

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Rate Differentials Based Upon Agent Services
RULE NO.: 4-167.003

PURPOSE AND EFFECT: The proposed rule development relates to requirements imposed by the Insurance Code in the context of "tiered rates" - rate and commission differentials established by automobile insurance companies based upon the level of service provided to the insured by the insurer and the insurance agent, respectively.

SUBJECT AREA TO BE ADDRESSED: Automobile insurance "tiered rates" and levels of service to the insured by the insurer and insurance agent, respectively.

SPECIFIC AUTHORITY: 624.308, 626.9541, 627.062, 627.0651 FS.

LAW IMPLEMENTED: 624.308, 626.9541, 627.062, 627.0651 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Vecchioli, Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0329, (850)413-5310

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT THE WORKSHOP.

DEPARTMENT OF INSURANCE

RULE CHAPTER TITLE: Viatical Settlements
RULE CHAPTER NO.: 4-204

PURPOSE AND EFFECT: To promulgate a rule chapter to implement the Viatical Settlement Act, Part X of Chapter 626, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of terms used in the act, disclosures for purchasers of viatical settlements, record keeping requirements related to executed viatical settlement contracts and viatical settlement purchase agreements, collection of data, advertising and reporting of life expectancies.

SPECIFIC AUTHORITY: 624.308, 626.9925, 626.9935 FS.
LAW IMPLEMENTED: Part X, Chapter 626 FS.

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

TIME AND DATE: 2:00 p.m., November 6, 2000
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ted Straughn, Financial Examiner/Analyst Supervisor, Division of Insurer Services, Bureau of Specialty Insurers, Department of Insurance 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 Ted Straughn, (850)922-3110, Ext. 2474.

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

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Firefighter Employment Safety
RULE CHAPTER NO.: 4A-62

PURPOSE AND EFFECT: To implement standards and procedures for the employment safety of firefighters throughout the state.

SUBJECT AREA TO BE ADDRESSED: Standards and procedures for firefighter employment safety.

SPECIFIC AUTHORITY: 633.01(1) FS.
LAW IMPLEMENTED: 633.045(1)(a) 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., October 9, 2000
PLACE: Room 116, Larson Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3620

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE CHAPTER TITLE: Agricultural Interim Measures and Best Management Practices in the Lake Okeechobee Watershed
 RULE CHAPTER NO.: 5M-1

PURPOSE AND EFFECT: The purpose of this notice is to initiate the process of rule development for certain interim measures and Best Management Practices, as provided by Chapter 2000-130, Laws of Florida, Lake Okeechobee Protection Program, and Chapter 403.067, Florida Statutes (F.S.), Florida Watershed Restoration Act, to be followed by agricultural producers within the Lake Okeechobee watershed. This rule is expected to address the development of agricultural interim measures or best management practices for dairies, cow/calf operations, vegetable row crops, citrus production, nurseries, and sod farms within the Lake Okeechobee watershed.

Multiple rule development workshops to address the different agricultural operations covered by this rule are planned and will be noticed separately in the Florida Administrative Weekly as those dates are established. A preliminary draft rule will be made available two weeks prior to each workshop and may be obtained by contacting the Department at the address below.

As provided by law, the owner or operator of an agricultural nonpoint source addressed by this rule shall either implement the adopted interim measures or best management practices, or demonstrate compliance with the South Florida Water Management District's Works of the District program pursuant to Chapter 40E-61, Florida Administrative Code (F.A.C.) by conducting monitoring prescribed by the Florida Department of Environmental Protection (FDEP) or the District.

SUBJECT AREA TO BE ADDRESSED: The subject to be addressed is the development of agricultural interim measures and best management practices as provided in Chapter 2000-130, Laws of Florida, and Section 403.067, F.S.

SPECIFIC AUTHORITY: 373.4595(3)(c)1.,a.,b., 403.067(7)(d) FS.

LAW IMPLEMENTED: 373.4595(3)(c)1.,a.,b., 597.07(23) FS., Chapter 2000-130, Laws of Florida.

RULE DEVELOPMENT WORKSHOPS WILL BE SCHEDULED AND NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY AS THOSE DATES ARE ESTABLISHED:

THE PERSON TO BE CONTACTED REGARDING A DRAFT OF THE PROPOSED RULE DEVELOPMENT IS: John Folks, Environmental Administrator, Office of Agricultural Water Policy, Florida Department of Agriculture and Consumer Services, 3125 Conner Blvd., Room 171, Mail Stop C-28, Tallahassee, Florida 32399-1650, Telephone (850)488-6249

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE MADE AVAILABLE TWO WEEKS PRIOR TO EACH WORKSHOP AND MAY BE OBTAINED BY CONTACTING THE DEPARTMENT AT THE ABOVE ADDRESS.

