those instances where the provider utilizes prescription medication, medications shall be purchased, handled, administered, and stored in compliance with the State of Florida Board of Pharmacy requirements for facilities which hold Modified Class II Institutional Permits and in accordance with Chapter 465, F.S. This shall be implemented in consultation with a state-licensed pharmacist, and approved by the medical director. The provider shall ensure that policies implementing this subsection are reviewed and approved annually by a state-licensed pharmacist. Inmate substance abuse programs are exempt from the requirements of this subsection but shall provide such services as required by Chapter 465, F.S.

(9) through (10)(b) No change.

1. through 2. No change.

3. Reporting of communicable diseases to the Department of Health in accordance with sections 381.0031 and 384.25, F.S. Inmate substance abuse programs are exempt from the requirements of this subsection but shall provide such services as required by Chapter 945, F.S., titled Department of Corrections.

(11) Universal Infection Control Education Requirements for Employees and Clients. Providers shall meet the educational requirements for HIV and AIDS pursuant to section 381.0035, F.S., and all infection prevention and control educational activities shall be documented. Inmate substance abuse programs are exempt from the requirements of this subsection but shall provide such services as required by Chapter 945, F.S., titled Department of Corrections.

(12) Meals. At least three nutritious meals per day shall be provided to clients in addictions receiving facilities, residential detoxification, residential treatment, and day or night treatment with host homes. In addition, at least one nutritious snack shall be provided each day. For day or night treatment, the provider shall make arrangements to serve a meal to those clients involved in services a minimum of five hours at any one time. Clients with special dietary needs shall be reasonably accommodated. Under no circumstances may food be withheld for disciplinary reasons. The provider shall document and ensure that nutrition and dietary plans are reviewed and approved by a Florida registered dietitian at least annually. Inmate substance abuse programs are exempt from the requirements of this subsection but shall provide such services as required by Chapter 33-204, Florida Administrative Code, titled Food Services.

(13) No change.

(a) through (c) No change.

1. No change.

a. through g. No change.

h. Psychosocial assessment, except for detoxification;

i. and j. No change.

k. Initial treatment plans, treatment plans, and subsequent reviews, except for detoxification;

l. through q. No change.

r. Transfer summary, if transferred necessary; and

s. No change.

In the case of medical records developed and maintained by the Department of Corrections of inmates participating in inmate substance abuse programs, such records shall not be made part of information required in subparagraph sub-paragraph 1. and shall be made available to authorized agents of the department only on a need-to-know basis.

2. through 3. No change.

a. through g. No change.

h. Psychosocial assessment for persons continuing in intervention services beyond 30 days;

i. through o. renumbered h. through n. No change.

~~o.p.~~ A transfer summary, if transferred necessary; and ~~p.q.~~ No change.

4. No change.

a. through i. No change.

Items in sub-subparagraphs a.-i. Are required for indicated prevention services. Items in sub-subparagraphs a.-c. are required for selective prevention services. Items in sub-subparagraphs sub-paragraphs a. and b. are required for universal prevention services.

(14) through (15) No change.

(a) Physical Health Assessment. Inmate substance abuse programs are exempt from the requirements of this paragraph but shall provide such services as required in Chapter 33-19, Florida Administrative Code, titled Health Services.

1. through 9. No change.

(b) No change.

1. No change.

a. through f. No change.

g. Past or current sexual, psychological, or physical abuse or trauma; Physical or sexual abuse;

h. through m. No change.

2. No change.

a. For addictions receiving facilities ~~and for detoxification,~~ the psychosocial assessment shall be completed prior to or within 72 hours of admission.

b. through c. No change.

d. For outpatient treatment, the psychosocial assessment shall be completed prior to or within 4 sessions or 30 days of admission, whichever comes first. For inmate substance abuse programs the psychosocial assessment shall be completed within 30 days of admission.

e. No change.

f. ~~For intervention, the psychosocial assessment shall be completed prior to or within 45 days of admission.~~

3. Psychosocial Assessment Sign-off and Readmission Requirements. The psychosocial assessment shall be completed by clinical staff and signed and dated. If the psychosocial assessment was not completed initially by a qualified professional, the psychosocial assessment shall be reviewed, counter-signed, and dated by a qualified professional within 10 days 48 hours, except for inmate substance abuse programs, in which case this review and sign-off shall occur within 30 days. In those instances where a client is readmitted for services within 180 90 days of discharge, a psychosocial assessment update shall be completed conducted, if clinically indicated, and as prescribed by the qualified professional. A new assessment shall be completed on clients who are ~~If a client is~~ readmitted for services more than after 180 90 days after discharge, a new assessment shall be conducted. In

addition, the psychosocial assessment shall be updated annually for clients who are in continuous treatment for longer than one year.

(c) No change.

(16) Client Placement Criteria Regarding Admission, Continued Stay, and Discharge/Transfer. This requirement applies to addictions receiving facilities, detoxification, residential treatment, day or night treatment with host homes, day or night treatment, outpatient treatment, intervention, and medication and methadone maintenance treatment.

When determining client placement, providers under contract with the department shall use the Florida Supplement to the American Society of Addiction Medicine Patient Placement Criteria: Florida Supplement, for the Treatment of Substance-Related Disorders (ASAM PPC-2), Second Edition, revised July 1, 1998, for determining client placement, incorporated herein by reference. Copies of the ASAM PPC-2 may be obtained from the Department of Children and Families, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Providers that are not under contract with the department shall clearly describe the criteria and process used regarding admission, continued stay, and discharge/transfer of clients. In both cases, decisions regarding admission shall be based primarily on information from the assessment. Decisions regarding continued stay and discharge/transfer shall be based primarily on information from the treatment plan, intervention plan, progress notes, and summary notes.

(17) No change.

(a) Primary Counselor. A primary counselor shall be assigned to each client admitted for services. Providers shall require that each client admitted for services sign a formal consent for services. Following the client's formal consent, providers shall conduct an orientation and shall complete an initial treatment plan. This standard does not apply to detoxification.

(b) through (c) No change.

(d) Initial Treatment Plan. An initial treatment plan shall be completed on each client upon admission. The plan shall specify timeframes for implementing services in accordance with the requirements established for each component. The initial treatment plan shall be signed and dated by clinical staff and signed and dated by the client. This standard does not apply to detoxification.

(18) No change.

(a) No change.

1. through 3. No change.

4. For outpatient treatment, the treatment plan shall be completed prior to or within 4 sessions or 30 days of admission, whichever comes first, except for inmate substance abuse programs, in which case the plan shall be completed within 30 days of admission.

The treatment plan shall be based on the assessment, results of diagnostic services, and special needs of the client. Each client shall be afforded the opportunity to participate in the development and subsequent review of the treatment plan. The treatment plan shall include goals and related measurable behavioral objectives to be achieved by the client, the means of achieving those objectives, the type and frequency of services to be provided, including ancillary services, and the expected dates of completion. The treatment plan shall be signed and dated by the person providing the service, and signed and dated by the client. If the treatment plan is not completed by a qualified professional, the treatment plan and subsequent treatment plan reviews shall be reviewed, countersigned, and dated by a qualified professional within 5 working days of completion, except for inmate substance abuse programs, in which case this action shall occur within 30 days of completion 48 hours.

(b) No change.

(c) Progress Notes. Progress notes shall be entered into the client record documenting a client's progress or lack of progress toward meeting treatment plan goals and objectives. Each progress note shall be signed and dated by the person providing the service. Only clinical staff will be permitted to make these entries, except that in the case of detoxification, nursing staff are permitted to enter progress notes. The progress notes shall be recorded as follows:

1. through 2. No change.

3. For outpatient treatment, progress notes shall be recorded at least weekly or according to the frequency of sessions, except that in the case of inmate substance abuse programs, notes shall be recorded weekly.

4. No change.

(19) through (21) No change.

(22) Control of Aggression. Providers ~~that who~~ use verbal de-escalation or ~~psychological~~ techniques or physical intervention techniques ~~restraint~~ in managing client behavior, shall use ~~department approved~~ techniques such as Aggression Control Techniques (ACT). Staff who use aggression control shall be trained and certified in the use of said techniques and shall receive at least two hours of training in aggression control each year.

(a) Justification and Documentation of Use. Verbal de-escalation techniques shall be employed before physical intervention is used. In the event that physical intervention ~~restraint~~ is used to restrict a client's movement, justification shall be documented in the client record and a complete, detailed report of the event shall be maintained as part of the provider's administrative records.

(b) Prohibitions. Under no circumstances shall clients be involved in the use of verbal de-escalation or physical intervention ~~restraint~~ to control aggressive behavior of other clients. Additionally, such techniques shall not be employed as punishment or for the convenience of staff.

Department of Juvenile Justice commitment facilities shall implement this subsection in accordance with Florida Department of Juvenile Justice Policies and Procedures, policy Number 8.03, titled Use of Force Policy, July 1995, incorporated herein by reference, that includes policies and procedures on the use of physical force and restraining devices. This policy may be obtained from the Department of Children and Families, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

(23) Discharge Plan and Transfer Summary. This requirement applies to addictions receiving facilities, detoxification, residential treatment, day or night treatment with host homes, day or night treatment, outpatient treatment, medication and methadone maintenance treatment, aftercare, and intervention.

A written discharge plan shall be completed for clients who complete services or who leave the provider prior to completion of services. The discharge plan shall include a summary of the client's involvement in services and the reasons for discharge and a plan for the provision of other services needed by the client following discharge, including aftercare. A transfer summary shall be completed for clients who transfer from one component to another within the same provider and from one provider to another. The transfer summary must be completed immediately upon transfer from one component to another within the same provider and within 5 working days following transfer to another provider. An entry shall be made in the client record regarding the circumstances surrounding the transfer. The discharge plan and transfer summary shall be signed and dated by a primary counselor qualified professional.

(24) No change.

(25) Data. Providers shall participate in the reporting of client, service, and fiscal data to the department pursuant to section 397.321(3)(c), F.S., ~~and in a form and manner required by the department.~~

(26) through (29) No change.

(30) No change.

(a) No change.

1. Provisions for informing the client, family member, or authorized guardian of their rights and responsibilities, assisting in the ~~reasonable~~ exercise of those rights, and an accessible grievance system for resolution of conflicts;

2. through 10. No change.

(b) No change.

(c) Implementation of Client Rights Requirements by Department of Corrections. In lieu of the requirements of this subsection, and in the case of inmate substance abuse programs, the Department of Corrections shall establish rules regarding inmate grievances as provided for in section 944.331, F.S., titled Inmate Grievance Procedure.

(31) No change.

(32) Training. Providers shall develop and implement a staff development plan. One staff member with skill in developing staff training plans shall be assigned the responsibility of ensuring that staff development activities are implemented. All ~~administrative, clinical and medical staff and any other staff with direct contact support, and voluntary~~ with clients shall receive four hours of HIV/AIDS/TB training and four hours CPR training within the first six months of employment and two hours every two years thereafter. In addition, each employee and volunteer who provides direct services and whose regular work schedule is 32 hours-a-week or more, and all primary counselors, shall receive a minimum of 20 hours of documented annual training related to their duties and responsibilities, including training in the following subject areas:

Subject	Initial Training	Updates
Ethics	2 hours within 6 months of employment	1 hour every 2 years
Domestic Violence	2 hours within 6 months of employment	1 hour every 2 years
<u>Sexual Abuse and Trauma</u>	<u>2 hours within 6 months of employment</u>	<u>1 hour every 2 years</u>
Dual Diagnosis/ Substance Abuse and Mental Health	4 hours within 6 months of employment	2 hours every 2 years
First Aid	2 hours within 6 months of employment	2 hours every 2 years

(33) through (34) No change.

(35) No change.

(a) No change.

1. Six thousand hours of direct experience as a substance abuse counselor under the supervision of a qualified professional, within the 10 ~~7~~ years preceding the application for certification;

2. through 6. No change.

(b) No change.

(36) Facility Standards. Facility standards in paragraphs ~~sub-subparagraphs~~ (a)-(k) apply to addictions receiving facilities, residential detoxification facilities, and residential facilities. Facility standards in paragraphs ~~sub-subparagraphs~~ (i)-(k) apply to medication and methadone maintenance treatment. Facility standards under paragraph ~~sub-subparagraph~~ (l) apply to all components.

(a) through (k) No change.

(l) Compliance with Local Codes. All facilities used by a provider shall comply with fire and safety standards enforced by the State Fire Marshall, pursuant to section 633.022, F.S., and rules established pursuant to Chapter 4A-44.012, Florida Administrative Code, and health, ~~safety, zoning, and occupational~~ codes enforced at the local level. All providers shall update and have proof of compliance with local fire and safety and health inspections annually.

(37) No change.

(a) though (b) No change.

(c) Staff are permitted to deliver only clinical services at the alternate site.

The following is an example of an overlay service. A comprehensive substance abuse services agency is licensed, among other things, to provide outpatient services located at 6th street. From that facility, the full range of outpatient services are provided as permitted in rule. A number of inmates at a local county jail located on 20th street have been assessed as having substance abuse problems and would benefit from counseling. The substance abuse agency enters into an agreement with the appropriate jail authorities to provide on-site counseling two days per week for four hours each day at the jail facility. When counseling is completed following the prescribed time, the counselor returns to the permanent outpatient offices at 6th street. Any information generated about an inmate during counseling also returns with the counselor to the permanent work site. In this example, the overlay consists of counseling which is provided under the agency's outpatient license.

(38) No change.

(39) Licensure of Department of Juvenile Justice Commitment Facilities. Substance abuse services, as defined in section 397.311(19), F.S., shall be provided within Juvenile Justice commitment facilities under the following conditions:

(a) The commitment facility is licensed under Chapter 397, F.S.; or, in accordance with the requirements in section 65D-30.004 and sections 65D-30.007, 65D-30.009, 65D-30.010, or 65D-30.012

(b) The services are provided by employees of the commitment facility who are qualified professionals licensed under Chapters 458, 459, 490, or 491, or are provided by employees who are Certified Addictions Professionals working under the supervision of a licensed qualified professional; or

(c) The services are provided by a licensed service provider licensed under Chapter 397; or

(d) The services are provided by an independent contractor licensed under Chapters 458, 459, 490, or 491, F.S., or by a Certified Addictions Professional who is an employee of the independent contractor.

(40) Licensure of Department of Corrections Inmate Substance Abuse Programs.

(a) Inmate substance abuse services shall be provided within inmate facilities operated by the Department of Corrections under the following circumstances:

~~(a)~~ The inmate facility is licensed under Chapter 397, F.S., in accordance with the requirements in section 65D-30.004 and the appropriate component under sections 65D-30.007, 65D-30.009, 65D-30.010, or 65D-30.012.

~~(b)~~ Arrangements are made for inmates to be screened assessed for substance abuse needs upon arrival at a designated reception center, and the screening assessment shall be made either by the Department of Corrections or publicly funded provider of substance abuse services.

~~(c)~~ Research, evaluation, and monitoring is conducted relative to inmate participation to ensure the delivery of quality services and that services are based on client needs.

~~(d)~~ Relationships and cooperative agreements are developed by the Department of Corrections with publicly funded providers and other agencies that would enhance resources for the provision of services to the inmate.

~~(e)~~ Training of all correctional personnel involved in the provision of substance abuse services is conducted on a timely basis.

~~(f)~~ The Department of Corrections ensure that all inmates receiving substance abuse services shall be afforded the highest quality services possible.

~~(g)~~ The Department of Corrections ensures that each participating inmate shall be afforded the right of individual dignity, non-discriminatory services, right to communication, and that client information shall be maintained as required by Title 42, Code of Federal Regulations, Part 2, and Chapter 397, F.S.

~~(b) Exemption from Licensure Standards. Any inmate substance abuse program operated by the Department of Corrections and using staff employed directly by the Department of Corrections, is exempt from the following common licensure standards:~~

- ~~1. Section 65D-30.003(6)(a)7. And 8.;~~
- ~~2. Section 65D-30.004(3); and~~
- ~~3. 65D-30.004(4)(b).~~

(41) Offender Referrals under Chapter 397, F.S.

(a) through (d) No change.

~~(e) Secure and Non-Secure Services. In those instances where a community-based provider is under contract with the Department of Corrections to provide secure and non-secure services, such services shall be provided under the following licensable components:~~

- ~~1. Non-secure services pursuant to section 944.026(1)(b)1., F.S., in a level 2 residential treatment component; and~~
- ~~2. Secure services pursuant to section 944.026(1)(b)2., F.S., in a level 1 residential treatment component.~~

~~(e)(f)~~ No change.

(42) through (43) No change.

Specific Authority 397.321(5) FS Law Implemented 20.19(10), 232, 384, 397.311(23), 397.311(28), 397.321(1), 397.405, 397.419, 397.451, 397.471, 397.501, 397.601, 397.675, 397.705, 397.707, 633.022, 944.026, 948 FS. History--New _____.

Editorial Note: Formerly 65D-16.

65D-30.005 Standards for Addictions Receiving Facilities. In addition to section 65D-30.004, the following standards apply to addictions receiving facilities.

- (1) through (4) No change.
- (5) No change.
- (a) A voluntary client who has a substance abuse problem to the extent that the person displays behaviors that indicate potential harm to self or others or who meets diagnostic or medical criteria justifying admission to an addictions receiving facility; or
- (b) An involuntary admission who meets the criteria specified in section 397.675, F.S.; or
- (c) An adult or juvenile offender who is ordered for assessment or treatment under sections 397.705 and 397.706, F.S., and who meets diagnostic or medical criteria justifying admission to an addictions receiving facility; or

(d) Juveniles found in contempt as authorized under section 985.216, F.S.

- (6) through (13) No change.
- (14) Restraint and Seclusion. The use of restraint and seclusion shall require justification in writing. Restraint and seclusion can only be used in emergency situations to ensure the client's physical safety and only when less restrictive interventions have been determined to be ineffective, specifically verbal de-escalation techniques. Restraint and seclusion shall not be employed as punishment or for the convenience of staff and shall be consistent with the rights of clients, as described in section 65D-30.004(30).