STATE BOARD OF ADMINISTRATION

RULE TITLE: Investment Policy Statement
 RULE NO.: 19-9.001

PURPOSE AND EFFECT: To discuss the proposed investment policy statement for the Public Employee Optional Retirement Program.

SUBJECT AREA TO BE ADDRESSED: Investment products; investment product providers and managers; manager selection and monitoring guidelines; and performance measurement criteria for the Investment Policy Statement required by Section 121.4501(14), Florida Statutes.

SPECIFIC AUTHORITY: 121.4501(8) FS.

LAW IMPLEMENTED: 121.4501(14) FS.

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

TIME AND DATE: 9:00 a.m. – 4:00 p.m., Friday, October 13, 2000

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON OCTOBER 5, 2000.

Copies of the proposed new rule and the agenda for the workshop may be obtained from: Joan Lazar, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, telephone (850)413-1492.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Lazar at least 5 calendar days before the workshop.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Follow Through on Approved Grievances
 RULE NO.: 33-103.016

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the routing process of the Grievance Approval Action Form.

SUBJECT AREA TO BE ADDRESSED: Inmate Grievances.

SPECIFIC AUTHORITY: 20.314, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.016 Follow Through on Approved Grievances.

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

(b) The approving employee shall then mail form DC1-306, along with a copy of the approved grievance or appeal, to the appropriate warden's office grievance coordinator.

(c) The warden shall forward the DC1-306 to the institutional grievance coordinator who shall complete Sections II, III, and IV of form DC1-306. The grievance coordinator shall then provide form DC1-306 and a copy of the approved grievance to the staff member(s) assigned responsibility for implementing the approved action. The grievance coordinator shall monitor this process.

(d) through (f) No change.

Specific Authority 20.315, 944.09 FS. Implemented 944.09 FS. History--New 4-10-95, Amended 12-7-97, Formerly 33-29.0155, Amended 8-1-00,_____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Bank Trust Fund
 RULE NO.: 33-203.201

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify procedures and titles relevant to the inmate bank trust fund. The effect is to correct names of Department facilities at which inmates may establish demand deposit accounts, and to clarify procedures relating to: deposits into inmate bank trust fund accounts; processing of inmate accounts upon transfer,

release, or escape; and, adverse claims against accounts held by inmates in the inmate bank trust fund and the payment thereof.

SUBJECT AREA TO BE ADDRESSED: Inmate Bank Trust Fund.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.516 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.201 Inmate Bank Trust Fund.

(1) No change.

(a) Inmates may establish a demand deposit account, hereinafter referred to as a checking account, through the Inmate Bank Trust Fund at institutions, work release centers, community facilities and service centers. If an inmate establishes a checking account through the Inmate Bank Trust Fund, such funds shall not accrue interest to him.

(b) through (f) No change.

(2)(a) All monies (cashiers checks, money orders, or certified bank drafts only; no cash allowed) that are mailed to a service center for an inmate shall be initially deposited in the Inmate Bank Trust Fund. Deposits mailed to institutional or other department addresses other than the service centers will be forwarded to the service center, but this process will result in delay in deposit of the funds. In order to deposit the funds the sender shall must complete Form DC2-303, Inmate Trust Fund Deposit Form. Form DC2-303 is hereby incorporated by reference. A copy of this form may be obtained from any institution, facility, service center, or the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is May 7, 2000.

(b) through (c) No change.

(3) Inmates on extended limits of confinement with sufficient balances in their individual inmate bank trust fund accounts shall be allowed to request a weekly draw of up to \$45 to be expended for personal use. In order to request an expenditure of funds in excess of the authorized weekly draw, the inmate shall complete Form DC2-304, Special Withdrawal Form. Form DC2-304 is hereby incorporated by reference. A copy of this form may be obtained from any institution or facility or from the Forms Control Administrator, Office of the

General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, the request must be accompanied by a stamped, self-addressed envelope. The effective date of this form is May 7, 2000. If approved, these funds shall be paid to the inmate or his designated payee within 30 ~~10~~ days after receipt of the written request for withdrawal. This maximum time limitation shall not delay the weekly draw process which is usually accomplished in a shorter period of time. If the withdrawal is for the purpose of making a deposit to a savings account in the inmate's name, the check drawn upon the inmate bank trust fund shall be made payable to the savings institution which has been chosen by the inmate, with the inmate as a reference, and shall be mailed to the savings institution.

(4) No change.

(5) When an inmate is transferred from one Department of Corrections facility to another which is under the authority of another service center, and his Inmate Trust Fund account balance exceeds \$1.00, his trust funds shall be transferred to the new service center within 10 days after the transfer. If it is impossible to meet this deadline due to circumstances beyond the control of the Department, a letter of explanation shall be placed with the inmate's withdrawal request setting forth these circumstances.

(6) When an inmate is released from the control of the department, and his Inmate Trust Fund account balance exceeds \$1.00, the inmate's balance in the inmate bank trust fund at the time of discharge shall be mailed by the service center to an address of the inmate's choice. However, if deposits of checks, money orders or other negotiable instruments have been made to the inmate's account but have not cleared the account of the payor by the time the inmate is discharged, funds equal to the amount of the uncleared deposits shall be retained in the inmate's trust fund account. Immediately after the deposits have cleared, the balance due the inmate shall be forwarded by registered mail to the inmate. Inmates being released will be provided with cash for travel and related expenses. For inmates who meet eligibility requirements set forth in rule 33-601.502, this money shall be in the form of a discharge gratuity. For inmates who are not eligible for discharge gratuities, the amount will be later deducted from the inmate's trust fund account, with any remaining account balance being forwarded as indicated above.

(7) No change.

(8) When an inmate escapes and is not captured within 30 days, any balance in his Inmate Bank Trust Fund account, in excess of \$1.00, shall be forwarded to the person designated on the inmate's notification record. If this person cannot be located after reasonable efforts, the funds shall be forwarded to Central Office for deposit in the Dormant Inmate Fund

Account. If the escaped inmate is captured within 30 days, his funds shall be forwarded to the service center for the facility where the inmate is now incarcerated.

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

(d) If the claimant is the State of Florida and the claim is a cost judgment entered by a state or federal court against the inmate ~~either~~ in a civil or criminal action brought by the inmate, ~~or~~ in an appeal of such civil or criminal action, or if the cost judgment is the result of any other monetary judgment, order, or sanction imposed by a court against an inmate, the provisions of subsection (11) of this rule shall apply.

(11) No change.

(a) The attorney representing the state in such civil or criminal action or appeal shall file with the Admission and Release Authority, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, a true copy of the judgment or other monetary order or sanction which has been entered by the appropriate court, together with a cover letter stating the date and amount of the judgment, monetary order, or sanction, or the balance remaining if less than the face amount thereof, as well as the attorney's name, address and telephone number. The attorney shall also certify in the letter that:

1. through 4. No change.

(b) Upon receipt of the above documents, the Admission and Release Authority shall determine if the inmate is still in the custody of the department. If the inmate is not in the custody of the department, the Bureau of Sentence Structure and Transportation ~~Admission and Release Authority~~ shall advise the attorney of that fact and, if known, advise the attorney of the last known forwarding address of the inmate. If the inmate is in the custody of the department, the Admission and Release Authority shall forward the letter and a copy of the judgement or relevant order to the service center for the institution where the inmate is presently incarcerated, specifically directed to the attention of the person who is in charge of or responsible for the inmate bank trust fund at that service center.

(c) Once the service center receives the letter and a copy of the judgment or relevant order, a hold shall immediately be placed on the inmate's account. The inmate shall be promptly advised of the hold and that the reason therefore is an unsatisfied judgment or other monetary order or sanction. A copy of the attorney's letter or the letter from the probation and parole field office and a copy of the judgment or relevant order will be given to the inmate upon his request.

(d) No change.

(e) If there are insufficient funds in the inmate's account to satisfy the amount shown as due or the balance remaining as stated by the attorney, a check shall be issued payable to the "State of Florida" for the amount contained in the inmate's

account. Each time that the inmate receives funds in his account, payment shall be disbursed to the State of Florida until the debt is satisfied. The hold shall remain on the inmate's account until sufficient funds have been paid to satisfy the amount shown as due on the balance remaining thereon. If the inmate is released from the custody of the department before he has paid the full amount of the judgment, upon his release, a notice shall be sent to the attorney or probation and parole office advising the attorney or office of the inmate's release, the inmate's last forwarding address, if known, and the fact that the inmate has not paid the full amount of the judgment. A copy of this notice shall be placed in the inmate's file.

- (f) No change.
- (12) through (13) No change.

Specific Authority 944.09 FS. Law Implemented 944.09, 944.516 FS. History—New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Staff Housing Agreement Form
 RULE NO.: 33-208.506

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the Staff Housing Agreement Form, DC2-808A.

SUBJECT AREA TO BE ADDRESSED: Personnel.