(a) through (g) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(a), 397.321(1), 397.419, 397.901 FS. History—New _____.

Editorial Note: Formerly 65D-16.

65D-30.006 Standards for Detoxification.

In addition to section 65D-30.004, the following standards apply to detoxification.

- (1) through (2) No change.
- (a) No change.
- 1. through 2. No change.
- 3. Daily Activities. The provider shall develop a schedule of daily activities that will be provided based on the detoxification protocols initial treatment plan. This shall include recreational and educational activities and participation shall be documented in the client's record.

(b) Observation of Clients. Observation of clients by nursing staff, ~~including an assessment of vital signs every 2 hours~~, shall be conducted during the first 12 hours following admission and every 4 hours during the subsequent 72 hours. Beds shall be visible and readily accessible from the nurse's station for close observation.

(c) No change.

(d) Staffing Pattern and Bed Capacity. The staffing pattern for nurses and nursing support personnel for each shift shall be as follows:

Licensed Bed Capacity	Nurses	Nursing Support
1- 15 40	1	1
<u>16</u> 11 -20	1	2
21-30	2	2

The number of nurses and nursing support staff shall increase in the same proportion as the pattern described above. In those instances where a residential detoxification component and a licensed crisis stabilization unit are co-located, the staffing pattern for the combined components shall conform to the staffing pattern of the component with the more restrictive requirements.

- (3) No change.
- (a) No change.
- 1. through 3. No change.
- 4. The client's ability to understand the importance of managing withdrawal utilizing medications, ~~if necessary~~, and to comply with the medical protocol; and
- 5. No change.
- (b) through (c) No change.

1. Counseling. Each client shall participate in counseling on a weekly basis. Counseling sessions shall be of sufficient duration to enable staff to make ~~reasonable~~ decisions regarding the client's need for other services and to determine progress.

- 2. No change.
- (d) through (e) No change.
- (4) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(b), 397.321(1), 397.419 FS. History—New _____.

Editorial Note: Formerly 65D-16.

65D-30.007 Standards for Residential Treatment.

In addition to section 65D-30.004, the following standards apply to residential treatment.

- (1) No change.
- (a) No change.
- (b) Level 2 residential treatment will generally be of a duration of 31 ~~30~~ days up to 1 year. This level is typically classified as a therapeutic community and is intended for clients who are characterized as having chaotic, non-supportive and often abusive interpersonal relationships, extensive treatment or substance abuse histories, sporadic work and educational experience, and an anti-social value system. Counseling is provided regularly, as are employment and education services. The goal is to prevent relapse and to promote personal responsibility and positive character change.

- (c) through (d) No change.
- (2) No change.
- (a) No change.
- 1. No change.

a. For clients in levels 1 and 2, 20 hours of counseling shall be provided per client per week. For clients participating under subsection 65D-30.004(40), counseling shall be provided according to the policies established in Chapter 944, F.S., titled State Correctional System. For clients participating under subsection 65D-30.004(41), counseling shall be provided according to the conditions of the Department of Corrections' contract with the provider.

b. For clients in levels 3 and 4, 10 hours of counseling shall be provided per client per week.

c. For clients in level 4, 4 hours of counseling shall be provided per client per week.

2. No change.

a. No change.

b. For clients in level 2, services shall include recreational activities, educational groups, and occupational services, and be provided at least 20 hours per week. For clients participating under subsection 65D-30.004(40), counseling shall be provided according to the policies established by the Department of Corrections in Chapter 944, F.S., titled State Correctional System, that require inmates to be available for facility security protocols. For clients participating under subsection 65D-30.004(41), counseling shall be provided according to the conditions of the Department of Corrections' contract with the provider.

c. No change.

d. For clients in level 4, services shall include educational groups and occupational and recreational activities and be provided at least 6 ~~20~~ hours per week.

3. No change.

(b) through (c) No change.

(3) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(c), 397.321(1), 397.419 FS. History–New _____.

Editorial Note: Formerly 65D-16.

65D-30.008 Standards for Day or Night Treatment with Host Homes.

In addition to section 65D-30.004, the following standards apply to day or night treatment with host homes.

(1) through (4) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(c),(d), 397.321(1), 397.419 FS. History–New _____.

Editorial Note: Formerly 65D-16.

65D-30.009 Standards for Day or Night Treatment.

In addition to section 65D-30.004, the following standards apply to day or night treatment.

(1) through (2) No change.

(3) Caseload. No counselor may have a caseload that exceeds 15 currently participating clients. ~~In those instances where services are provided within facilities operated by the Department of Corrections, the caseload shall not exceed 20 currently participating clients.~~

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(d), 397.321(1), 397.419 FS. History–New _____.

Editorial Note: Formerly 65D-16.

65D-30.010 Standards for Outpatient Treatment.

In addition to section 65D-30.004, the following standards apply to outpatient treatment.

(1) No change.

(2) Caseload. No full-time counselor shall have a caseload that exceeds 50 individuals participating in services at any given time. In the case of inmate substance abuse programs, the caseload shall be no more than 30 participants.

(3) through (4) No change.

(a) Services. Intensive outpatient treatment services shall be provided on-site at least nine hours per week per client and shall consist of more structured programming. Services shall consist primarily of counseling and education and at least two hours of individual counseling shall be provided to each client each week. Other programming shall include occupational and recreational services if required by the client's treatment plan.

Inmate substance abuse programs are exempt from the requirement regarding individual counseling but must provide at least three hours of group counseling per week in accordance with Chapter 944, F.S., titled State Correctional System.

(b) Psychiatric and Medical Services. The need for psychiatric and medical services shall be addressed through consultation or referral arrangements. Providers shall develop formal agreements with health and mental health professionals for provision of such services, and shall accommodate the needs of clients on a case-by-case basis. Such services shall be available within 24 hours by telephone and within 72 hours face-to-face.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(e), 397.321(1), 397.419 FS. History–New _____.

Editorial Note: Formerly 65D-16.

65D-30.011 ~~Minimum~~ Standards for Aftercare.

In addition to section 65D-30.004, the following standards apply to aftercare.

(1) through (2) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.321(1), 397.321(7)(e), 397.419 FS. History–New _____.

65D-30.012 Standards for Intervention.

In addition to section 65D-30.004, the following standards apply to intervention.

(1) through (4) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(h)(+), 397.321(1), 397.419 FS. History—New _____.

Editorial Note: Formerly 65D-16.

65D-30.013 Standards for Prevention.

In addition to section 65D-30.004, the following standards apply to prevention.

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

(a) Information Dissemination. The intent of this strategy is to increase awareness and knowledge of the risks of substance abuse and available prevention services. ~~The effectiveness of this strategy shall be evaluated by changes in knowledge.~~

(b) Education. The intent of this strategy is to improve skills and to reduce negative behavior and improve responsible behavior. ~~The effectiveness of this strategy shall be evaluated by changes in knowledge, improved skills, a reduction in negative behavior, and an improvement in responsible behavior.~~

(c) Alternatives. The intent of this strategy is to provide constructive activities that exclude substance abuse and reduce anti-social behavior. ~~The effectiveness of this strategy shall be evaluated by a reduction in anti-social behavior.~~

(d) Problem Identification and Referral Services. The intent of this strategy is to identify children and youth who have indulged in the use of tobacco or alcohol and those who have indulged in the first use of illicit drugs, in order to assess whether prevention services are indicated or referral to treatment is necessary. ~~The effectiveness of this strategy shall be evaluated by letters of agreement with primary referral sources and reports of high satisfaction from those sources.~~

(e) Community-Based Process. The intent of this strategy is to enhance the ability of the community to more effectively provide prevention and treatment services. ~~The effectiveness of this strategy shall be evaluated through the development of policies and procedures at the local level that enhance prevention.~~

(f) Environmental. The intent of this strategy is to establish or change local laws, regulations, or rules to strengthen the general community regarding the initiation and support of prevention services. ~~The effectiveness of this strategy shall be evaluated by a reduction in the prevalence of substance abuse in the general population.~~

- (3) No change.

(a) Population Served. Providers shall describe the population to be served, indicating whether the population is universal, indicated, or selected, and include ~~including~~ age, gender, race/ethnicity, and relevant risk and protective factor indicators.

- (b) through (c) No change.

(d) Staff Training. Providers shall have a staff training plan that ensures that all staff receive basic training in science-based prevention and that supports staff in attaining addictions prevention certification. Staff shall receive training specific appropriate to their assigned duties and responsibilities. All staff shall be trained in basic pharmacology, identification of risk and protective factors, the provider's process and outcome evaluation strategy, and methods of accessing and utilizing local provider resources. The successful completion of this training shall be documented in their personnel record.

- (e) No change.

(f) Evaluation. Providers shall evaluate the effectiveness of the services described in subsection (2) at least annually ~~and shall use the evaluation methodology provided in that section.~~ The department shall review the results of providers' program evaluation efforts annually and all technical materials used by providers to ensure consistency with current research in the prevention field.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(g)(h), 397.321(1), 397.419 FS. History—New _____.

Editorial Note: Formerly 65D-16.

65D-30.014 Standards for Medication and Methadone Maintenance Treatment.

In addition to section 65D-30.004, the following standards apply to medication and methadone maintenance treatment.

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

(a) Criteria. New providers shall be established only in response to the department's determination of need, which shall occur annually. The determination of need shall only apply to medication and methadone maintenance treatment programs. In its effort to determine need, the department shall examine information on treatment, the consequences of the use of opioids (e.g., arrests, deaths, emergency room mentions, other incidence and prevalence data that may have relevance at the time, etc.), and data on treatment accessibility. The criteria to be assessed shall include data on the use of opioids and the consequences of use, including epidemiological information. The results of the assessment, along with a recommendation regarding need, shall be published in the Florida Administrative Weekly.

(b) Procedure. The department shall publish the results of the assessment in the Florida Administrative Weekly by June 30. The publication shall direct interested parties to submit applications for licensure to the department's district office where need has been demonstrated and shall provide a closing date for submission of applications. The district shall conduct a formal rating of applicants on a form titled MEDICATION AND METHADONE MAINTENANCE TREATMENT NEEDS ASSESSMENT APPLICATION RATING FORM, March 1, 2000, incorporated herein by reference. The form

may be obtained from the Department of Children and Families, Substance Abuse Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

Should the number of responses to the publication for a new provider exceed the determined need, the selection of a provider shall be based on the following criteria:

- (a) through (c) renumbered 1. through 3. No change.
- (4) No change.
- (5) Maintenance Treatment Standards.
- (a) through (d) No change.
- (e) ~~Methadone~~ Take-home Phases.

~~1.~~ To be considered for take-home privileges, clients shall be in compliance with ~~subparagraph~~ ~~sub-subparagraph~~ (d)2. No take-homes shall be permitted during the first 30 days following admission unless approved by the ~~state~~ ~~federal~~ authority.

- a. through f. renumbered 1. through 6. No change.

~~2. Clients who receive over 100 milligrams of methadone per day must attend the provider at least 6 days per week for observation, unless an exemption is granted by the federal authority.~~

(f) Transfer Clients and Takeout Privileges. Any client who transfers from one provider to another within the state of Florida shall be eligible for placement on the same phase provided that verification of enrollment is received from the previous provider within two weeks of admission. The physician at the previous provider shall also document that the client met all criteria for their current phase and are at least on Phase I.

Any client who transfers from out-of-state is required to meet the requirements of ~~subparagraph~~ ~~sub-subparagraph~~ (d)2., and with verification of previous records, the physician shall determine the phase level based on the client's history and established phase guidelines.

- (g) through (n) No change.
- (6) No change.

(a) A satellite maintenance dosing station must be operated by a primary, licensed comprehensive maintenance provider and must meet all applicable regulations in section 65D-30.004 and subsection 65D-30.014(4).

- (b) No change.

Specific Authority 397.321(5) FS. Law Implemented 397.311(19)(f), 397.321(1), 397.419 FS. History—New _____.

Editorial Note: Formerly 65D-16.

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE TITLE: RULE NO.:

Repeal of Emergency Rule 9BER00-1 relating
to supplemental Community Development
Block Grant (CDBG) Disaster
Recovery Funds 9BER00-2

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The United States Department of Housing and Urban Development (HUD) has made available \$1,258,000 in additional supplemental CDBG funds for mitigation and recovery from the effects of severe floods, high winds, tornadoes and flooding that occurred between December 25, 1997 and April 24, 1998 (FEMA-DR-1195), \$1,929,000 in supplemental CDBG funds for mitigation and recovery from the effects El Nino fires (FEMA-DR-1223), and \$1,500,000 for mitigation and recovery from the effects of Hurricane Earl (FEMA-DR-1241), pursuant to Public Law 105-174. The Department needs to distribute and use these funds as quickly as possible for disaster relief, long-term recovery, and mitigation activities in communities affected by the Presidentially declared natural disasters described above. The expenditure of the CDBG disaster recovery funds in the areas affected by these storms is essential to the health, safety, and welfare of the public affected in these areas. There were millions of dollars worth of homes, drainage systems, roads, bridges, and other critical public facilities damaged or destroyed by winds, flooding and fires which resulted from the above referenced storms and weather events. The condition of many of these structures poses an on-going threat to the health, safety and welfare of the residents of the affected jurisdictions. Repeal of Emergency Rule 9BER00-1 will enable the Department of Community Affairs, to immediately disburse these funds to affected local governments, so that the dire housing and community development needs of the disaster-affected citizens of Florida can be promptly addressed.

REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: It has been determined by the Florida courts that, where a determination by a state agency is applicable only to a particular project, it is not a rule because it is limited temporally and has no prospective application to any other project. See, *Neff v. Biltmore Construction Company, Inc.*, 362 So.2d 442 (Fla. 1st DCA, 1978); *State Department of Commerce v. Matthews Corporation*, 358 So.2d 256 (Fla. 1st DCA, 1978)). Since these federal emergency funds are only to be used for the specific emergency events which occurred in 1997 and 1998, they do not have general or prospective application and, therefore, are not rules.

SUMMARY OF THE RULE: This rule repeal enables the Department of Community Affairs to administer these supplemental CDBG funds in a timely manner as required by Federal law.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Susan M. Cook, Ph.D., Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644

THE FULL TEXT OF THE EMERGENCY RULE IS:

9BER00-2 Repeal of Emergency Rule 9BER00-1 relating to supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds. Emergency Rule 9BER00-1 is hereby repealed effective upon the filing of this emergency rule.

Specific Authority 290.046 FS. Law Implemented 290.0401-.049 FS. History-- Repealed 3-28-00.

THIS RULE SHALL TAKE EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 28, 2000

DEPARTMENT OF THE LOTTERY

RULE TITLE: Power Pair Payoff Retailer Sales Incentive RULE NO.: 53ER00-14

SUMMARY OF THE RULE: The emergency rule describes the Power Pair Payoff Retailer Sales Incentive associated with the sale of Fantasy 5 and instant tickets.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-14 Power Pair Payoff Retailer Sales Incentive.

(1) Beginning Monday, April 3, 2000, through Sunday, June 25, 2000, the Florida Lottery will conduct the Power Pair Payoff Retailer Sales Incentive ("Power Pair Payoff Incentive") for all eligible instant and on-line Retailers. Both instant-only and on-line Retailers may earn additional commission(s) over their regular 5% sales commission if their sales meet or exceed established goals for the incentive period.

(2) Each eligible Retailer will be given a sales goal which will be the greater of either:

(a) the Retailer's actual combined sales of instant tickets and Fantasy 5 tickets (for on-line retailers) or actual sales of instant tickets (for instant-only Retailers) for the base period April 5, 1999, through June 27, 1999; or

(b) \$1,500.

(3) For the incentive period, each eligible Retailer will be assigned to a sales category based upon the Retailer's level of combined sales of instant and Fantasy 5 tickets (for on-line Retailers) or level of instant ticket sales (for instant-only Retailers) during the base period. The sales categories are as follows:

<u>Sales Category</u>	<u>Combined Instant and Fantasy 5 Sales/Instant Only Sales</u>
<u>A</u>	<u>\$30,001 and above</u>
<u>B</u>	<u>\$20,001 – \$30,000</u>
<u>C</u>	<u>\$10,001 – \$20,000</u>
<u>D</u>	<u>\$ 00 – \$10,000</u>

(4) Eligible Retailers in the Power Pair Payoff Incentive shall include all Retailers that became active on or before April 5, 1999; had recorded activity each week during the base period; had no more than one dishonored electronic funds transfer during the base period; and remain active throughout the incentive period. A Retailer whose location experiences a change in ownership, as defined by Rule 53ER94-21(3), F.A.C., after April 5, 1999, will be included in the incentive, provided that the original retailer contract was not terminated prior to the filing of the new retailer application.

(5) Calculation of Power Pair Payoff Incentive Sales Goals.

(a) A Retailer that was an active instant-only Retailer on or before April 5, 1999, will be given a sales goal based only on the Retailer's instant ticket sales for the period April 5, 1999, through June 27, 1999. Any Power Pair Payoff Incentive awarded to an instant-only Retailer will be based only upon instant ticket sales.

(b) A Retailer that was an active on-line Retailer on or before April 5, 1999, will be given a sales goal based on the Retailer's total combined instant ticket and Fantasy 5 on-line sales for the period April 5, 1999, through June 27, 1999. Any Power Pair Payoff Incentive awarded to an on-line retailer will be based upon combined instant ticket and Fantasy 5 sales.

(c) For the purpose of this incentive, Retailer locations with multiple terminals, whether instant or on-line, will be considered as single locations.

(6) Sales.

(a) Instant ticket sales shall be defined as instant ticket book settlements which are recorded by the Lottery's gaming system.