SPECIFIC AUTHORITY: 20.315, 944.09(1), 945.025(1) FS.

LAW IMPLEMENTED: 20.315, 944.09(1), 945.025(1) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.506 Staff Housing Agreement Form.

(1) Any employee who is required or requests to occupy staff housing shall submit a completed Staff Housing Agreement, Form DC2-808A, for processing in compliance with the assignment criteria in Section 33-208.504 herein. This form is hereby incorporated by reference, and a copy may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is August 16, 2000.

- (2) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.006, 33-602.506, Amended 8-16-00.

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Youthful Offenders – Definitions	33-506.100
Designation of Institutions for Youthful Offenders	33-506.103
Youthful Offender Program Participation	33-506.106
Basic Training Program – Definitions	33-506.203
Basic Training Program Selection Process	33-506.204
Basic Training Program Operation	33-506.206
Basic Training Program – Inmate Privileges and Restrictions	33-506.207
Basic Training Program – Appearance and Hygiene	33-506.208
Basic Training Program – Discipline	33-506.211
Removal from Basic Training Program	33-506.212

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to provide definitions for terms used in conjunction with youthful offender provisions, to revise the list of institutions designated to house youthful offenders, to clarify provisions related to the extended day program, to revise and clarify the process for recommendation for modification of sentence, and to clarify definitions and provisions related to the basic training program for youthful offenders.

SUBJECT AREA TO BE ADDRESSED: Youthful Offenders.

SPECIFIC AUTHORITY: 20.315, 944.09, 958.04, 958.045, 958.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 946.40, 958.04, 958.045, 958.11, 958.12 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-506.100 Youthful Offenders – Definitions.

(1) Central Office Screening Committee – refers to the committee located in the central office, chaired by the Chief of Classification and Central Records and consisting of one additional representative from the Bureau of Classification and Central Records, an individual designated by the Director of the Office of Program Services, and an individual designated by the Director of the Office of Community Corrections. The purpose of this team is to review recommendations for sentence modification and to submit their findings to the Deputy Director of Institutions for final approval or disapproval.

(2) Inmate Management Plan Team (IMPT) – refers to a team consisting of the inmate’s classification officer and a representative from security and programs. The team members develop the inmate’s management plan which must be approved by the Institutional Classification Team (ICT), monitor the inmate’s progress, determine the inmate’s eligibility for sentence modification and make recommendations to the ICT as necessary in accordance with the rules.

(3) Extended Day Program – refers to a 16 hour daytime program at youthful offender institutions that is designed to provide at least 12 hours of activities. The program is structured to include work assignments, educational (vocational and academic) programs, counseling, behavior modification, military style drills, systematic discipline and other programmatic opportunities that will reduce inmate idleness and enhance the young inmate’s chance at becoming a law abiding citizen upon re-entry into the community.

(4) Inmate Management Plan (IMP) – refers to the individualized plan developed for each inmate based upon information collected from various risk and needs assessments and ICT decisions. The plan is used to make priority program or work placement recommendations, develop objectives and set timelines for accomplishments.

(5) Release Management Plan – refers to a report prepared by the Office of Community Corrections field office staff outlining information relative to the inmate’s proposed employment, residence, family ties or support system, financial resources and other resources available to the inmate upon release.

(6) Sentence Modification – refers to an alteration or amendment by the court of the original sentence. The modification reduces the time to be served and imposes a term of probation, community control or other community sanctions, which, when added to the term of incarceration, will not exceed the length of the original sentence.

(7) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor, chief of security and other necessary staff when appointed by the warden or designated by rule, which is responsible for making classification decisions at a facility and for making recommendations to the State Classification Office (SCO).

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

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New _____.

33-506.103 Designation of Institutions for Youthful Offenders.

(1) through (4) No change.

(5) The following institutions are designated as youthful offender institutions:

(a) through (d) No change.

(e) Sumter Correctional Institution – male Basic Training Program;

(f) ~~Lowell Florida~~ Correctional Institution Women’s Unit – Basic Training Program female youthful offenders.

(g) No change.

(h) ~~Hendry Dade~~ Correctional Institution Main Unit.

(i) Hernando Correctional Institution.

Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History–New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended _____.

33-506.106 Youthful Offender Program Participation.

(1) No change.

(2) The schedule of events shall be developed by each warden and approved by the regional director and the Office of Institutions Chief of the Bureau of Program Services.

(3) Successful participation in all phases of the youthful offender extended day program and successful completion of the offender management plan and reclassification to minimum or community custody by a youthful offender inmate will result in an evaluation by the ICT to determine the inmate’s eligibility for a recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in s. 958.04(2)(d), F.S.