(b) Fantasy 5 on-line sales transactions shall be defined as Fantasy 5 sales sold through the Lottery's gaming system.

(c) Any settlement adjustments made during the incentive period shall be included in final sales calculations.

(d) Incentive commissions described in paragraph (7)(b), below, shall be subject to recoupment by the Lottery through an account adjustment for books of instant tickets that are

settled and included in sales incentive calculations and subsequently unsettled by the Retailer after receiving payment of the incentive commission.

(7) Incentive commissions for eligible Retailers shall be awarded as follows:

(a) All eligible Retailers in each of the four sales categories that have sales equal to or more than one hundred percent (100%) of their established goal for the incentive period will be paid \$100 in addition to their normal 5% sales commission.

(b) In addition to the incentive commission described in paragraph (a) above, eligible Retailers may earn an incentive commission based upon the percentage by which their sales goal is exceeded. At the end of the incentive period, the total percentage increase in instant ticket sales (for Instant-only Retailers) and combined sales of instant tickets and Fantasy 5 tickets (for on-line Retailers) will be determined for all eligible Retailers within each sales category as applicable. For each of the eleven Lottery districts, the Lottery will award an additional incentive commission to one corporate and one independent Retailer who has the highest percentage increase in sales within the Retailer's sales category. A total of eighty-eight additional incentive commissions will be awarded. Additional incentive commission amounts are as follows:

<u>Sales Category</u>	<u>Additional Incentive Commission</u>
<u>A</u>	<u>\$15,000</u>
<u>B</u>	<u>\$10,000</u>
<u>C</u>	<u>\$5,000</u>
<u>D</u>	<u>\$2,500</u>

(c) Payment of an earned incentive to a Retailer whose business experiences a change of ownership during the promotional period will be made to the Retailer with the last recorded sales or redemption activity.

(8) All Retailer incentive commissions are subject to availability of funds appropriated for retailer incentives.

(9) Retailers must be in good financial standing with the Florida Lottery at the time the incentive commission is paid. Good financial standing is defined as having no unpaid dishonored electronic funds transfers or associated penalties, or any other accounts receivable outstanding for more than sixty (60) days.

(10) Retailers whose Florida Lottery contracts are suspended or terminated subsequent to the incentive period and prior to the payment of the incentive commission, shall be paid the incentive commission earned, provided said suspension or termination is not due to violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or Retailer Contract terms.

(11) Retailers will be paid any incentive commission earned by check or as an adjustment on the retailer's weekly Settlement Report. All payments will be made to the contracted Retailer and reported to the Internal Revenue

Service as compensation. The Lottery will apply incentive commissions earned against outstanding debt for Retailers meeting all eligibility requirements.

Specific Authority 24.105(10)(a), (c), 24.109(1), 24.112(1) FS. Law Implemented 24.105(10)(a), (c), 24.112(1) FS. History—New 3-27-00.

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

EFFECTIVE DATE: March 27, 2000

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

Take notice that in accordance with §120.542(6), Fla. Stat., that on March 27, 2000, the Department of Community Affairs, Division of Housing and Community Development, received a Petition for Waiver from Buckhom Estates Special Dependant District requesting a waiver of the late fees imposed in Rule 9B-50.003(4), Fla. Admin. Code.

The petition has been assigned number DCA00-WAI-063. A copy of the petition may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 330E Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice is hereby given by the Department of Highway Safety and Motor Vehicles that Pinellas County DUI Program's petition for variance of rule 15A-10.0141, Florida Administrative Code, filed January 19, 2000, was approved by the Department on March 9, 2000. The petitioner was seeking to charge an amount less than that specified in rule 15A-10.0141 for DUI programs. The petition was approved on the basis that the DUI program has accrued excess funds for the past four fiscal years; Pinellas County is the most densely populated county in Florida, and there are no other DUI programs that serve the area. Notice of the petition was published in the FAW on February 18, 2000.

A copy of the order can be obtained from: Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0571.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from BellSouth Public Communications, Inc., filed March 22, 2000, in Docket No.

000339-TC, seeking exemption from Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations shall allow incoming calls. The location of the pay telephone station is 2000 Cascade Drive, Kissimmee, Florida. 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 Tim Vaccaro, Division of Legal Services, at the above address or telephone (850)413-6199.

NOTICE IS HEREBY GIVEN that on February 29, 2000, the Florida Public Service Commission granted a Petition from BellSouth Public Communications, Inc. (Docket No. 991823-TC) seeking waiver of Rule 25-24.515(15), Florida Administrative Code. The rule requires that pay phones receive incoming calls and the waiver allows incoming calls to be blocked at the following pay telephone station: Tamarac Lakes North Association Inc., 2600 Northwest 53rd Street, Tamarac, Florida. By Order No. PSC-00-0429-PAA-TC issued on February 29, 2000, the Petition for waiver was granted. No protests against this order were received.

A copy of the order may be obtained from: Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770.

For additional information, contact: Marlene Stern, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862 or telephone (850)413-6230.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for variance received from WRS Infrastructure & Environment, Inc. (WRS), on December 20, 1999. Notice of receipt of this petition was published in the January 21, 2000, edition of the Florida Administrative Weekly. No public comment was received. The petition requested a variance from the zone of discharge prohibition for discharges through wells under rule 62-522.300(2)(a) of the Florida Administrative Code for the use of a Fenton's Reagent process to clean up sites with contaminated soils and ground water, and specifically to allow a zone of discharge for total dissolved solids, iron, pH, and sulfate within a 50-foot radius from the point of discharge for a duration of 365 days. On March 16, 2000, the Department granted a variance to WRS in a final order, OGC File No.: 99-2194. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the process must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval

shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for total dissolved solids, iron, and sulfate shall be a 50-foot radius from the point of injection; that the injection of the products shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions; and that such monitoring should continue for at least one year after active remediation. For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

The Department of Environmental Protection gives notice of its intent to issue a variance from the provisions of Rules 62-302.530(70) and 62-4.224(5)(c), Florida Administrative Code (File No. 29-01547503-005) to the Florida Gas Transmission Company, to allow water quality within Class III Florida Waters to be temporarily lowered as a result of proposed pipeline construction activity.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-8218, Tel: (813)744-6100.

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

Mediation under section 120.573 of the Florida Statutes is not available.

Because the administrative hearing process is designed to formulate final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application.

Under rules 28-106.111(3) and 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time

must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

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

In accordance with rules 28-106.111(2) and 62-110.106(3)(a),(4), petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

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

A petition that disputes the material facts on which the Department's action is based, must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's

proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Board of Directors of the **Historic Pensacola Preservation Board** announce a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 10, 2000, 12:00 Noon

PLACE: 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting.

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, Pensacola, Florida 32501.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

The Board of Directors of **Historic Pensacola, Inc.**, the direct support organization of the Historic Pensacola Preservation Board announce a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 10, 2000 immediately following the meeting of the Historic Pensacola Preservation Board, which will begin, 12:00 Noon

PLACE: T. T. Wentworth Museum, 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting.

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, Pensacola, Florida 32501.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

DEPARTMENT OF LEGAL AFFAIRS

The Legislative Reporting Committee of the **Florida Commission on the Status of Women** will hold a conference call on:

DATE AND TIME: May 5, 2000, 10:30 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 AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Florida Forestry Council which is open to all interested persons.

DATE AND TIME: Thursday, April 20, 2000, 9:30 a.m.

PLACE: Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Doyle Conner Building, Second Floor, Conference Room, Tallahassee, Florida

PURPOSE: Updates on Division of Forestry Programs.

A copy of the agenda may be obtained by contacting: L. Earl Peterson, Director, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Telephone (850)488-4264.

DEPARTMENT OF EDUCATION

The **Department of Education** announces a meeting of the Governor's Equity in Educational Opportunity task force to which all interested persons are invited.

DATE AND TIME: April 17, 2000, 8:30 a.m. – 5:00 p.m.

PLACE: Florida State University, The University Center Club, Building B, Doak Campbell Stadium, Champions Way between gates G and F of the stadium, Tallahassee, Florida 32306

PURPOSE: The purpose of the meeting is to conduct general business necessary for the task force to develop findings and recommendations for the Governor, the President of the Senate and Speaker of the House.

For additional information call: The Office of Policy Research and Accountability, (850)488-1611, Suncom 278-1611.

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: April 21, 2000, 9:00 a.m.

PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida

PURPOSE: To consider legislative issues and updates; 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 CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATES AND TIMES: April 18, 2000, 7:30 a.m. – Grove Tour; April 19, 2000, 9:00 a.m. – Committee Meetings; 10:30 a.m. – Regular Monthly Meeting; 1:00 p.m. – Harvesting Workshop

PLACE: Southwest Florida Research and Education Center, 2686 State Road 29, N., Immokalee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Harvesting Grove Tour, Regular Monthly Meeting and Harvesting Workshop.

A copy of the agenda may be obtained by contacting: Florida Department of Citrus, Attention: Executive Office, P. O. Box 148, Lakeland, Florida 33802.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

REGIONAL PLANNING COUNCILS

The **Treasure Coast Regional Planning Council** announces a meeting of the Council's Overall Economic Development Program Committee to which all persons are invited:

DATE AND TIME: April 13, 2000, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of the Treasure Coast Regional Planning Council Overall Economic Development Program Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: April 21, 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.

The **Treasure Coast Regional Planning Council** announces a meeting of Council's Transit/Transportation Task Force Committee to which all persons are invited:

DATE AND TIME: April 28, 2000, 11:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER: To conduct a meeting of Council's Transit/Transportation Task Force Committee. The committee will review the Strategic Regional Policy Plan Transportation Section.

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 District II, **Local Emergency Planning Committee** (LEPC) 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: April 19, 2000, 10:00 a.m. Eastern Time, 9:00 a.m. Central Time

PLACE: Wakulla County Emergency Management Office, 15 Oak Street, Crawfordville, Florida

PURPOSE: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 314 East Central Avenue, Blountstown, FL 32424 or calling (904)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 Rules Committee of the Florida **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 17, 2000, 3:00 p.m.

PLACE: Ethics Commission Conference Room, Suite 101, 2822 Remington Green Circle, Tallahassee, FL

PURPOSE: To review proposed amendments to Chapters 34-5, 34-8, 34-12 and 34-13, FAC. and the proposed repeal of Chapter 34-11, FAC.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, FL 32317-5709, or by calling Millie Fulford, (850)488-7864.

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 Millie Fulford, (850)488-7864. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, April 18, 2000, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 2822 Remington Green Circle, Suite 101, Tallahassee, FL, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding and for such

purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Commission on Ethics, (850)488-7864, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

METROPOLITAN PLANNING ORGANIZATIONS

The METROPLAN ORLANDO, The **Metropolitan Planning Organization for the Orlando Urban Area** announces the following public meeting of its Governing Board to which all persons are invited:

DATE AND TIME: Wednesday, April 12, 2000, 9:00 a.m.
 PLACE: Metroplan Orlando Board Room, 315 East Robinson Street, Suite 355, Orlando, FL 32801
 PURPOSE: Regularly Scheduled Board Meeting.
 AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order
2. Agenda Review
3. Approval of Minutes
4. Consent Items
5. Action Items
6. Presentations, if any.
7. Other Business
8. Chairman's Report
9. Executive Director's Report
10. Legislative Report

A copy of the detailed agenda may be obtained by contacting: Virginia Lewis, Executive Assistant, METROPLAN ORLANDO, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, Extension 314.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact METROPLAN ORLANDO, (407)481-5672, at least 48 hours before the meeting.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Americans with Disabilities Act Working Group, which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security** announces a meeting of the Americans with Disabilities Act Working Group Web Task Force Committee Board to which all interested persons are invited.

DATE AND TIME: April 7, 2000, 10:00 a.m. – 12:30 p.m.
 PLACE: Division of Vocational Rehabilitation Headquarters, 2002 Old St. Augustine Road, Building A, Room 360, Tallahassee, Florida 32399-0696

PURPOSE: To facilitate the mission of this Working Group. For those people unable to attend in person, you may participate in the meeting via Teleconference call by dialing (850)921-6513 or Suncom 291-6513.

A copy of the agenda may be obtained by writing or calling: Americans with Disabilities Act Working Group, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399, (850)487-3423 (Voice or TTY).

Should you require accommodations or materials in alternate formats, please contact Doris Farmer, (850)487-3424 (Voice or TTY).

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation** announces a meeting of the Physician Advisory Committee to which the public is invited. This committee is the forum for all physicians participating in the delivery of medical care to Florida's injured workers, to inform the Division of Workers' Compensation of issues and to discuss concerns relating to the provision of medical and rehabilitation services.

DATE AND TIME: Wednesday, April 26, 2000, 9:00 a.m. – 12:00 Noon
 PLACE: Team Disney Building, 1375 Buena Vista Drive, Lake Buena Vista, Florida 32830

PURPOSE: Development of by-laws and to discuss issues effecting the delivery of medical care within the Workers' Compensation System. Due to limited seating, persons planning to attend are asked to call Barbara Moody, (850)488-3431, Extension 330, by close of business April 24, 2000.

Persons with a disability or handicap requiring reasonable accommodations should contact Barbara Moody in writing: 2728 Centerview Drive, Suite 101, Forrest Building, Tallahassee, Florida 32399-0664, or by phone at least three business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Barbara

Moody using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

NOTICE OF CHANGE – Notice is hereby given that the **St. Johns River Water Management District**, Governing Board Finance Committee meeting, originally advertised in the March 24, 2000, issue of the Florida Administrative Weekly to begin at 10:00 a.m., April 28, 2000, has been changed. The Finance Committee will meet, either telephonically or as an open meeting on:

DATE AND TIME: Monday, May 1, 2000, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

If you have any questions, please contact: Ann Freeman, Governing Board Support Specialist, (904)329-4101.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: April 20, 2000, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. Wayne Daltry, (941)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: April 19, 2000, 9:30 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Budget Review Commission meeting to discuss the Commission charter and FY 2001 priorities.

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, (561)682-6007.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: April 19, 2000, 10:00 a.m.

PLACE: South Florida Water Management Miami Field Station, 9001 N. W. 58th Street, Miami, Florida

PURPOSE: Workshop session to discuss the Lake Belt Detailed Master Plan, including wellfield protection and non-mining issues.

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 Miami-Dade County Lake Belt Plan Implementation Commission decision require a record of the proceedings. Affected persons are advised it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact the Project Manager, Jim Jackson, (561)682-6334.

The **South Florida Water Management District** announces two rule development workshops/meetings to which all interested parties are invited. These workshops are being held pursuant to the provisions of Section 120.54(1)(d), Florida Statutes:

C-139 Basin Rulemaking Workshop #1:

DATE AND TIME: April 19, 2000, 10:00 a.m.

PLACE: Clewiston Field Station Conference Room, S.R. 832, Rt. 1, Clewiston, Florida

PURPOSE: Workshop/Meeting to discuss rule development for amendments to Chapter 40E-63, Fla. Admin. Code, to: 1) Establish a compliance methodology for a phosphorus load reduction program for the C-139 Basin.

EAA BMP Rule Workshop #1:

DATE AND TIME: April 28, 2000, 10:00 a.m.

PLACE: Commission Chambers, Belle Glade City Hall Complex, 110 S. W. Avenue E, Belle Glade, Florida

PURPOSE: Workshop/Meeting to discuss rule development for amendments to Chapter 40E-63, and Chapter 40E-61, Fla. Admin. Code, to: 1) Modify EAA basin load calculations and EAA permitting provisions to account for the Chapter 298 District Diversion Project; 2) Update the BMP replacement water model; and 3) Modify typographical errors in the current BMP rule, authorize minor or letter modifications to BMP permits, and modify EAA basin load calculations to exclude lands taken out of production by the Everglades Construction Project.

A copy of the agendas for these workshops may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680, Attention: Leslie Bucciantini, Department of Environmental Resource Regulation, Everglades Regulation Division, or by e-mail at: lbuccia@sfwmd.gov. Please specify which workshop agenda you are requesting.

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: Leslie Bucciantini, (561)682-2826.

REGIONAL UTILITY AUTHORITIES

The **Walton/Okaloosa/Santa Rosa Regional Utility Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2000, 1:30 p.m.

PLACE: Ft. Walton Beach City Hall, 107 Miracle Strip Parkway, S. W., Ft. Walton Beach, FL 32549

PURPOSE: To conduct general business of the Regional Utility Authority. The RUA-TAC will meet at 12:30 p.m. RUA.

A copy of the agenda may be obtained by contacting: Daniel F. Krumel, Executive Director, West Florida Regional Planning Council, P. O. Box 486, Pensacola, Florida 32593-0486.

NOTICE OF CORRECTION – The **Tampa Bay Water** announces a correction to the date and time for the following Special Board Meeting to which all persons are invited:

DATE AND TIME: Monday, April 10, 2000, 1:30 p.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

PURPOSE: Special Board Meeting to discuss the following: (1) the Final Service Agreement for the Design/Build/Operation of a Surface Water Treatment Component of the Tampa Bay Regional Water Treatment Plant; and (2) an Alternative Master Water Plan being proposed by Pasco County. The Board is expected to take action on any of the matters related to their discussion on these items.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Manning, (727)796-2355, at least 3 business days prior to the meeting.

INTERLOCAL AGENCIES

The **New River Solid Waste Association** announces a meeting to which all persons are invited.

DATE AND TIME: April 13, 2000, 6:00 p.m.

PLACE: New River Regional Landfill Office, Raiford, Florida

PURPOSE: To conduct the regular business of the New River Solid Waste Association.

All persons deciding to appeal any decision of the New River Solid Waste Association with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida **Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: April 17-18, 2000, 8:30 a.m.

PLACE: Embassy Suites Hotel, 555 North Westshore Blvd., Tampa, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Regulatory Council of Community Association Managers to which all persons are invited.