(a) After the youthful offender has successfully participated in the youthful offender program and completed the IMP as developed, a complete evaluation of the case shall be initiated. The evaluations shall include a review and summary of the following areas:

1. Disciplinary record;
2. Gain time earned, forfeited or withheld and reasons for the action taken;
3. Academic and vocational accomplishments;
4. Work assignments which would assist the youthful offender in obtaining future employment;
5. Counseling programs;
6. Substance abuse programs;
7. Other programs and objectives specifically recommended for the youthful offender; and
8. ~~Verified R~~ release placement plan prepared by probation and parole office staff which will should include proposed residence, and employment, family ties or support systems, financial resources, other resources available to the inmate and any recommendation for continued treatment.
9. Nature of offense and length of sentence

(b) The evaluation of the youthful offender's eligibility for a recommendation for a modification of sentence shall be coordinated by the institutional classification staff and incorporated into a complete progress report. The completed progress report shall be reviewed and signed by the ICT and a

representative of the SCO warden who shall indicate his approval or disapproval of the recommendation based upon the evaluation prepared by the classification staff.

(c) Upon the approval of the ICT and SCO warden, the recommendation for sentence modification shall be forwarded to the Chief of the Bureau of Classification and Central Records Program Services to the central office screening committee who shall review the recommendation. If approved by the central office screening team, the recommendation will be forwarded to the Deputy Director of the Office of Institutions (classification) for review. If the Deputy Director concurs with the recommendation for sentence modification, if the Office Chief of the Bureau of Classification Program Services approves the recommendation, he shall transmit forward a recommendation to the sentencing court for consideration. If the Deputy Director does not concur with the recommendation for sentence modification, the Chief of Classification will notify the ICT at the facility where the inmate is housed. The ICT will notify the inmate of the decision.

Specific Authority 958.11(1) FS. Law Implemented 958.11, 958.12 FS. History—New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended _____.

33-506.203 Basic Training Program – Definitions.

(1) No change.

(2) Review Team—composed of a sergeant or above, drill instructor, and human services counselor, or alternates as designated by the warden. The purpose of the review team is to review inmate misconduct that may result in sanctions above the level of alternative training, or other such authority as defined in chapter 33-601.301-601.314. The authority of the review team to impose sanctions is specified in section 33-506.211(2).

(2)(3) Disciplinary Team – A team composed of the assistant warden for programs and the administrative lieutenant rotating as the chairperson for the hearing and a correctional probation officer, senior classification officer or classification officer as the second member of the team. The disciplinary team is made up of at least two staff persons, one of whom shall be a correctional probation officer, who will be responsible for conducting hearing disciplinary hearings reports.

(3) Drill Instructor – a basic training program staff member who provides instruction to inmates assigned to the basic training program in the areas of physical training, military drill and ceremony, and completion of the obstacle course.

(4) Human Services Counselor – a staff member assigned to the basic training program to provide group and individual counseling and instruction in social adjustment skills to the inmates in the basic training program. Shock Incarceration – a

training technique employed in the basic training program which utilizes intense physical training, military drill, verbally aggressive confrontation, and the immediate application of minor discipline. The intent of shock incarceration is to modify the behavior of youthful offenders and to avert long-term incarceration. The basic training program will be inclusive of the phases listed below:

(a) Phase I – will consist of an intensified military regimen not to exceed 60 days of active participation.

(b) Phase II – will consist of educational programming and personal development training provided within a quasi-military environment for a period not to exceed the length of sentence imposed by the sentencing court. Inmates will be required to participate successfully in Phase II of the Basic Training Program for a minimum of 60 days. The length of time that an inmate may participate in Phases I and II combined shall be no less than 120 days.

(c) Phase III – will consist of the offender's placement within a community residential facility to engage in gainful employment, pay restitution, participate in substance abuse programs, enroll in general education development or adult basic education classes as applicable.

(5) through (6) No change.

(7) Program Director – a basic training program staff member of the rank of correctional officer captain or above who is responsible for all aspects of the basic training program for program content, staff supervision, and inmate security and treatment.

(8)(7) No change.

(9) Review Team – refers to a team composed of a sergeant or above, drill instructor, and human services counselor. The purpose of the review team is to review inmate misconduct that may result in sanctions above the level of alternative training.

(10) Shock Incarceration – a training technique employed in the basic training program which utilizes intense physical training, military drill, verbally aggressive confrontation, and the immediate application of minor discipline. The intent of shock incarceration is to modify the behavior of youthful offenders and to avert long-term incarceration. The basic training program will be inclusive of the phases listed below:

(a) Phase I – will consist of an intensified military regimen not to exceed 60 days of active participation.