DATE AND TIME: Friday, April 14, 2000, 10:30 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Secretary's Conference Room, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-1040

PURPOSE: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-1040 or by calling their office at (850)488-2141.

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 Regulatory Council of Community Association Managers, (850)488-2141. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The **Department of Business and Professional Regulation**, Hospitality Education Program announces the following teleconferences:

MEETING: The Division of Hotels and Restaurants Advisory Council Teleconference

DATES AND TIME: April 14, 2000; April 20, 2000, 10:00 a.m.

PLACE: Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, Hospitality Education Program, One Champions Way, Florida State University, Tallahassee, Florida 32399-2542

PURPOSE: To approve grant applications for the 2000-2001 School-to-Career Transition Program. Only that portion of the meeting wherein cases are presented for consideration by the committee will be open to the public.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Angel Gonzalez, Department of Business and Professional Regulation, Hospitality Education Program, (850)644-8248, at least five (5) working days prior to the meeting.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: April 26, 2000, 9:00 a.m. – 11:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, FL 32301, (850)413-0623

PURPOSE: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Cathleen O'Dowd, Lead Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, FL 32399-2202 or by phone (850)413-0623.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

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 TIMES: Tuesday, April 25, 2000, 1:00 p.m. or soon thereafter; Wednesday, April 26, 2000, 8:30 a.m., if the business of the Board is not concluded

PLACE: Doubletree Guest Suites, Orlando Airport, 7550 Augusta National Drive, Orlando, Florida

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 Dennis Barton, (850)521-0500.

The Florida Building Code Administrators and Inspectors Board announces an official meeting of the Probable Cause Panel to which portions or all will be closed to the public.

DATE AND TIME: May 17, 2000, 1:00 p.m.

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg Beach, FL 33706

PURPOSE: Official meeting of the Probable Cause Panel.

If any person decides to appeal any decision made by the Building Code Administrators and Inspectors Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Amy Bennett, Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Amy Bennett 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 Building Code Administrators and Inspectors Board announces an official committee and general business meetings to which all interested persons are invited.

DATES AND TIMES: May 18, 2000, 9:00 a.m. (EST); May 19, 2000, 8:00 a.m. (EST)

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg Beach, FL 33706

PURPOSE: Official committee meetings and general business. If any person decides to appeal any decision made by the Building Code Administrators and Inspectors Board with respect to any matter considered at this meeting, he/she may

need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Building Code Administrators and Inspectors, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Amy Bennett, Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Amy Bennett using the Florida dual party relay system which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Board of Accountancy announces the following public meeting of the Privatization Committee Meeting to which all persons are invited:

DATE AND TIME: Tuesday, May 2, 2000, 11:00 a.m.

PLACE: Secretary's Conference Room, Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida

PURPOSE: To consider issues relating to privatizing the Board of Accountancy. This is a public meeting.

A copy of the agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting by contacting Martha Willis, (352)955-2165. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Board of Accountancy announces the following public meeting of the Minority Scholarship Council to which all persons are invited:

DATE AND TIME: Friday, May 26, 2000, 10:00 a.m.

PLACE: Conference call

PURPOSE: To consider applications for scholarships. This is a public meeting.

A copy of the agenda may be obtained by writing: Sherri E. Viscione, Division of Certified Public Accounting, 2610 N. W. 43 Street, Suite 1-A, Gainesville, Florida 32606.

NOTE: If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which 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 workshop/hearing/meeting by contacting

Sherri E. Viscione, (352)955-2165, Ext.116. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited:

DATE AND TIME: April 19, 2000, 7:00 p.m. – 9:00 p.m.

PLACE: DeSoto County Administrative Building, 201 East Oak Street, Room 103, Arcadia, Florida

PURPOSE: To accept public comments and provide status of Department's Intent to Issue an Air Construction Permit to IPS Avon Park Corporation to construct three 170 megawatt simple cycle combustion turbine-electrical generators East of Arcadia in unincorporated DeSoto County, Florida. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality and Best Available Control Technology (BACT).

A copy of the agenda and the Department's proposed permit and supporting documents can be obtained by contacting: Al Linero, Department of Environmental Protection, 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399, phone (850)921-9529, or by phoning the Bureau of Air Regulation's New Source Review Section, (850)921-9533.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: April 20, 2000, 9:00 a.m.

PLACE: Conference Room 609, Twin Towers Building, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: The regularly scheduled meeting of the ERC will include briefings and approvals. Briefings include: Rules Under Development; Rules Under Appeal; Annual Update on Electric Magnetic Fields Research; ERC Rulemaking Process and Upcoming Rules. Under Chapter 62-505, FAC., the ERC will be requested to amend and approve the priority list for Small Community Wastewater Facility Grants. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9717.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection** announces a public hearing to which all interested persons are invited.

DATE AND TIME: May 8, 2000, 1:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

PURPOSE: To receive testimony and public comment and to take final action on proposed adoption of the Fiscal Year (FY) 2000 Drinking Water State Revolving Fund (DWSRF) loan priority list. Approximately \$20 million is expected to be available for loans to drinking water projects. The Department may adopt, modify, or deny the proposed actions at the hearing.

The Department's funding commitment to projects currently assigned to priority lists may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled.

Projects may be added to the drinking water priority list, after its adoption, pursuant to Rule 62-552.680, Florida Administrative Code, if requests and required documentation have been approved by the Department by the date of publication of this notice. Prior to Department action at the hearings, all interested persons will have the opportunity to testify regarding the proposed actions.

After the hearing, the Department will file the Final Orders for actions taken at the hearing. A copy of the Final Order will be sent to local governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the Department's proposals and recommendations may be obtained by contacting: Gary Powell, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, Phone (850)488-8163 or Suncom 278-8163 or e-mail: gary.powell@dep.state.fl.us.

If an accommodation for a disability is needed in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Human Resources, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Florida Forever Advisory Council** (FFAC), as defined in Section 259.0345, Florida Statutes, announces the following public meeting to which all interested parties are invited.

DATE AND TIME: April 17, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Leon County Commission, 1907 South Monroe Street, Tallahassee, FL 32301

For more information please contact the Office of Environmental Services, (850)487-1750.

If an accommodation is needed for a disability in order to participate in these meetings, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Bureau of HIV/AIDS, on behalf of the Florida Minority HIV and AIDS Task Force announces two upcoming public forums and business meeting of the Task Force.

DATES AND TIMES: Public Forum 1 – Thursday, April 13, 2000, 4:00 p.m. – 8:00 p.m.; Public Forum 2 – Friday, April 14, 2000, 4:00 p.m. – 8:00 p.m.; Business Meeting – Friday, April 14, 2000, 9:00 a.m. – 1:00 p.m.

PLACE: Public Forum 1 – Florida City Commission Chambers, 404 West Palm Drive, Florida City, Florida. You may call (305)247-8223 for directions; Public Forum 2 – North Shore Hospital, 1100 N. W. 95th Street, Miami, Florida. You may call (305)835-6136 for directions; Business Meeting – El Palacio Resort Hotel & Suites, 16805 N. W. 12th Avenue, Miami, FL. You may call (305)624-8401 for directions

PURPOSE: Pursuant to the 1999 Legislature, the Minority HIV/AIDS Task Force was created to “develop and provide specific recommendations to the Governor, the Legislature and the Department of Health on ways to strengthen HIV and AIDS prevention programs and early intervention and treatment efforts in the state’s black, Hispanic and other minority communities, as well as ways to address the many needs of the state’s minorities infected with HIV and their families.” All persons, including representatives of city and county governments, health officials and public and private community organizations are invited to attend.

Written comments for the Task Force to consider may be submitted to the Department of Health, Bureau of HIV/AIDS, 2020 Capital Circle, S. E., Bin #A09, Tallahassee, Florida 32399-1715.

Persons requiring special accommodations should contact Ronald Henderson, (850)245-4433 by April 10, 2000.

The **Council of Athletic Training** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is open to the public.

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

PLACE: Embassy Suites, Orlando, Florida

PURPOSE: Council General Business Meeting.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact (850)488-0595, at least five (5) calendar days prior to the

meeting. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Council of Athletic Training, 2020 Capital Circle, S. E., BIN #C08, Tallahassee, Florida 32399-2216.

The **Board of Clinical Laboratory Personnel**, Credentials Committee and Full Board will hold a duly noticed meeting to which all persons are invited to attend.

DATES AND TIMES: Credential Committee – Thursday, April 27, 2000, 10:00 a.m.; Full Board – Thursday, April 27, 2000, 2:00 p.m.; Friday, April 28, 2000, 9:00 a.m., if necessary
PLACE: Radisson Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida, (407)856-0100

PURPOSE: To review applications and general board business. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)487-3052, at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the Board using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces official Board and Committee meetings. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATES AND TIMES: April 27, 2000, Committee Meetings – 9:00 a.m.; General Business Meeting – at the conclusion of Committee Meetings; April 28, 2000, General Business meeting – 9:00 a.m.

PLACE: The Radisson Airport Hotel, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100

PURPOSE: Board Business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 2020 Capital Circle, S. E., BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by April 13, 2000.

The Florida **Board of Dentistry** will hold a Credentials Committee meeting to which all interested persons are invited:
DATE AND TIME: April 28, 2000, 9:00 a.m.

PLACE: Embassy Suites, 3947 N. W. South River Drive, Miami, FL 33142, (305)634-5000

PURPOSE: To review applications of candidates for the June dental/dental hygiene exams and other committee business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** will hold a Probable Cause Panel meeting to which all persons are invited:

DATE AND TIME: April 28, 2000, 1:00 p.m.

PLACE: Embassy Suites, 3947 N. W. South River Drive, Miami, FL 33142, (305)634-5000

PURPOSE: To review reconsideration case.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida

32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing Home Administrators** announces an Application Review Committee meeting to which all interested persons are invited.

DATE AND TIME: May 11, 2000, 1:00 p.m.

PLACE: The Ramada Inn North, 2900 North Monroe Street, Tallahassee, Florida 32303, Telephone (850)386-1027

PURPOSE: Review exam applications for the 07/13/2000 NHA exam.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 2020 Capital Circle, S. E. Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-7549, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Board of Nursing Home Administrators** announces a Rule Review Workshop to which all interested persons are invited.

DATE AND TIME: May 11, 2000, 2:00 p.m.

PLACE: The Ramada Inn North, 2900 North Monroe Street, Tallahassee, Florida 32303, Telephone (850)386-1027

PURPOSE: Review Disciplinary Rule 64B10-14, Florida Administrative Code.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 2020 Capital Circle, S. E. Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-7549, at least five calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Board of Nursing Home Administrators** announces a General Board Meeting to which all interested persons are invited.

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

PLACE: Ramada Inn North, 2900 North Monroe Street, Tallahassee, Florida 32303, Telephone (850)386-1027

PURPOSE: Approve applications, conduct disciplinary proceedings and general business of the Board.

A copy of the agenda may be obtained by contacting: Board of Nursing Home Administrators, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-0777, phone (850)488-7549.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)488-7549, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Bureau of Emergency Medical Services** announces public meetings to which all persons are invited.

DATES AND TIMES: April 19, 2000, 1:30 p.m. – 3:00 p.m.; May 10, 2000, 12:30 p.m. – 2:00 p.m.; May 15, 2000, 1:30 p.m. – 3:00 p.m.

PLACE: Bureau of Emergency Medical Services, Capital Circle Office Center, Esplanade Way, Third Floor, Room No. 325D, Tallahassee, FL 32301-4881 and conference call at 1(800)647-7427.

PURPOSE: A committee appointed by the Bureau of Emergency Medical Services is holding meetings to assist the Department of Health in implementation of the 1999 trauma legislation and continuation of the study to improve the state's trauma system through expanding the number of trauma agencies statewide.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 2020 Capital Circle, S. E., BIN #C18, Florida 32399-1738 or by calling Fred Williams, (850)245-4440, Ext. 2727.

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 by April 12, 2000 by contacting Fred Williams, (850)245-4440, Ext. 2727. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number XOO699

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Statewide Health and Human Services Board** (SHHSB) will hold a conference call on:

DATE AND TIME: Friday, April 14, 2000, 10:00 a.m. – 12:00 Noon

PLACE: The meet me phone number is (850)410-0966 or Suncom 210-0966.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in the conference call should contact Diann Lowery prior to the call at the Department of Children and Family Services, 1317 Winewood Boulevard, Building 1, Room 201D, Tallahassee, FL 32399-0700, Telephone (850)488-4306 or Suncom 278-4306 or call via The Florida Relay Services, 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 12, Health and Human Services Board Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2000, 1:00 p.m.

PLACE: Flagler Beach City Hall, 105 2nd Street, Flagler Beach, Florida

PURPOSE: Regular meeting.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn.: Denise Kelly).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 21, 2000, 9:00 a.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn.: Denise Kelly).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Human Rights Advocacy Committee**, District 15 announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2000, 9:30 a.m. (EDT)

PLACE: Clem C. Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, Florida 34950

A copy of the agenda may be obtained by contacting: Pearlle Clark, HRAC Liaison, (561)467-4176.

NOTICE OF CHANGE – The meeting for The **Health and Human Services**, Board Legislative Committee, District 5, on April 21, 2000 at 10:00 a.m. published in the March 17, 2000 issue of the Florida Administration Weekly has been changed to:

DATE AND TIME: April 20, 2000, 10:00 a.m.

PLACE: At the same time and location

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWC) announces a public hearing for the Okaloacoochee Slough Wildlife Management Area, located near LaBelle in Hendry County, Florida.

DATE AND TIME: Tuesday, April 25, 2000, 7:00 p.m.

PLACE: Dallas B. Townsend Agricultural Building, Main Room, 1085 Pratt Boulevard, LaBelle, Florida 33935

PURPOSE: To receive public comments regarding considerations for the FWC's five-year Conceptual Management Plan (CMP) for the Okaloacoochee Slough 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 Okaloacoochee Slough Wildlife Management Area. There is a separate public process for this purpose. This hearing is designed exclusively for discussion of the draft management plan.

A copy of the Okaloacoochee Slough 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 SPORTS FOUNDATION

The **Florida Sports Foundation** announces a public meeting of the Florida Sports Foundation, Board of Directors to which all persons are invited.

DATE AND TIME: Friday, April 14, 2000, 9:00 a.m. – 4:30 p.m.

PLACE: Wydham Orlando Resort, Orlando, FL

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.

PINELLAS WAGES COALITION

The **Pinellas WAGES Coalition** announces the following meeting of the Legislative Advocacy Committee:

DATE AND TIME: April 24, 2000, 9:30 a.m.

PLACE: Career Options of Pinellas, Inc., 13770 58th Street, North, Suite 304, Clearwater, FL 33760

PURPOSE: Regular meeting of the Legislative Advocacy Committee.

ISSUES TO BE DISCUSSED: Review of legislative issues relative to the Pinellas Coalition.

Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition's Legislative Advocacy Committee with respect to any matter considered at such meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, telephone (727)507-6197.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces meetings to be held which all persons are invited:

Investment Committee Meeting

DATE AND TIME: April 26, 2000, 3:00 p.m.

PURPOSE: Receive report from financial advisor and act on recommendation, if any.

Annual Meeting of Members

DATE AND TIME: April 27, 2000, 8:30 a.m.

PURPOSE: To receive the association's annual report and elect Board members.

Board of Governors Meeting

DATE AND TIME: April 27, 2000, commencing immediately after the adjournment of the Annual Meeting of Members

PURPOSE: To receive reports of the general manager, all committees and counsel; to consider and take actions based on those reports; to elect a Chairman and Vice Chairman; to consider the selection of a contractor to provide services pursuant to the FAJUA's Request for Sealed Proposals for Development and Implementation of a Plan of Marketing for an Automobile Theft Prevention Rewards Program; and to consider other matters that may come before the Board.

PLACE: Tampa Airport Marriott Hotel, Tampa International Airport, Tampa, FL

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308.

ABLE TRUST

The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its spring board meeting on:

DATE AND TIME: Saturday, May 6, 2000, 9:00 a.m.

PLACE: Highpoint Center, 106 E. College Avenue, 6th Floor Boardroom, Tallahassee, FL

PURPOSE: The agenda will include approval of an interim budget and recommended grants to assist citizens with disabilities in achieving employment and routine committee reports.

For more information, special accommodations or alternative format request, please call The Able Trust, (850)224-4493 or 1(888)838-2253.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rule-Making received from inmate Carl Mullings. Mullings sought to amend Florida Administrative Code, Chapter 33, to include a provision requiring that a disciplinary hearing be postponed upon an allegation by the charged inmate that he was not given a copy of the disciplinary report or an opportunity to call witnesses and present evidence. He also requested that the warden reverse any disciplinary action should an inmate allege that he was not taken to his disciplinary hearing. The Department denied the petition, finding that the current rules adequately address petitioner's concerns.

A copy of the Order, Case No. DC 00-06, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to three separate petitions to initiate rule-making received from inmate James Quigley. In each of his petitions, Quigley sought to amend Florida Administrative Code, Chapter 33-602.402. First, he requested a provision establishing an outgoing legal mail log. The Department denied the petition, finding that rule promulgation was not necessary to address Quigley's concerns. Next, Quigley requested a provision establishing an incoming grievance appeal log. The Department denied the petition, finding that rule promulgation in this area would not be feasible and that the stated concerns could be adequately addressed through utilization of the inmate grievance process.

Last, Quigley sought a provision that would allow an inmate to appeal to the Bureau of Inmate Grievance Appeals requesting that a grievance appeal be vacated and reissued if he is adversely affected by a delay in receipt of the appeal. The Department denied the petition, finding that the stated concerns could be adequately addressed through utilization of the inmate grievance process.