(b) Phase II – will consist of educational programming and personal development training provided within a quasi-military environment for a period not to exceed the length of sentence imposed by the sentencing court. Inmates will be required to participate successfully in Phase II of the Basic Training Program for a minimum of 60 days. The length of time that an inmate may participate in Phases I and II combined shall be no less than 120 days.

(c) Phase III – will consist of the offender's placement within a community residential facility to engage in gainful employment, pay restitution, participate in substance abuse programs, enroll in general education development or adult basic education classes as applicable.

~~(11)(8) No change.~~

~~(9) Program Director — a basic training program staff member of the rank of correctional officer captain or above who is responsible for all aspects of the basic training program, including but not limited to, program content, staff supervision, and inmate security and treatment.~~

~~(10) Drill Instructor — a basic training program staff member whose duties include, but are not limited to, the instruction of inmates in physical training, military drill and ceremony, and in completion of the obstacle course.~~

~~(11) Human Services Counselor — a staff member assigned to the basic training program to provide group and individual counseling and instruction in social adjustment skills to the inmates in the basic training program.~~

(12) Youthful Offender – refers to any person who is found guilty of or who has tendered a plea of nolo contendere or guilty to a crime that is a felony and such crime was committed before the inmate's 21st birthday. The inmate must not have been previously classified as a youthful offender nor found guilty of a capital or life felony.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 958.04, 958.045 FS. History—New 2-26-89, Amended 1-25-96, 10-23-97, Formerly 33-27.003, Amended _____.

33-506.204 Basic Training Program Selection Process.

(1) In order to participate in the program, a youthful offender as defined by chapter 958, F.S. shall meet the following criteria:

(a) through (f) No change.

(g) Has no current or prior conviction for a sexual offense, including adjudication withheld;

(h) through (j) No change.

(2) After an inmate has met the above criteria, the classification officer at the time of reception will screen the youthful offender to determine if he or she meets the program eligibility criteria. If the inmate meets the criteria, the classification officer will advise the inmate and the Bureau of Classification and Central Records, Reception Services section. and if space is available in the program, The sentencing court shall be notified in writing by the Bureau of Classification and Central Records, Reception Program Services section of the Department of Corrections, requesting approval for the inmate to participate in the program. If the inmate is classified by the department as a youthful offender, the state attorney shall, at the same time, be notified that the inmate is being considered for placement in the basic training program. If the sentencing court disapproves the department's recommendation for the offender's placement in the basic training program, the offender shall be so notified and shall

complete incarceration pursuant to the terms of the commitment order. If the sentencing court approves the department's recommendation for the offender's placement in the basic training program, the offender shall be notified of assignment to the basic training program. Failure of the court to notify the department of approval for placement in the program within 21 days after receipt of the department's request shall be considered an approval by the court for placing the inmate in the basic training program.

(3) Program Assessment. Each inmate shall be required to participate in a satisfactory manner for a minimum of 120 days in order to successfully complete the program. The IMPT classification team shall continually assess the inmate's participation in the program and recommend that the inmate continue in the program for a specific number of days in order to repeat those days for which an overall unsatisfactory report was received. Failure to receive a satisfactory evaluation during the extended period will result in the removal of the inmate from the program pursuant to rule 33-506.211. Inmates who have successfully participated for the required time period, but who are awaiting release by the sentencing court or other releasing authority shall remain subject to the rules of the department and the basic training program. Failure to adhere to these rules may be grounds for removal from the program pursuant to rule 33-506.211. Documentation of successful program completion, recommendations for extension, or removal from the program shall be completed by the IMPT classification team and provided to the program director.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 946.40, 958.04, 958.045 FS. History—New 2-26-89, Amended 11-2-90, 1-25-96, 10-23-97, Formerly 33-27.004, Amended _____.

33-506.206 Basic Training Program Operation.

(1) No change.