A copy of the Orders, Case No: DC 00-07, 00-08 and 00-09, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to petitions to initiate rule-making received from inmates Eric Guzzi, Alfred Torres, Dilip Silva, Fernando Sainzdelatorre, Santiago Gonzalez, Carl Ridgeway, Mitchell Mordkoff, Richard Vail, Charles Montgomery, Jimmy Cazares, Michael Marino, Manuel Almeida, Frank Perry and Idelfonzo Moran. Each petitioner submitted two petitions. The petitions submitted by each petitioner were virtually identical to the petitions submitted by all of the other petitioners, the only difference being the signature and name of the petitioners. Thus, in substance, only two petitions were filed. One petition requested an amendment to Rule 33-401.401 that would essentially prohibit outdoor smoking by inmates. The other petition requested an amendment to Rule 33-401.401 that would essentially designate tobacco-free dormitory housing areas and provide appropriate discipline for inmates violating the smoking prohibition. The petitions were consolidated.

The Department denied the petitions, finding that the current rules provide sufficient protection from smoke for inmates. The Department also noted that currently, Florida Administrative Code, Rule 33-401.402(2) prohibits the use of tobacco products in all inmate dormitories, other than those in death-row housing, which are statutorily exempt from a smoking prohibition.

A copy of the Order, Case No. DC 00-12, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rule-Making received from inmate Carlos Prieto. Prieto sought to amend Florida Administrative Code, Chapter 33 to include a provision establishing and/or authorizing photo projects for inmates. The Department denied the petition, finding that the proposed rule would place an undue strain on Department resources.

A copy of the Order, Case No. DC 00-11, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rule-Making/Petition for Declaratory Statement received from inmate Richard Adamson. Adamson requested a declaratory statement as to whether the Department is permitted to distribute disposable razors to confinement inmates. The Department denied the petition, finding that the Department lacks jurisdiction to issue a declaratory statement pursuant to an inmate's petition. Adamson also petitioned to amend Florida Administrative Code, Rule 33-3.0084 and other

similar provisions to provide that shaving shall be accomplished whenever possible by inmate barbers or by providing electric razors. The Department denied the petition, finding that the amendment would unduly impact the operations and security of institutions.

A copy of the Order, Case No. DC 00-12, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rule-making on March 2, 2000, from inmate Douglas Adams. He seeks to amend Florida Administrative Code, Chapter 33 to include a provision prohibiting staff harassment of inmates.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rule-making on March 9, 2000, from inmate Terry Dunn. He seeks to amend Florida Administrative Code, Chapter 33-103.005 to include a provision prohibiting the circulation of copies of informal grievances among Department staff.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued an order disposing of the petition for declaratory statement filed by Florida Horsemen's Benevolent and Protective Association, Inc., on December 22, 1999. The following is a summary of the agency's disposition of the petition:

The petition for declaratory statement was granted. Under the factual scenario presented, the declaratory statement sets forth the methodology for determining the horsemen's group representing the majority of thoroughbred racehorse owners and trainers in the state as used in Section 550.3551(6)(a), Florida Statutes. This includes comparing the number of currently licensed thoroughbred owners and trainers in the state with the number of people on a horsemen's group roster to determine if that comprises a majority. It also determines which horsemen's associations are referred to in Section 550.3551(10), Florida Statutes. By the plain meaning this is any and all horsemen's associations. Finally, the declaratory statement determines which is the recognized horsemen's

association as specified in Section 550.6305(9)(c), Florida Statutes. These groups being those specifically mentioned in Section 550.6305(9)(a).

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Robert M. Nied, Unit Owner, Seaplace at Atlantic Beach Condominium Association, Inc., Petitioner.

The Petitioner requests a declaratory statement requesting that the budget approved at the condominium association meeting of the unit owners be declared not approved due to noncompliance with section 718.112(2)(f)2., Florida Statutes, for failure to include reserve accounts for capital expenditures in excess of \$10,000.

A copy of the Petition for Declaratory Statement, Docket Number CD2000-065, 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.

Please refer all comments to: Martha F. Barrera, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Tammy Lien, Unit Owner, River Way Management, Petitioner.

The Petitioner requests an interpretation as to how Section 718.301(1)(d), Florida Statutes, and Rule 61B-23.006, Florida Administrative Code, are to be interpreted and applied to an election where unit owners other than the developer elected three board members and the developer elected one; should the other seat be filled by the developer or unit owners other than the developer?

A copy of the Petition for Declaratory Statement, Docket Number CD2000-062, 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.

Please refer all comments to: Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in Re: In Re: Petition for Declaratory Statement, Eldorado Plaza East Condominium Association, Inc., Petitioner.

The Petitioner seeks an interpretation of the condominium's Bylaws concerning the Board's authority to approve or disapprove leasing.

A copy of the Petition for Declaratory Statement, Docket Number CD2000-066, 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.

Please refer all comments to: Martha F. Barrera, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy has received a Petition for Declaratory Statement which was filed March 13, 2000, by Sharon Warren, LMT. Petitioner requests a declaratory statement from the Board regarding § 455.657 Fla. Stat. as it applies to petitioner.

The Board will address this matter at its regularly scheduled board meeting which will be held April 27, 2000, 9:00 a.m., at the Embassy Suites, 555 North Westshore Blvd., Tampa, Florida 33609.

A copy of the Petition for Declaratory Statement may be obtained by writing: William Buckhalt, Board of Massage Therapy, Department of Health, 2020 Capital Circle, S. E., Bin #C09, Tallahassee, Florida 32399-3259.

**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:

Day Cruise Association, Inc. vs. Board of Trustees of the Internal Improvement Trust Fund; Rule No.: 18-21.004; Case No.: 99-5303RP; Invalid

National Association of Lottery Purchasers, Inc. vs. Department of the Lottery; Rule No.: 53ER99-48; Case No.: 99-4431RE; Invalid

**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

For the delivery of specified core vocational rehabilitation services in each of the state’s 24 workforce development areas. The Occupational Access and Opportunity Commission (OAOC) is soliciting proposals for the delivery of certain core vocational rehabilitation services in each of the state’s twenty-four workforce development areas.

The selected entities will be awarded the responsibility to provide the following core vocational rehabilitation services (but not limited to):

- Recruitment (outreach)
- Application (intake)
- Plan Development
- Case Management
- Coordinated Development of Services
- Development of Community resources
- Employer Recruitment and Development
- Workforce Investment Act (WIA) Liaison
- Placement
- Preparation of all Necessary Information for State VR Counselor Review

Requirements and instructions for submission of proposals may be obtained from proposal manager: The Able Trust Inc., 106 E. College Avenue, Suite 820, Tallahassee, Florida 32301, Fax (850)224-4496, Contact Person: Guenevere Lilburn (website: Abletrust.org).

A non-mandatory bidder’s conference will be held on April 17, 2000, DoubleTree Hotel, Ballroom, 101 S. Adams Street, Tallahassee, FL 32301, 9:00 a.m., local time.

Proposals are due by 3:00 p.m., local time, May 25, 2000. Any proposal submitted after the time specified will not be considered and will be returned.

The OAOC will use independent reviewers to evaluate responses and make recommendations for funding; however, the Occupational Access and Opportunity Commission (OAOC) reserves the right to reject any of the proposals received and is not obligated to issue contracts as a result of this solicitation.

NOTICE OF CORRECTION – The University of Florida announced a request for professional services in the discipline of architecture for the Hume Residence Hall Project No. BR-103 in the March 10, 2000, Florida Administrative Weekly, Vol. 26, No. 10. The application due date should have been April 20, 2000.

The University of Florida announced a request for professional services in the discipline of engineering to determine if the O’Connell Center, UF Building #0094, is considered a smoke-protected assembly in the March 10, 2000, Florida Administrative Weekly, Vol. 26, No. 10. The application due date should have been April 10, 2000.

NOTICE TO CONSTRUCTION MANAGERS

The University of South Florida, announces that Construction Management services will be required for the project listed below:

Project and Location: Kopp Engineering Remodel BR-516, University of South Florida, Tampa Campus, Tampa, Florida

The project consists of the remodel of the Edgar Kopp Engineering Building for the College of Engineering of the University of South Florida, Tampa Campus. This existing building is located east of Laurel Drive and north of Alumni Drive.

The Kopp Building Remodel is one component of a larger building initiative that includes the construction of the new Engineering III Building. Though programmed separately, the Kopp Building Remodel has been carried through advanced schematic design as a part of the pre-construction Construction Management efforts for Engineering Building III to insure that the overall goals of the larger building initiative are met.

The proposed remodel will include asbestos abatement, building systems renovation or replacement and required upgrades to meet current codes and life safety requirements. The Kopp Building Remodel is programmed to accommodate 42,034 NASF and 80,433 GSF. A portion of the building will remain open and in operation during the construction period.

The estimated construction cost is \$8,000,000.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analysis, development of a cost model, estimating and the development of a Guaranteed Maximum Price (GMP) at the 50% Construction Documents Phase. If the GMP is accepted, phase two, the construction phase, will be implemented. Early bid packages for site work is anticipated. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record keeping/administrative ability, critical path scheduling expertise; conceptual cost estimating and cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Natasha Stewart, Senior Word Processor, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, Phone (813)974-0850, Fax (813)974-3542.

Interested firms are invited to attend a pre-submittal meeting at the University of South Florida, Tampa Campus, to be held at 2:00 p.m., Tuesday, May 2, 2000, at Facilities Planning and Construction, Conference Room FPC109, 4202 East Flower Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the short listed applicants and the State University System. Requests for any project information must be in writing to the above address.

Six (6) bound copies of the above required proposal data shall be submitted to: Sam Spears, Project Manager, Division of Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Submittals must be received at the above campus address (FPC110) by 2:00 p.m., local time, on Tuesday, May 9, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS

made by the University of South Florida.

PROJECT NAME, NUMBER AND LOCATION: Northwest Satellite Plant, BR 568, USF Tampa Campus.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: Thursday, May 11, 2000, until 2:00 p.m., local time

PLACE: University of South Florida, 4202 East Fowler Ave., Building FPC 110, Tampa, Florida 33620, Room 109, Office of Facilities Planning and Construction, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, dated March 10, 2000, which may be obtained or examined at the office of the Architect/Engineer, Engineering Matrix, Inc., 2870 Scherer Drive, Suite 100, St. Petersburg, Florida 33716, (727)573-4656.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by State of Florida, and/or cities and counties in the State of Florida, Minority Certification Agencies. Consideration will be given, as described in the Instructions to Bidders, in the award of the contract.

MANDATORY PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required to attend the pre-solicitation/pre-bid meeting to be considered to be in compliance with Good Faith Efforts as set forth in the Special Conditions. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Wednesday, April 19, 2000, 2:00 p.m., local time

PLACE: University of South Florida, 4202 East Fowler Ave., Building FPC 110, Tampa, Florida 33620, Room 109, Office of Facilities Planning and Construction

DEPOSIT: \$75.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders or plumbing, heating/ventilating/ air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning or electrical work

and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$75.00 per set for the printing and handling cost. Partial sets may be purchased at \$2.50 per sheet of the drawings and \$0.15 per copy of the Project Manual and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University, on behalf of the State of Florida, Board of Regents announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-1021

Project and Location: Teaching Gym, Fort Myers, Florida

Description of Project:

The proposed Teaching Gym will be the first building for physical education, recreation, intramural and inter-collegiate use. The building will include classrooms, offices, gym, physical activity space and multiple locker/shower type of space required to accommodate the growth of Florida Gulf Coast University. The project will utilize the Construction Management Delivery method. The selected firm will provide design, construction documents and administration for the referenced project. The selected firm will be required to prepare all construction documents in AutoCAD Format. The estimated construction cost is approximately \$9,606,000.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated February 1999. 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 application must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontract or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained by contacting:

Mr. Jack Fenwick, Director of Facility Planning, 10501 FGCU Blvd., South, Fort Myers, Florida 33965-6565, Phone (941)590-1500, Fax (941)590-1505

Submittals must be received in the Facilities Planning Office, by 3:00 p.m. local time, on May 8, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

LEGAL AD REGARDING LUTZ AREA HIGH SCHOOL

The School Board of Hillsborough County, Florida will hold a public hearing regarding the amendment of the list of projects to be funded with the proceeds of the Community Investment (Sales Surtax) distributed to the School Board. The public hearing will be held during the School Board's meeting on May 2, 2000 at 7:00 p.m. at the Raymond O. Shelton School Administrative Center, 901 East Kennedy Boulevard, Tampa, Florida.

The recommended amendment to the list is for the purpose of replacing the Lutz Area High School Project with the following projects:

Project	Scope	Estimated Cost
Gaither High School	Add 300 student stations	\$ 2,700,000
North County (University Area) Career Center	Construct a 600-student station school	\$10,560,000
North County (University Area) Elementary School "O"	Construct a 600-student station school	\$ 5,650,000
Site for the co-located schools	Purchase and prepare site for construction	\$ 1,961,489
Buchanan Middle School	Remodel and renovate entire facility and provide new construction as per School Plant Survey	\$ 8,700,000
Lutz Elementary School	Renovate entire facility	\$ 4,030,000

The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same. Written comments may also be submitted to the Hillsborough County School Board, Raymond

O. Shelton School Administrative Center, 901 East Kennedy Boulevard, 3rd Floor, Tampa, Florida 33602, Attention: Superintendent.

ALL PERSONS FOR OR AGAINST SAID APPROVAL CAN BE HEARD AT SAID TIME AND PLACE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SCHOOL BOARD WITH RESPECT TO SUCH HEARING OR MEETING, (S)HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF SUCH HEARING OR MEETING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

In accordance with the Americans with Disabilities Act persons needing a special accommodation to participate in this proceeding should contact the individual or agency publishing this notice no later than seven days prior to the proceeding at the address given in this notice. Telephone: (813)272-4055.

The School Board of Hillsborough County, Florida
Earl J. Lennard, Ph.D.
Superintendent of Schools

INVITATION TO BID

The School Board of Broward County, Florida
Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-238B
BID TITLE: Ice Machines and Bins for Cafeterias
DUE DATE AND TIME: April 19, 2000 on or before 2:00 p.m.
LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park, Suite 323, Sunrise, Florida 33351-6704
CONTRACT TERM: Items 1 and 2 – Date of Award through June 30, 2002; Item 3 – October 1, 2000 through June 30, 2002
ESTIMATED DOLLAR VALUE OF THE BID: \$75,000
CONTACT PERSON: Charles V. High, C.P.M., A.P.P.
TELEPHONE NUMBER: (954)765-6107
FAX NUMBER: (954)768-8911
E-MAIL: chigh@purchasing.broward.k12.fl.us
WEBSITE: <http://www.browardschools.com>
DEPARTMENT: Purchasing

INVITATION TO BID

The School Board of Broward County, Florida
Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-228B
BID TITLE: Paper Trays for Cafeterias
DUE DATE AND TIME: April 20, 2000 on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department,
7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida
33351-6704
CONTRACT TERM: Date of Award through December 31,
2001
ESTIMATED DOLLAR VALUE OF THE BID: \$75,000.00
CONTACT PERSON: Charles V. High, C.P.M., A.P.P.
TELEPHONE NUMBER: (954)765-6107
FAX NUMBER: (954)768-8911
E-MAIL: chigh@purchasing.broward.k12.fl.us
WEBSITE: <http://www.browardschools.com>
Department: Purchasing

Notice to Bidders

The School District of Lee County, Florida
Purchasing Department
QUOTATION REQUEST FOR:
ANNUAL SUPPLY OF ICE CREAM AND
FROZEN SPECIALTY ITEMS

BID NO.: 5850 OPENING DATE: May 2, 2000
Request a bid package by:
Phone: (941)479-4250, Fax: (941)337-8200, In Person or Mail:
3308 Canal Street, Fort Myers, Florida 33916-6594
Requests must be received by April 12, 2000, 2:00 p.m.
Complete bid package available only upon request.
By: Linda Owen, Senior Buyer

DEPARTMENT OF HEALTH

INVITATION TO BID

Sealed bids will be accepted by the Pinellas County Health Department (PCHD), 300 31st St., North, Suite 602, St. Petersburg, FL 33713, until 1:00 p.m., April 21, 2000. Bid No. 9900-05-RW to furnish INFANT/TODDLER (Convertible) AUTOMOBILE CAR SEATS may be secured from the Purchasing Department within the PCHD at the above address, Telephone No. (727)893-2209. Bid packages include specifications, terms and general conditions. Any "Certified Minority Business Enterprise" (pursuant to section 288.703(2), FS.) is encouraged to participate. Right is reserved for the PCHD to reject any or all bids.

SPECIAL NOTE: If you require accommodations because of a disability in order to participate in the bid process, please contact Rick Wallace, (727)893-2209, Ext.137, by April 18, 2000.

GULF COAST WORKFORCE DEVELOPMENT BOARD/WAGES COALITION

The Gulf Coast Workforce Development Board/WAGES Coalition is seeking bids for the development and installation of a web-enabled database system to support the WAGES program of JEP Region 4 (Bay, Gulf and Franklin Counties). Specifications for the database and its components are available from the Board ((850)769-1551, Ext. 6003 or can be downloaded at www.workforcecenter.org/rpfsand.htm). The timeline for this project is as follows:
Bid Submission Deadline: April 14, 2000, at 12:00 Noon
Bid Evaluation and Announcement of Vendor: April 21, 2000
Beta Version Due: June 23, 2000
Final Version: August 4, 2000

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications and/or other notice. 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., April 28, 2000):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Plus International Bank, 200 S. Biscayne Blvd., Miami, Florida 33131
Correspondent: Gerri Raines Dolan, 200 S. Biscayne Blvd., Suite 400, Miami, Florida 33131
Received: March 24, 2000

APPLICATION TO CONVERT A FEDERAL CREDIT UNION TO STATE CHARTER
Applicant and Location: FPL Federal Credit Union, 6450 West 21 Court, Hialeah, Miami-Dade, Florida
With Title: FPL Credit Union
Correspondent: Henry M. Prior, President/CEO, FPL Credit Union, 6450 West 21 Court, Hialeah, Florida
Received: March 21, 2000

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Bell Tel Credit Union, P. O. Box 4900, Orlando, Florida 32802
Expansion Includes: Employees who are paid from Excell Agent Services, Rockledge, Florida
Received: March 27, 2000
Correspondent and Telephone Number: Jody W. Walls, Business Development Manager, (407)426-6010

DEPARTMENT OF INSURANCE

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 99-6705

In Re: The Receivership of SUNSTAR HEALTH PLAN, INC., a Florida Health Maintenance Organization.

NOTICE TO ALL POLICYHOLDERS, CREDITORS AND CLAIMANTS HAVING BUSINESS WITH SUNSTAR HEALTH PLAN, INC.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 1st day of February, 2000, the Department of Insurance of the State of Florida was appointed as Receiver of SUNSTAR HEALTH PLAN, INC., and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors and other persons in this State having claims against the assets of SUNSTAR HEALTH PLAN, INC., shall present such claims to the Receiver on or before 11:59 p.m., Friday, February 2, 2001, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Insurance, Receiver for SUNSTAR HEALTH PLAN, INC., Post Office Box 10280, Tallahassee, Florida 32302.

DEPARTMENT OF COMMUNITY AFFAIRS

IN RE: CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS ADOPTED BY KEY WEST ORDINANCE NO. 00-04

FINAL ORDER

The State of Florida, Department of Community Affairs (Department), hereby issues this Final Order approving land development regulations pursuant to Sections 380.05(6) and (11), Florida Statutes. This Final Order approves the land development regulations adopted by the City of Key West (City) in Ordinance 00-04.

FINDINGS OF FACT

1. The City adopted Ordinance No. 00-04 on February 3, 2000, and forwarded the Ordinance to the Department for review under Sections 380.05(6) and (11), Florida Statutes. The Department received Ordinance No. 00-04 on February 9, 2000.

2. Ordinance No. 00-04 contains revisions to numerous provisions of the City's Land Development Regulations (LDRs). These revisions include vesting the City Planner with authority to issue written interpretations of the LDRs, providing for uniform public hearing notice requirements, amending the duties of the Historic Architectural Review Commission, deleting unnecessary or repetitive phrases and altering other provisions within the LDRs addressing floor area ratios and the installation of wheel stops.

3. The Department has reviewed the land development regulations adopted by Ordinance No. 00-04 for consistency and compliance with the Principles for Guiding Development for the Key West Area of Critical State Concern.

4. The Department finds the land development regulations adopted by Ordinance No. 00-04 consistent with the Principles for Guiding Development for the Key West Area of Critical State Concern.

CONCLUSIONS OF LAW

1. The City is a designated Area of Critical State Concern. See Fla. Admin. Code rr. 28-36.001 and 28-36.002.

2. The Department is required to issue a final order approving or rejecting land development regulations adopted by the City within sixty days of receiving the regulations. Fla. Stat. §§ 380.05(6) and (11). This Final Order is issued within this sixty-day time period.

3. Section 380.031(8), Florida Statutes, defines "land development regulation" as including local zoning, subdivision, building and other regulations controlling the development of land. The regulations adopted by Ordinance No. 00-04 are land development regulations.

4. The Department's approval or rejection of land development regulations adopted by the City is based upon whether the regulations are consistent and in compliance with the Principles for Guiding Development set forth in Rule 28-36, Florida Administrative Code.

5. The land development regulations adopted by Ordinance No. 00-04 are consistent and comply with the Principles for Guiding Development.

ACCORDINGLY, IT IS ORDERED that the land development regulations adopted by City Ordinance No. 00-04 are consistent and comply with the Principles for Guiding Development for the Key West Area of Critical State Concern and are therefore APPROVED. This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED this ____ day of March, 2000, in Tallahassee, Florida.

J. THOMAS BECK, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

FILING AND ACKNOWLEDGMENT:

FILED on this date with the
designated Agency Clerk,
receipt of which is hereby
acknowledged.

Paula Ford Date
Agency Clerk

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL

ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I hereby certify that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true copies of the foregoing were furnished to the persons named below by U.S. Mail on this _____ day of February, 2000.

Paula Ford

The Honorable Jimmy Weekley, Mayor, City of Key West
Rebecca Jetton, DCA Keys Field Office

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yamaha Motor Corporation, USA, intends to allow the relocation of Powersports of Hollywood d/b/a Powersports of N. Miami, Inc., as a dealership for the sale of Yamaha and Riva line makes, from its present location at 2240 N. W. 119th Street, Miami, FL 33167, to a proposed location at 17777 N. W. 2nd Avenue, North Miami Beach (Dade County), Florida 33169, on or after March 8, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Powersports of Hollywood d/b/a Powersports of N. Miami, Inc. are: dealer operator: Linn D. Heaton, 2998 N. W. 41st Street, Boca Raton, FL 33434 and Lee W. Heaton, 400 N. Flager Drive, #2206, West Palm Beach, FL 33401; principal investor(s): Linn D. Heaton, 2998 N. W. 41st Street, Boca Raton, FL 33434, and Lee W. Heaton, 400 N. Flager Drive, #2206, West Palm Beach, FL 33401.

The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Russell D. Jura, Senior Vice President and General Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630-5101.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

NOTICE OF AVAILABILITY

The Division of Blind Services is pleased to announce the availability of awards from the Gifts and Donations Funds. The purpose of these awards is to provide assistance and/or funding to entities with an interest in serving Floridian's who are blind or visually impaired. Applications must be turned in to the Division of Blind Services, Director's Office, 2551 Executive Center Circle, W., Suite 200, Tallahassee, FL 32399 no later than May 15, 2000 for consideration. Applications may be requested through Phyllis Dill at the above address or calling (850)488-1330 or through the Florida Dual party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

DECISIONS ON EXPEDITED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Citrus Service District: 3
 CON #: 9285 Decision Date: March 15, 2000 Decision: A
 Facility/Project: Woodlands Care Center of Citrus County
 Applicant: Woodlands Care Center of Citrus County
 Project Description: Transfer CON # 9282 for 120 community skilled nursing beds
 Approved Costs: \$8,385,682

County: Alachua Service District: 3
 CON #: 9286 Decision Date: March 15, 2000 Decision: A
 Facility/Project: Woodlands Care Center of Alachua County
 Applicant: Woodlands Care Center of Alachua County
 Project Description: Transfer CON # 9284 for 120 community skilled nursing beds
 Approved Costs: \$8,089,987

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 the 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
EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

ID #: 0000073 Issue Date: 3/1/2000
 Facility/Project: St. Luke's Hospital
 Applicant: St. Luke's Hospital Association
 Project Description: Renovate existing 3rd FL to renovate the existing inpatient dialysis unit
 Proposed Project Cost: \$150,000 Equipment Cost:
 County: Hillsborough District: 6
 ID #: 0000075 Issue Date: 3/1/2000
 Facility/Project: Brandon Regional Hospital
 Applicant: Galencare, Inc.
 Project Description: Convert existing special procedures room into a cardiac cath lab
 Proposed Project Cost: \$1,200,000 Equipment Cost:
 County: Pasco District: 5
 ID #: 0000076 Issue Date: 3/1/2000
 Facility/Project: Community Hospital of New Port Richey
 Applicant: New Port Richey Hospital, Inc.
 Project Description: Renovate two patient floors (Units F-2 and F-3)
 Proposed Project Cost: \$1,500,000 Equipment Cost:
 County: Charlotte District: 8
 ID #: 0000077 Issue Date: 3/1/2000
 Facility/Project: Charlotte Regional Medical Center
 Applicant: Punta Gorda HMA, Inc.
 Project Description: Add an additional OR and expand the size of the existing OR
 Proposed Project Cost: \$1,700,000 Equipment Cost:
 County: Charlotte District: 8

ID #: 0000078 Issue Date: 3/1/2000
 Facility/Project: Charlotte Regional Medical Center
 Applicant: Punta Gorda HMA, Inc.
 Project Description: Add a fixed 1.5 T MRI
 Proposed Project Cost: \$400,000 Equipment Cost:
 County: Bay District: 2
 ID #: 0000081 Issue Date: 3/2/2000
 Facility/Project: Bay Medical Center
 Applicant: Bay Medical Center
 Project Description: Expand space to house a vacuum pump
 Proposed Project Cost: \$50,000 Equipment Cost:
 County: Orange District: 7
 ID #: 0000083 Issue Date: 3/3/2000
 Facility/Project: Florida Hospital-Apopka
 Applicant: East Pasco Medical Center, Inc.
 Project Description: Install a new CT scanner in existing space previously operated as a CT room
 Proposed Project Cost: \$847,465 Equipment Cost:
 County: Pasco District: 5
 ID #: 0000084 Issue Date: 3/6/2000
 Facility/Project: Community Hospital of New Port Richey
 Applicant: New Port Richey Hospital, Inc.
 Project Description: Construct an exterior wall to enclose the existing covered patio
 Proposed Project Cost: \$250,000 Equipment Cost:
 County: Brevard District: 7
 ID #: 0000087 Issue Date: 3/6/2000
 Facility/Project: Beverly Health & Rehab. Services Palm Bay
 Applicant: Beverly Enterprises-Florida, Inc.
 Project Description: Renovate the private dining area of the dedicated Alzheimer patient wing
 Proposed Project Cost: \$45,000 Equipment Cost:
 County: Palm Beach District: 9

ID #: 0000092 Issue Date: 3/7/2000
 Facility/Project: Good Samaritan Hospital
 Applicant: Good Samaritan Hospital, Inc.
 Project Description: Termination of obstetrical services
 Proposed Project Cost: \$0 Equipment Cost:
 County: Hillsborough District: 6
 ID #: 9700406D Issue Date: 3/1/2000
 Facility/Project: H. Lee Moffitt Cancer Center & Research
 Institute Hosp.
 Applicant: H. Lee Moffitt Cancer Center & Research Institute,
 Inc.
 Project Description: Outpatient surgery expansion
 Proposed Project Cost: \$13,980,000 Equipment Cost:
 County: Palm Beach District: 9
 ID #: 9900187A Issue Date: 3/1/2000
 Facility/Project: Good Samaritan Medical Center
 Applicant: Good Samaritan Hospital, Inc.
 Project Description: Renovate existing space to establish an
 adult diagnostic cardiac cath program
 Proposed Project Cost: \$2,160,000 Equipment Cost:
 AHCA Purchase Order Number S5900H00396.

WORKFORCE CENTRAL FLORIDA

**DIRECTOR OF PLANNING AND
RESOURCE DEVELOPMENT**

Workforce Central Florida, a \$16 million non-profit organization charged with workforce development and welfare reform in Central Florida seeks Director of Planning and Resource Development. While Workforce Central Florida's federal and state funding is stable, pursuing alternative funding to implement strategic goals established by the Board is a major activity of this position. Bachelor's degree from a 4-year college in Business Administration, Public Administration or related areas plus 5 years experience and/or training or equivalent combination mandatory. Salary level \$45K-\$68K. Only written resumes and cover letter will be accepted by mail, fax or e-mail: No walk-ins. Mail: Workforce Central Florida, 1801 Lee Road, #270, Winter Park, FL 32789, Fax (407)741-4376, e-mail: celman@mail.workforcecentral.org. EOE employer. Auxiliary aids and services are available on request to individuals with disabilities.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 20, 2000
 and March 24, 2000

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

Florida State University

6C2-4.032	3/24/00	4/13/00	Newspaper	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Gulf Coast University

6C10-7.001	3/22/00	4/11/00	Newspaper	
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State Board of Independent Colleges and Universiti

6E-1.003	3/22/00	4/11/00	25/52	
6E-1.0031	3/22/00	4/11/00	25/52	
6E-1.0035	3/22/00	4/11/00	25/52	
6E-1.0045	3/22/00	4/11/00	25/52	
6E-2.001	3/22/00	4/11/00	25/52	
6E-2.002	3/22/00	4/11/00	25/52	26/6
6E-2.004	3/22/00	4/11/00	25/52	
6E-2.008	3/22/00	4/11/00	25/52	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
6E-2.009	3/22/00	4/11/00	25/52	
6E-2.010	3/22/00	4/11/00	25/52	

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Public Employees Relations Commission

38D-14.004	3/24/00	4/13/00	26/7	
38D-15.003	3/24/00	4/13/00	26/7	
38D-15.005	3/24/00	4/13/00	26/7	
38D-21.010	3/24/00	4/13/00	26/7	
38D-24.012	3/24/00	4/13/00	26/7	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

61G8-17.006	3/20/00	4/9/00	26/6	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	3/22/00	4/1/00	26/7	
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-9.013	3/20/00	4/9/00	25/36	26/7
64B3-11.004	3/20/00	4/9/00	25/36	26/7

Board of Pharmacy

64B16-27.400	3/24/00	4/13/00	26/1	
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Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-136.015	26/8			4-149.037	23/45		
4-136.030	26/8				24/46		
4-136.031	26/8			4-149.038	23/45		
4-136.033	26/8				24/46		
4-141.020	20/11c			4-149.039	23/45		
	20/11c				24/46		
4-141.021	20/11c			4-149.040	23/45		
	20/11c				24/46		
	20/11c			4-149.041	23/45		
4-149	24/3c				24/46		
	24/3c			4-149.043	23/45		
	24/28c				24/46		
4-149.001	23/45			4-149.051	23/45		
	24/46				24/46		
4-149.002	23/45			4-149.052	23/45		
	24/46				24/46		
4-149.003	23/45			4-149.053	23/45		
	24/46				24/46		
4-149.004	23/45			4-149.101	23/45	24/31	
	24/46					26/12	
4-149.005	23/45				24/3c		
	24/46				24/3c		
4-149.006	23/45				24/46		
	24/46			4-149.102	23/45	24/31	
4-149.007	23/45					26/12	
	24/46				24/3c		
4-149.008	23/45				24/3c		
	24/46				24/46		
4-149.009	23/45			4-149.103	23/45	24/31	
	24/46					26/12	
4-149.010	23/45				24/3c		
	24/46				24/3c		
4-149.020	23/45				24/46		
	24/46			4-149.104	23/45	24/31	
4-149.021	20/49c					26/12	
	23/45				24/3c		
	24/46				24/3c		
4-149.022	23/45				24/46		
	24/46			4-149.105	23/45	24/31	
4-149.023	23/45					26/12	
	24/46				24/3c		
4-149.024	23/45				24/3c		
	24/46				24/46		
4-149.030	23/45			4-149.106	23/45	24/31	
	24/46					26/12	
4-149.031	23/45				24/3c		
	24/46				24/3c		
4-149.032	23/45				24/46		
	24/46			4-149.107	23/45	24/31	
4-149.033	23/45					26/12	
	24/46				24/3c		
4-149.034	23/45				24/3c		
	24/46				24/46		
4-149.035	23/45						
	24/46						

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4-149.108	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.125	24/3c		
4-149.109	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.126	24/3c		
4-149.110	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.127	24/3c		
4-149.1105	23/45 24/3c	24/31		4-149.128	24/3c		
4-149.111	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.129	24/3c		
4-149.112	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.130	23/45 24/3c 24/3c 24/46	24/31	
4-149.113	24/3c 24/3c			4-149.131	23/45 24/3c	24/31	
4-149.114	24/3c			4-149.132	23/45 24/3c 24/46	24/31	
4-149.115	24/3c			4-149.1325	24/20	24/20	
4-149.116	24/3c			4-149.133	23/45 24/3c 24/3c 24/46	24/31	
4-149.117	24/3c			4-149.150	23/45	24/31	
4-149.118	24/3c			4-149.151	23/45 24/46	24/31	
4-149.119	24/3c			4-149.152	23/45	24/20 24/31	
4-149.120	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.190	24/46 23/45 24/3c 24/46		
4-149.121	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.200	25/36		26/8
4-149.122	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.201	25/36		26/8
4-149.123	23/45 24/3c 24/3c 24/46	24/31 26/12		4-149.202	25/36		26/8
4-149.124	24/3c			4-149.203	25/36		26/8
				4-149.204	25/36		26/8
				4-149.205	25/36		26/8
				4-149.206	25/36		26/8
				4-149.207	25/36		26/8
				4-150.107		22/10	
				4-150.119	20/43	21/38	
				4-154.101	24/45		
				4-154.102	24/45		
				4-154.104	24/45		
				4-154.108	24/45		
				4-154.109	24/45		
				4-154.110	24/45		
				4-154.111	24/45		
				4-154.112	24/45		
				4-154.113	24/45		
				4-154.114	23/52c		
				4-154.115	24/45		
				4-154.116	24/45		
				4-154.410	23/52c		
				4-154.512	23/52c		

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4-196.030	20/43c			4-223.004	18/31c		
	20/43c				18/31c		
	20/49c				18/31c		
4-196.030(5),					18/31c		
(8)(b)(d)(e)	20/43c				18/31c		
4-196.031	20/43c				18/31c		
4-196.032	20/43c				18/31c		
4-196.033	20/43c			4-223.005	18/31c		
4-196.034	20/43c				18/31c		
4-196.035	20/43c				18/31c		
	20/49c				18/31c		
4-196.036	20/43c				18/31c		
4-196.037	20/43c				18/31c		
4-196.038	20/43c			4-223.005(1)(g)	18/31c		
4-196.039	20/43c			4-223.006	18/31c		
4-196.040	20/43c				18/31c		
	20/43c				18/31c		
	20/49c				18/31c		
4-211.031(21)(e),					18/31c		
(24)-(27)	25/33c				18/31c		
	25/34c				18/31c		
4-211.050	25/33c			4-223.006(2)(d)	18/31c		
4-211.060	25/33c			4-223.007	18/31c		
4-213.050	19/30c				18/31c		
4-213.080	19/30c				18/31c		
4-213.090	19/30c				18/31c		
4-213.100	19/30c				18/31c		
4-213.120	19/30c				18/31c		
4-220.051(4)(h)(6)	25/23c				18/31c		
4-220.201(4)(f)	25/23c			4-223.008	18/31c		
4-220.2021(5)(a)	25/23c				18/31c		
4-223.001	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.009	18/31c		
	18/31c				18/31c		
4-223.002	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.010	18/31c		
	18/31c				18/31c		
4-223.003	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c			4-223.011	18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		
	18/31c				18/31c		