(2) Upon the approval of the ICT and SCO, the recommendation for sentence modification shall be forwarded to the Chief of the Bureau of Classification and Central Records for review by the central office screening team. If approved by the central office screening team, the recommendation will be forwarded to the Deputy Director of the Office of Institutions (classification) for review. If the Deputy Director concurs with the recommendation for sentence modification, the Chief of the Bureau of Classification shall transmit a recommendation to the sentencing court for consideration. If the Deputy Director does not concur with the recommendation for sentence modification, the Chief of Classification will notify the ICT at the facility where the inmate is housed. The ICT will notify the inmate of the decision. Inmates who have satisfactorily completed the requirements of Phase II shall be released to a term of probation as specified by the sentencing court. The term of probation shall include release to community supervision or placement in a community residential facility as recommended by the youthful offender classification team and

~~approved by the program director. The program director will determine those inmates suitable for community residential placement based upon the inmate's employment, residence, family circumstances, and probation or post release supervision obligations. The term of placement within a community residential facility shall be determined by the sentencing court.~~

(3) The ~~IMPT classification team~~ shall develop an alternative post release program or plan within 30 days prior to release for those inmates who will not be placed in a community residential facility. The post release plan shall include ~~but not be limited to~~ the following pursuant to Rule 33-601.504, F.A.C.:

- (a) through (d) No change.
- (4) No change.

Specific Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History–New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended _____.

33-506.207 Basic Training Program – Inmate Privileges and Restrictions.

Inmates in the basic training program shall have privileges normally afforded the general inmate population modified as set forth below:

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

(a) Phase I – Inmates will not be allowed visitation privileges ~~on specified graduation days only.~~

- (b) through (c) No change.
- (4) Telephone.

(a) Telephone calls are not permitted during Phase I of the basic training program, except as follows:

1. Verified family emergencies;

2. Calls to attorneys when there is a deadline and time constraints will not permit contact by mail.

(b) Telephone calls shall be permitted during Phase II of the basic training program as specified in Rule 33-602.205.

(5) Religious Practices.

(a) Every inmate will be afforded opportunities to participate in religious activities and programs that do not endanger the safe and secure operation of the institution.

(b) The human services counselor, the institutional chaplain and the program director will assess requests on a case by case basis for religious observances or practices not routinely available in the Basic Training Program.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History–New 2-26-89, Amended 1-25-96, Formerly 33-27.007, Amended _____.

33-506.208 Basic Training Program – Appearance and Hygiene.

- (1) Hair.

(a) ~~Male b~~Basic training program inmates will receive a military style haircut upon arrival in the program. Inmates will subsequently receive haircuts every two weeks for the duration of the program.

(b) Female basic training program inmates will be provided hair bands or hair clips to secure hair longer than collar length. Unsecured hair must be above collar length.

(2) Shaving. ~~Male b~~Basic training program inmates shall be clean shaven. Inmates shall shave every day unless it is determined by the institutional physician that shaving would be detrimental to the inmate's health.

(3) Showers. Basic training program inmates shall shower at least once daily.

- (4) No change.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History–New 2-26-89, Amended 1-25-96, Formerly 33-27.008, Amended _____.

33-506.211 Basic Training Program – Discipline.

(1) Alternative Training. Any staff member of the basic training program, with the approval of the supervisor, has the authority to implement any of the following alternative training measures to individual inmates or groups of inmates assigned to the basic training program:

- (a) through (e) No change.

(2) Review Team. In addition to the responsibilities specified in Rules 33-601.301-601.314, the review team is authorized to impose any alternative training procedures as well as any of the following disciplinary measures:

(a) Make program modification recommendations to the ~~IMPT classification team~~ for review and approval of the program director.

- (b) through (3) No change.

Specific Authority 944.09, 958.045 FS. Law Implemented 944.09, 958.045 FS. History–New 2-26-89, Amended 1-25-96, Formerly 33-27.012, Amended _____.

33-506.212 Removal from Basic Training Program.

(1) An inmate can shall be removed from the basic training program for health reasons, classification reassignment in accordance with chapter 33-601, F.A.C., modification or expiration of sentence or when such removal is in the best interest of the inmate or the security of the institution.

(2) Removal shall be recommended by the ICT who shall forward a teletype to the SCO. The inmate will be removed from the basic training program until the SCO has approved the removal.

(3) An inmate who has committed or threatened to commit violent acts will be terminated from the program and returned to general population in order to complete the remainder of his or her sentence.

(4) In all cases, the sentencing court or other releasing authority ~~and the Bureau of Program Services~~ shall be immediately promptly notified of the inmate's removal from the program.

Specific Authority 958.04(4)(b), 958.045(1)(b) FS. Law Implemented 944.09, 958.04, 958.045 FS. History--New 2-26-89, Amended 1-25-96, 10-23-97, Formerly 33-27.013, Amended.

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify titles and procedures relating to inmate drivers. The effect is to clarify the title of the Department of Highway Safety and Motor Vehicles, clarify the titles of person who may authorize inmate operation of farm or other off-highway equipment, and clarify procedures relating to possession of equipment keys and commercial driver's licenses.