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4-223.011(4)(a)3.	18/31c			5B-43.011	26/2		26/12
4-223.038	21/35			5B-44.008	26/13		
4-224.002	23/33c			5B-52.001	26/13		
4-224.004	23/33c			5B-52.007	26/13		
	23/33c			5B-52.008	26/13		
	23/33c			5B-52.009	26/13		
4-224.012	23/33c			5B-52.010	26/13		
	23/33c			5B-52.011	26/13		
	23/33c			5B-52.012	26/13		
4-224.013	23/33c			5B-54.001	26/13		
	23/33c			5B-54.006	26/13		
	23/33c			5B-54.010	26/13		
4-224.014	23/33c			5B-54.011	26/13		
	23/33c			5B-54.014	26/13		
	23/33c			5B-54.015	26/13		
4-228.180	19/51	20/13		5B-54.016	26/13		
4-231.150	25/34c			5B-54.017	26/13		
4-231.160	25/34c			5B-54.018	26/13		
4A-37.036	26/12			5B-54.019	26/13		
4A-37.037	26/12			5B-54.020	26/13		
4A-37.0527	26/12			5B-55.006	26/13		
4A-37.056	26/12			5B-57.003	26/13		
4A-37.084	25/34			5B-57.004	26/13		
4A-53.001	16/25			5B-60.004	26/13		
4A-53.002	16/25			5B-60.006	26/13		
4A-53.003	16/25			5B-60.007	26/13		
4A-53.004	16/25			5B-60.009	26/13		
4C-10.001	26/7			5B-60.011	26/13		
4D-4.051(3)(5)(6)	25/45c			5B-60.015	26/13		
4J-1.021	20/30c			5B-60.016	26/13		
	20/30c			5CER00-1			26/10
	20/30c			5CER00-2			26/10
4J-2.002	20/30c			5CER99-1			25/51
	20/30c			5C-3.002	21/7		
4J-3.001	26/14			5C-3.003	21/7		
4J-3.002	26/14			5C-3.004	21/7		
4J-3.003	26/14			5C-3.005	21/7		
4J-3.004	26/14			5C-3.008	21/7		
4J-3.005	26/14			5C-3.013	21/7		
4J-3.006	26/14			5C-3.014	21/7		
4J-3.007	26/14			5C-3.015	21/7		
4J-5.006	20/15c			5C-26.001	26/10		
4J-6.001	26/10			5C-26.002	26/10		
				5C-26.003	26/10		
				5C-26.004	26/10		
				5D-1.003	21/38		
				5D-1.0061	21/13		
5B-2.002	26/13			5E-1.016	26/2		26/11
5B-2.004	26/13			5F-2.016	25/49		26/7
5B-2.010	26/13			5F-8.012	25/51		26/11
5B-3.003	26/13			5F-11.002	26/10		
5B-3.0038	26/13			5F-11.028	26/10		
5B-26.007	26/13			5F-11.047	25/29c		
5B-36.005	26/13						
5B-38.006	26/13						
5B-43.005	26/2		26/12				
5B-43.009	26/2		26/12				

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12-26.008	25/51		26/6w	12B-8.001	19/39c		
12-26.009	21/6c				19/39c		
12A-1.001	20/43c				19/39c		
	25/51		26/13		19/39c		
	26/7				21/41		
12A-1.001(3)	20/43c				25/51		26/13
12A-1.001(3)(b),(q)	25/45c			12B-8.003	23/7c		
12A-1.001(3)(g)	20/43c			12B-8.016	23/7c		
12A-1.007	25/51		26/13	12B-8.016(3)(a)6.f.	23/8c		
12A-1.009	25/51		26/13	12B-12.006	25/51		26/13
12A-1.0091	25/51		26/13	12C-1.001	25/38		26/10
12A-1.0161	25/51		26/13	12C-1.011		20/9	26/10
12A-1.019	25/51		26/13		25/38		26/10
12A-1.029	25/51		26/13	12C-1.011(1)(v)	19/50c		
12A-1.0371	26/10				19/50c		
12A-1.046	25/51		26/13	12C-1.0152	25/38	25/51	26/10
12A-1.048	25/40		26/8	12C-1.0154	25/38		26/10
12A-1.049	25/40		26/8	12C-1.0222	25/38		26/10
12A-1.050	25/40		26/8	12C-1.034	25/38	25/51	26/10
12A-1.051	25/43	25/51	26/12	12C-1.042	25/38		26/10
		26/3	26/12	12C-1.051	25/38	25/51	26/10
		26/6	26/12	12C-2.007	25/51		26/13
12A-1.051(11)(g)	25/50c			12C-3.009	25/51		26/13
12A-1.055	19/43			12D-8.0062	21/14c		
12A-1.056	25/51		26/13	12D-13.006	22/36	22/43	
12A-1.060	25/51		26/13	12D-51.003	25/45c		
12A-1.070	20/17c			12E-1.005	26/6		
12A-1.087	25/40		26/8	12E-1.012	26/6		
12A-1.088	25/51		26/13	12E-1.022	26/6		
12A-1.093	25/51		26/13	12E-1.023	26/6		
12A-1.096	26/7						
12A-1.097	25/51		26/13				
	26/7						
12A-1.105	25/51		26/13	14-14.004	19/40		
12A-12.0011	25/51		26/13	14-15.0081	21/43		
12A-12.003	25/51		26/13	14-15.010	26/10		
12A-12.004	25/51		26/13	14-17.011	17/49	17/50	
12A-12.005	25/51		26/13		26/14		
12A-12.006	25/51		26/13	14-24.001	26/1		26/12
12A-12.007	25/51		26/13	14-26.009	24/29	24/32	
12A-14.002	25/51		26/13	14-40	24/19c		
12A-14.003	25/51		26/13	14-46.001	22/25c		
12A-14.004	25/51		26/13		22/39c		
12A-14.005	25/51		26/13	14-60.011	20/12		
12A-16.006	25/51		26/13	14-66.001	25/29		26/12w
12B-4.005	25/51		26/13	14-66.002	25/29		26/12w
12B-5.013	22/36			14-66.003	25/29		26/12w
12B-5.014	22/36			14-66.004	25/29		26/12w
12B-6.008	25/51		26/13	14-66.005	25/29		26/12w
12B-7.009	25/52		26/13w	14-66.006	25/29		26/12w
12B-7.0225	26/14			14-66.007	25/29	25/40	26/12w
12B-7.023	25/52		26/13w			26/5	26/12w
12B-8	23/8c			14-66.008	25/29		26/12w
				14-66.009	25/29		26/12w
				14-66.010	25/29		26/12w
				14-66.011	25/29		26/12w

TRANSPORTATION

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14-66.012	25/29		26/12w	17-330.200(3)(a)			
14-78	25/21c			(b)(c)(e)	20/24c		
14-79.006	26/1		26/12	17-331	20/26c		
14-96	21/2c			17-341	20/26c		
14-100.001	26/4				20/26c		
14-100.002	26/4			17-343.050	20/29c		
14B-1.001	26/3			17-503.420	16/15		
14B-1.002	26/3			17-503.430	16/15		
14B-1.003	26/3			17-503.500	16/15		
14B-1.004	26/3			17-503.850	17/33		
14B-1.005	26/3			17-525.900	18/35		
14B-1.006	26/3			17-604.550	18/8		
14B-1.007	26/3			17-620.810	20/28	20/38	
HIGHWAY SAFETY AND MOTOR VEHICLES				17-625.700	20/28	20/45	
				17-660.300	15/50	16/8	
				17-671.100	15/32		
15-3.001	21/47c			17-671.200	15/32		
15A-8.0081	21/43	22/7			19/47		
		22/11		17-671.300	15/32		
15A-10	22/2c			17-671.310	15/32		
	22/2c			17-701	20/13c		
15A-10.005(1)	22/2c				20/15c		
15A-10.017	19/43			17-701.200	19/33	19/37	
15A-10.027(8)	22/2c			17-701.210	19/33	19/37	
15A-10.034(4)	22/2c			17-701.220	19/33	19/37	
15C-7.005	20/40c			17-701.300	19/33	19/37	
	20/40c			17-701.320	19/33	19/37	
15C-15.001	22/52	23/11		17-701.330	19/33	19/37	
NATURAL RESOURCES				17-701.340	19/33	19/37	
				17-701.400	19/33	19/37	
16B-33.0052	19/41c			17-701.420	19/33	19/37	
	19/41c			17-701.500	19/33	19/37	
ENVIRONMENTAL REGULATION				17-701.510	19/33	19/37	
				17-701.520	19/33	19/37	
17-2.100	18/26			17-701.600	19/33	19/37	
17-3	15/14c			17-701.610	19/33	19/37	
17-4	15/14c			17-701.620	19/33	19/37	
17-4.246	15/14c			17-701.630	19/33	19/37	
17-17.701	20/15c			17-701.640	19/33	19/37	
17-29.080	20/21	21/22		17-703.300	20/17		
17-40	19/49c			17-703.500	16/33		
17-111.060	15/34			17-703.510	20/17		
17-213.420	19/33	19/41		17-703.600	20/17		
17-257	19/50c			17-703.610	20/17		
17-296.200(97)	20/24c			17-710.300	15/42		
17-296.600	20/24c			17-710.420	15/42		
17-296.601	20/24c			17-710.440	15/42		
17-296.604	20/16	20/23		17-773.200	17/39	17/46	
	20/24c			17-773.900	17/39	17/46	
17-312	20/26c			BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST			
	20/26c						
17-330	20/26c			18-4.001	22/1		
	20/26c			18-21.004	25/48	25/50	
17-330.100(1),(2),(3)	20/24c				26/2c		26/14x

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18-23.001	20/14	20/27		PUBLIC SERVICE COMMISSION			
18-23.004	20/14	20/27		25-4.003	26/11		
18-23.005	20/14	20/27		25-4.110	26/11		
18-23.006	20/14	20/27		25-4.113	26/11		
STATE BOARD OF ADMINISTRATION				25-4.300	25/13	25/48	
19-8.010	20/13c				26/2c		
	26/12				26/2c		
19-8.011	26/12			25-4.301	25/13	25/48	
19-8.029	26/12				26/2c		
19B-4.001	26/10			25-4.302	25/13	25/48	
19B-6.001	22/13				26/2c		
CITRUS					26/2c		
20-3.001	26/10			25-6.049	25/42	26/14	
20-3.002	26/10			25-7.0335	26/8		
20-34.007	21/24			25-14.003	15/52		
20-35.005	21/24			25-21.022	18/24		
20-39.014	22/20			25-24.490	26/11		
20-42.001	18/20				26/11		
20-64.020	25/49	26/13		25-24.845	26/11		
	25/49		26/13w	25-30.060	22/38		
20-64.024	20/29c			25-160.031	25/37		
20-94.006	15/41	15/48		EXECUTIVE OFFICE OF THE GOVERNOR			
20-97.010	26/2		26/11	27E-4.001	20/11		
20-100.004	26/10			27E-4.002	20/11		
20-104.001	21/32			27E-4.003	20/11		
20-104.002	21/32			27E-4.004	20/11		
20-111.001	25/49		26/10	27E-4.005	20/11		
20-111.003	25/49		26/10	27E-4.006	20/11		
20-111.007	25/49		26/10	27E-4.007	20/11		
20-111.008	25/49	26/5	26/10	27E-4.008	20/11		
PROFESSIONAL REGULATION				ADMINISTRATION COMMISSION			
21-6.017	17/45			28-5.201	22/2c		
21-12.025	21/31			28-24.029	19/40	19/43	
21-15.009	12/45			28-24.030	19/40	19/43	
21-17.001	15/47			28-24.031	19/40	19/43	
21B-11.0017	19/31c			28-24.032	19/40	19/43	
	19/31c			28-24.036	19/40	19/43	
21G-17.011	18/43c			28-24.037	19/40		
21M-49.002	19/6c			REGIONAL TRANSPORTATION AUTHORITIES			
21M-50.002	19/6c			30C-2.001	26/4		
21M-50.003	19/6c			30C-2.002	26/4		
21M-50.007	18/53	20/24		30C-2.0021	26/4		
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21M-50.009	19/6c			30C-2.004	26/4		
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30C-2.011	26/4			33-32.021	19/5		
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30C-2.014	26/4			33-38.003	25/35	25/43	
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	20/8c			33-38.009	25/35	25/43	
	20/8c			33-38.010	25/35	25/43	
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	24/8c			33-103.005	26/12		
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33-3.0051	24/18			33-103.016	26/12		
33-3.0081	25/35	25/43		33-103.019	26/12		
33-3.0082	25/35	25/43		33-203.201	26/1	26/10	
33-3.0084	25/35	25/43		33-204.005	26/12		
33-3.0085	25/35	25/43		33-208.101	25/51		26/11
33-3.015	21/43			33-302.106	26/3		26/11
33-3.018	17/14			33-501.401	25/43	25/49	26/11
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33-5.003	22/23c			33-507.201	26/3	26/8	
33-5.004	22/23c			33-507.202	26/3		
33-5.005	22/23c			33-507.401	26/3	26/8	
33-5.006	22/23c			33-601.209	26/9		
33-5.007	22/23c			33-601.210	26/9		
33-5.008	22/23c			33-601.215	26/9		
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33-5.009	22/23c			33-601.303	26/12		
33-5.010	22/23c			33-601.304	26/12		
33-5.011	22/23c			33-601.305	26/12		
	22/23c			33-601.307	26/12		
33-5.012	22/23c			33-601.308	26/12		
33-5.013	22/23c			33-601.309	26/12		
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38D-24.012	26/7		26/14		20/26c		
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38J-1.005(5)	24/10c				20/26c		
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38J-1.006(2)	24/10c			40C-22	21/47c		
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39-27.005	19/33c				23/12c		
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40A-1.1010	25/50		26/8		20/26c		
40A-1.1020	25/50		26/8	40C-400	20/26c		
40A-1.2025	25/50		26/8		20/26c		
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40A-1.208	25/50		26/8	40D-0.201	20/3		
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40A-1.511	25/50		26/8	40D-1.602	20/29c		
40A-3.461	25/50		26/8		25/48		26/6
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	20/44c				25/48		26/6
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	20/47c			40D-4.091	20/24c		
	20/47c				20/24c		
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	20/47c			40D-4.201	21/22		
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	21/5c				20/44c		
	21/5c				20/44c		
	21/5c				21/5c		
	21/5c				21/5c		
	21/5c				21/5c		
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	21/5c				26/9c		
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40D-2.381	20/48				20/47c		
40D-2.501	20/48				20/47c		
40D-2.601	20/44c				20/47c		
	20/48				20/47c		
40D-2.621	20/44c				20/47c		
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					20/47c		

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40E-0.108	26/10			40E-40	20/26c		
40E-0.109	26/10				20/26c		
40E-0.111	26/10				20/26c		
40E-0.113	26/10			40E-40.041	26/8		
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40E-1.521	26/10				20/26c		
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46-3.008	21/6c			46-39.0035	21/6c		
46-3.025	21/6c			46-39.0047	22/39c		
46-3.027	21/6c			46-39.005	21/6c		
46-3.028	21/6c			46-39.006	21/6c		
46-3.029	21/6c			46-39.007	21/6c		
46-3.031	21/6c			46-39.008	21/6c		
46-3.032	21/6c			46-39.009	21/6c		
46-3.034	21/6c			46-39.010	21/6c		
46-3.035	21/6c			46-39.011	21/6c		
46-3.037	21/6c			46-39.012	21/6c		
46-3.038	21/6c			46-42.003	20/35		
46-4.001	21/6c			46-42.007	21/6c		
46-4.002	16/48c			46-43.005	21/6c		
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46-4.0025	21/6c			THE CONSOLIDATED TAXICAB COMMISSION			
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46-4.0031	19/50c			LOTTERY			
46-4.004	21/6c			53ER00-1			26/4
46-4.005	21/6c			53ER00-2			26/6
46-4.006	21/6c			53ER00-3			26/5
46-4.007	21/6c			53ER00-4			26/6
46-4.008	21/6c			53ER00-5			26/8
46-4.0081	21/6c			53ER00-6			26/10
46-4.0085	21/6c			53ER00-7			26/11
46-4.013	19/50c			53ER00-8			26/8
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46-4.014	21/6c			53ER00-10			26/12
46-4.015	21/6c			53ER00-11			26/12
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46-4.017	21/6c			53ER00-14			26/14
46-15.002	21/35			53ER99-40			25/49
46-17.001	20/8c			53ER99-48	26/12c		26/14x
46-17.002	20/8c			53ER99-56			25/48
46-17.003	20/8c			53ER99-58			25/52
46-17.0031	20/8c			53ER99-59			25/52
46-17.005	20/8c			53ER99-60			25/52
46-17.007	20/8c			53ER99-63			25/49
46-21.007(1)	18/2			53ER99-64			26/1
46-23.001	21/6c			53ER99-65			26/1
46-23.002	21/6c			53ER99-66			25/51
46-23.003	21/6c			53ER99-67			26/2
46-24.003	21/27			53-1.005	25/52		26/9
46-24.007	21/6c			53-19.0035	25/43		
46-29.0036	19/8c			53-20.001	25/47		26/9
46-36.002	21/6c			53-20.002	25/47		26/9
46-37.001	20/18			53-20.003	25/47	26/4	26/9
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46-37.003	20/18			53-32.002	25/39		26/6
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53-32.006	25/39	25/51	26/6	59A-5.011	21/26c		
VETERANS' AFFAIRS				59A-5.012	21/26c		
55-11.006	26/14			59A-5.013	21/26c		
55-11.007	26/14			59A-5.014	21/26c		
55-11.008	26/14			59A-5.015	21/26c		
55-11.011	26/14			59A-5.016	21/26c		
55-12.004	26/14			59A-5.017	21/26c		
55-12.005	26/14			59A-5.018	21/26c		
55-12.006	26/14			59A-5.019	21/26c		
55A-7.003	26/14			59A-7.020	20/25		
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58-14.001	20/1c			59A-7.035	21/45c		
58-14.003	20/1c			59A-24.005	25/50		26/12
58-14.005	20/1c			59A-24.006	25/50		26/12
58-14.007	20/1c			59A-25.001	26/3		
58-14.009	20/1c			59A-25.002	26/3	26/14	
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58E-1.002	26/6			59A-25.005	26/3		
58E-1.003	26/6			59AA-2.001	22/48c		
58E-1.004	26/6			59AA-2.002	22/48c		
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58E-1.008	26/6			59AA-17.004	21/46		
58E-1.009	26/6			59B-7.020	19/30		
58E-1.010	26/6			59B-7.021	19/30		
58E-1.011	26/6			59B-7.022	19/30		
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59-1.021	22/2c			59B-7.023	19/30		
59A-2.024	20/1			59B-7.024	19/30		
59A-3.078	20/47c			59B-7.024(1)	19/36c		
59A-3.081	26/6			59B-7.025	19/30		
59A-3.170	21/20			59B-7.026	19/30		
59A-3.180	21/3			59B-7.027	19/30		
59A-3.202	21/12c			59B-7.028	19/30		
59A-3.2055	22/52	23/10		59B-7.029	19/30		
59A-4.1295	20/1c			59B-10.050	21/45c		
59A-5.001	21/26c			59B-10.051	21/45c		
59A-5.002	21/26c			59B-10.052	21/45c		
59A-5.003	21/26c			59B-10.053	21/45c		
59A-5.004	21/26c			59B-10.054	21/45c		
59A-5.005	21/26c			59B-10.055	21/45c		
59A-5.006	21/26c			59B-10.056	21/45c		
59A-5.007	21/26c			59B-10.057	21/45c		
59A-5.008	21/26c			59B-13.001	26/13		
59A-5.009	21/26c			59B-13.002	26/13		
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	23/8c				22/39c		
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59C-1.036	22/48c			59F-1.002	20/33		
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59O-2.002	20/47c			60K-3.0091	25/44		
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61D-3.003	22/12c			61F8-3.003	20/3c		
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61D-3.004	22/12c			61F8-3.008	20/3c		
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61G8-22.001	25/37	25/52	26/6	61K1-1.003	25/1	25/34	26/13
61G8-23.004	25/37	25/52	26/6	61K1-1.0035	25/1	25/34	26/13
61G8-31.001	25/37			61K1-1.004	25/1	25/34	26/13
61G10-11.001	24/24	21/50	26/7w	61K1-1.0043	25/1		26/13
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61G15-19.006	26/5		26/13	61K1-1.008	25/1		26/13
61G15-19.007	26/5		26/13	61K1-1.009	25/1		26/13
61G15-19.0071	26/5		26/13	61K1-1.010	25/1		26/13
61G15-24.001	26/10			61K1-1.011	25/1		26/13
61G15-32.002	26/5		26/13	61K1-1.012	25/1	25/34	26/14
61G15-32.003	26/5		26/13	61K1-1.013	25/1	25/34	26/13
61G15-32.004	26/5		26/13	61K1-1.017	25/1		26/13
61G15-32.009	26/5		26/13	61K1-1.018	25/1		26/13
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61G17-5.0042	26/9			62-204.500	26/10c		
61G17-5.0043	26/9				26/12c		
61G17-5.0044	26/9			62-204.800	22/12c		
61G17-5.0045	26/9				26/7		26/14
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62-212.500	22/12c				21/6c		
62-212.510	22/12c			62-550.200	22/11c		
62-213.420(1)(b)2.	22/12c			62-550.310	20/47		
62-213.430	20/52	21/7		62-550.730	20/19		
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62-213.430(6)	22/12c				22/42c		
62-296.401	22/32	22/38		62-551.200	22/11c		
62-302.600	21/2c			62-555	22/12c		
62-302.600(3)(b)62.	21/2c				22/42c		
62-302.700	21/17c			62-560	22/12c		
		22/8			22/42c		
	25/34			62-561.100	24/52		
62-302.700(9)(i)(38)	21/49c			62-600	22/12c		
62-312	21/34c				22/42c		
62-312.122	24/18			62-601	22/12c		
	24/18				22/42c		
62-330.200	26/7			62-603	22/12c		
	26/9		26/14w		22/42c		
62-330.2001	26/9			62-604	22/12c		
62-341.602	21/22	21/22			22/42c		
62-342.100	24/36			62-610	25/5c		
62-342.200	24/36			62-610.814	24/52		
	26/7			62-611	22/12c		
62-342.300	24/36				22/42c		
62-342.400	24/36			62-620	22/12c		
62-342.450	24/36	24/45			22/42c		
62-342.470	24/36	24/45		62-620.100	22/11c		
62-342.500	24/36				22/12c		
62-342.550	24/36				25/51		26/8
62-342.600	24/36			62-620.325	22/11c		
62-342.650	24/36				22/12c		
62-342.700	24/36	24/45		62-620.330	22/11c		
62-342.750	24/36			62-620.335	22/11c		
62-342.800	24/36			62-620.370(7)	25/45c		
62-342.850	24/36			62-620.400	22/11c		
62-342.900	24/36			62-620.410	22/11c		
62-343	21/34c			62-620.412	22/11c		
62-343.010	21/22			62-620.420	22/11c		
62-343.020	21/22			62-620.425	22/11c		
62-343.030	21/22			62-620.435	22/11c		
62-343.040	21/22			62-620.440	22/11c		
62-343.050	21/22			62-620.445	22/11c		
62-343.060	21/22			62-620.450	22/11c		
62-343.070	21/22			62-620.455	22/11c		
62-343.080	21/22			62-620.460	22/11c		
62-343.090	21/22			62-620.510	22/11c		
62-343.100	21/22			62-620.511	22/11c		
62-343.110	21/22			62-620.512	22/11c		
62-343.120	21/22			62-620.515	22/11c		
62-343.130	21/22			62-620.550	22/11c		
62-343.140	21/22			62-620.610	22/11c		
62-343.900	21/22			62-620.620	22/11c		
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62-620.820	22/11c			62-712.450	21/34		
62-621	22/12c			62-712.460	21/34		
	22/42c			62-712.500	21/34		
62-621.200	21/52			62-712.800	21/34		
62-621.250	25/51		26/6	62-712.810	21/34		
62-621.300	25/51		26/6	62-712.900	21/34		
62-621.700	25/51		26/6	62-722	22/12c		
62-650	22/12c				22/42c		
	22/42c			62-723	22/12c		
62-650.120	22/11c				22/42c		
62-660	22/12c			62-728	22/11c		
	22/42c			62-730.020	25/36		26/7
62-660.300	22/11c			62-730.021	25/36		26/7
62-670	22/12c			62-730.030	25/36		26/7
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62-671	22/12c			62-730.160	25/36		26/7
	22/42c			62-730.170	25/36		26/7
62-673	22/12c			62-730.180	25/36		26/7
	22/42c			62-730.181	25/36		26/7
	22/42c			62-730.183	25/36		26/7
62-701	22/12c			62-730.184	25/36		26/7
	22/42c			62-730.185	25/36		26/7
62-701.720	22/11c			62-730.220		20/51	26/7
62-702	22/12c				25/36		26/7
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62-703	22/12c			62-740	21/45c		
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62-704	22/12c				22/42c		
	22/42c				24/22c		
62-707	22/12c			62-761.891	24/14		
	22/42c			62-762	22/12c		
62-707.500	22/30				22/42c		
62-709	22/12c			62-767	22/12c		
	22/42c				22/42c		
62-710	21/18c			62-770	22/12c		
	22/12c				22/42c		
	22/42c			62-771	22/12c		
62-711	22/12c				22/42c		
	22/42c			62-771.300	21/52		
62-711.300	25/51		26/11	62-773.350(9),(10)	22/42c		
62-711.400	25/51		26/11	62-775	22/12c		
62-711.500	25/51		26/11		22/42c		
62-711.520	25/51		26/11	62-775.100	22/23c		
62-711.530	25/51		26/11	62-775.400	22/23c		
62-711.540	25/51		26/11	62-775.410	22/23c		
62-711.550	25/51		26/11	62-775.500	21/52	22/15	
62-711.700	25/51		26/11	62-788.400	25/5		
62-711.801	25/51		26/11	62B-33.002	22/25c		
62-712.100	21/34				26/13		
62-712.200	21/34			62B-33.003	26/13		
62-712.300	21/34			62B-33.004	26/13		
62-712.400	21/34			62B-33.005	22/25c		
62-712.410	21/34				26/13		
62-712.420	21/34			62B-33.0051	22/25c		
62-712.430	21/34				26/13		

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64B8-9.001	25/52		26/9	64B10-16.006	26/11		
64B8-9.009	25/3	25/16	26/6	64B11-4.001	26/13		
		25/24		64B13-3.003	26/4		26/13
		25/33		64B13-3.007	26/4		26/13
		26/7		64B13-4.008	26/4		26/11
	26/12c			64B13-5.001	26/4		26/11
	26/12c			64B13-5.002	26/4		26/11
64B8-9.009(1)-(6)	25/33c		26/9d	64B13-6.001	26/4		26/11
	25/33c		26/9d	64B13-10.0015	26/4		26/11
	26/9c			64B13-15.009	26/4		26/11
64B8-9.0091	25/52	26/7	26/13	64B13-23.001(1)	25/43c		
64B8-9.0092	25/52		26/9	64B14-2.010	26/7		
64B8-30.002	26/6			64B14-5.002	26/7	26/14	
64B8-30.003	26/13			64B14-5.003	26/7		
64B8-44.003	26/5			64B14-5.004	26/7	26/14	
64B8-50.002	26/11			64B15-6.002	26/6		
64B8-51.001	26/13			64B15-6.0038	25/52		26/9
64B8-51.002	25/47		26/6	64B15-12.003	26/12		
	26/13			64B15-14.005	25/52		26/9
64B8-51.006	25/47		26/6	64B16-27.400	26/1		26/14
64B8-52.003	25/48	25/52	26/6	64B16-27.830	26/1	26/7	26/13
64B8-54.0021	25/47	26/7	26/13	64B16-28.1135	26/1		
64B8-54.004	25/47		26/6	64B16-28.140	24/38		
64B8-55.001	25/47		26/8	64B16-28.820	26/1		26/14w
64B8-55.0021	25/47		26/8	64B16-30.001	26/1	26/11	
64B9-3.002	25/40			64B16-30.003	26/1		26/13
64B9-3.0025	26/4		26/11	64B17-1.001	26/6		26/13
64B9-3.007	25/9			64B17-2.006	26/10		
64B9-3.014	25/40			64B17-3.004	26/6		26/13
64B9-4.001	26/4		26/13	64B17-4.004	26/6		26/13
64B9-4.002	26/4		26/13	64B17-5.002	26/11		
64B9-4.0025	26/4		26/13	64B17-9.001	26/10		
64B9-4.003	26/4		26/13	64B18-12.009	26/8		
64B9-4.004	26/4		26/13	64B18-17.001	26/8		
64B9-4.006	26/4		26/13	64B18-23.001	25/27		
64B9-4.009	25/29			64B18-24.001	25/50		26/6
	26/2c		26/12x	64B19-11.001	26/9		
64B9-4.013	26/4		26/13	64B19-11.005	26/9		
64B9-4.014	26/4		26/13	64B19-13.0015	25/45	26/11	
64B9-5.005	26/4		26/11	64B20-2.002	25/45		
64B9-6.001	25/29		26/10	64B20-2.004	25/43		
64B9-6.003	25/29	25/47	26/10	64B24-6.005	26/2		
64B9-8.003	26/4		26/11	64B32-1.001	26/7		
64B9-8.005	26/4		26/11	64B32-1.002	26/7		
64B9-8.006	26/4		26/11	64B32-1.004	26/7		
	26/8			64B32-2.003	26/6		
64B10-11.001	26/11			64B32-3.004	26/9		
64B10-11.002	26/11			64B32-3.005	26/6		
64B10-11.003	26/11			64B32-4.001	26/6		
64B10-11.004	26/11			64B32-6.004	26/6		
64B10-12.0021	26/11			64B32-6.006	26/6		
64B10-13.300	26/11			64B32-7.001	26/6		
64B10-14.0011	26/11			64C-13.018	24/22		
64B10-14.006	26/11			64D-3.001	26/6		
64B10-15.001	26/11			64D-3.002	26/6		
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64D-3.007	26/6			64E-20.002	25/49	26/6	26/11w
64D-3.013	26/6			64E-20.003	25/49	26/6	
64D-3.014	26/6					26/11	
64D-3.015	26/6			64E-20.004	25/49	26/6	
64D-3.016	26/6					26/11	
64D-3.017	26/6			64E-20.005	25/49	26/6	
64D-3.018	26/6					26/11	
64D-3.019	26/6			64V-1.001	26/13		
64D-3.020	26/6			64V-1.002	26/13		
64D-3.025	26/5		26/13	64V-1.0031	26/13		
64D-3.027	26/6			64V-1.0032	26/13		
64E-1	25/5c			64V-1.004	26/13		
64E-2.001	25/44		26/6	64V-1.006	26/13		
64E-2.003		24/47	26/6	64V-1.007	26/13		
	25/44		26/6	64V-1.015	26/13		
64E-2.004		24/47	26/6				
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64E-2.013	25/44	26/1	26/6	65A-1.400	25/21c		
64E-2.015	25/44		26/6	65A-1.519	25/39	26/1	26/9
64E-2.017	25/44		26/6	65A-1.725	25/38		
64E-2.0175	25/44		26/6	65A-1.900	25/19	25/44	26/13
64E-2.023	25/44		26/6			26/4	26/13
64E-2.024	25/44	26/1	26/6	65A-2.022	25/41		
64E-2.025	25/44		26/6	65A-2.024	25/41		
64E-2.026	25/44		26/6	65A-2.031	25/41		
64E-2.027	25/44		26/6	65A-2.032	25/41		
64E-2.028	25/44		26/6	65A-2.033	25/41		
64E-2.029	25/44		26/6	65A-2.034	25/41		
64E-2.031	25/44	26/1	26/6	65A-2.035	25/41		
64E-2.034	25/44		26/6	65A-2.036	25/41		
64E-6.001	25/48		26/11	65A-4.100	26/4		
64E-6.002	25/48		26/11	65A-4.101	26/7		
64E-6.003	25/48		26/11	65A-4.201(3)	24/19c		
64E-6.004	25/48		26/11	65A-4.213	25/32		
64E-6.005	25/48		26/11	65A-4.216	25/32		
64E-6.006	25/48		26/11	65A-15.0095	26/4		
64E-6.007	25/48			65A-33.001	25/43	26/1	26/7w
64E-6.008	25/48		26/11		26/13		
64E-6.009	25/48		26/11	65A-33.003	25/43		26/6
64E-6.010	25/48		26/11	65A-33.004	25/43		26/6
64E-6.013	25/48		26/11	65A-33.005	25/43		26/6
64E-6.014	25/48		26/11	65A-33.006	25/43		26/6
64E-6.015	25/48		26/11	65A-33.007	25/43		26/6
64E-6.0151	25/48		26/11	65A-33.008	25/43		26/6
64E-6.017	25/48		26/11	65A-33.011	25/43		26/6
64E-6.018	25/48		26/11	65C-6.001	25/47		26/9
64E-6.0181	25/48		26/11	65C-6.002	25/47		26/9
64E-6.0182	25/48		26/11	65C-6.003	25/47		26/9
64E-6.021	25/48		26/11	65C-6.004	25/47		26/9
64E-6.025	25/48		26/11	65C-6.006	25/47		26/9
64E-6.028	25/48		26/11	65C-6.007	25/47		26/9
64E-6.029	25/48		26/11	65C-20.009	25/41	26/11	
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67-48.030	25/35		26/7	68A-25.021	26/8		
67-48.031	25/35	25/45	26/7	68A-25.031	26/8		
67-48.032	25/35		26/7	68A-25.032	26/8		
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68A-4.004	26/8			68A-27.0021	26/8		
68A-6.0022	26/8			68B-13.0015	25/48	26/8	
68A-9.004	26/8			68B-13.002	25/48	26/8	
68A-9.007	26/8			68B-13.005	25/48	26/8	
68A-13.007	26/8			68B-13.006	25/48	26/8	
68A-15.004	26/8			68B-13.007	25/48	26/8	
68A-15.005	26/8			68B-13.008	25/48	26/8	
68A-15.061	25/52	26/7	26/12			26/13	
	26/8			68B-13.009	25/48	26/8	
68A-15.062	26/8			68B-13.010	25/48	26/8	
68A-15.063	26/8			68B-13.011	25/48	26/8	
68A-15.064	26/8			68B-14.0036	25/48		26/9
68A-15.065	26/8			68B-14.0045	25/48		26/9
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68A-16.005	26/8			68B-37.003	26/8		
68A-17.004	26/8			68B-37.004	26/8		
68A-17.005	26/8			68B-39.004	25/52		26/12
68A-20.005	26/8			68B-46.001	25/52		26/12
68A-23.002	26/8			68B-46.002	25/52	26/7	26/12
68A-23.005	26/8			68C-22.005	26/7		
68A-23.007	26/8			68C-22.005(2)(d)8.	26/13c		
68A-25.002	25/52	26/7	26/12	68C-22.005(2)(i)	26/13c		
	26/8			68D-24.003	26/8		