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 NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY:

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.605 Inmate Drivers.

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

(d) DHSMV 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) through (5) No change.

(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 DHSMV DMV Driver's License Office by telephone and arrange for the license examination.

(b) A correctional officer shall escort the inmate to DHSMV 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 DHSMV 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 DHSMV DMV for the inmate's file.

(7) through (9)(a) No change.

(b) Operation of a farm vehicle or other off-highway equipment must be approved in advance by the inmate's immediate supervisor and the warden.

(c) through (d) No change.

(e) The inmate will only be permitted to have custody of the equipment keys when he or she is operating the machinery. The inmate will be instructed to and must return the keys to the DC supervisor or non-DC supervisor (for squads not supervised by a DC employee) ~~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.

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

(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 DHSMV DMV Driver's License Office.

(c) No change.

(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 8-29-00, Amended.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Substance Abuse Testing
 RULE NO.: 33-602.2045

PURPOSE AND EFFECT: The purpose of the proposed rule is to correct relevant titles, provide and update forms, and clarify procedures relating to inmate substance abuse testing. The

effect is to provide definitions of relevant terms, clarify procedures for on-site testing of inmates by authorized personnel, clarify procedures relative to confirmation testing, correct titles, clarify the titles of persons in authority who may order testing, and clarify procedures relating to random drug testing.

SUBJECT AREA TO BE ADDRESSED: Inmate Substance Abuse Testing.

SPECIFIC AUTHORITY: 944.09, 944.472, 944.474 FS.

LAW IMPLEMENTED: 944.09, 944.472, 944.474 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.2045 Inmate Substance Abuse Testing.

The ~~Office of the Inspector General Bureau of Security and Institutional Operations~~ shall be responsible for the development and implementation of the department's substance abuse testing program.

(1) Definitions.

(a) Random Selection – A computerized random selection model utilized to obtain a sample of inmates to be tested for drugs or alcohol. ~~Every inmate in the custody of the department has an equal chance of being selected.~~

~~(b) Collector – a correctional officer who has been trained and certified by certified testing personnel or by other personnel who have been certified on the proper procedures for collecting, handling, and disposing of urine specimens, and on the procedures for completing the chain of evidence form.~~

~~(b)(e) Tester – a correctional officer who has been trained and certified by the manufacturer of the onsite testing device or certified training personnel, affiliated with the department, on the proper procedures for collecting urine specimens, including the completion and maintenance of the Chain of Custody Form, DC1-825, the handling and disposing of urine specimens and the administration and interpretation of the on-site testing device contractor or a master trainer to operate the drug testing equipment, and to review and certify test results. All testing personnel must be approved by the Office of the Inspector General. Form DC1-825 is incorporated by reference in Section (3)(g) of this rule.~~

~~(c)(d) No change.~~

~~(d)(e) Chain of Custody evidence Form, DC1-825 – the form used to document the identity and integrity of an inmate's specimen from time of collection until the specimen is prepared for shipment to a designated outside laboratory for confirmation testing, through specimen transport, testing, and reporting of results. Form DC6-217 is used for this purpose. This form will be provided by the laboratory conducting conformation tests on specimens that had a positive result on the on-site testing device.~~

~~(e)(f) Test refusal – failure on the part of an inmate to fully comply with the department's substance abuse testing procedures, which includes failing to provide a valid urine specimen, attempting to alter his or her urine specimen with adulterants, as established by an on-site specimen validity testing device, and using substitute urine in makeshift devices or objects. Any inmate who refuses to comply with the testing process or fails to provide a valid specimen, within the specified time frames as stipulated in section (3)(b)8. and (3)(b)10., shall be given a disciplinary report in accordance with rules 33-601.301-601.314.~~

~~(f) Dry cell – refers to a secure cell without a water supply or one in which the water supply has been interrupted.~~

~~(g) Bashful Bladder (Avoidant Paruresis) – is a documented medical condition that prevents a person from urinating in the presence of another person or in a public facility.~~

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

1. Inmates suspected of involvement with drugs or alcohol shall be subject to for-cause testing upon order of the warden ~~or~~ duty warden of the institution, or the correctional officer chief of the facility, or their designees, or the Office of the Inspector General the major of the community facility. An inmate ~~should only can~~ be tested for a ~~maximum~~ minimum of ~~four~~ three drugs on a for-cause basis, unless extenuating circumstances exist. For-cause tests will only be conducted on inmates who meet the criteria outlined in 2.a. through c. below.

2. through 4. No change.

5. Upon approval of the warden, ~~duty warden, correctional officer chief, or major~~ their designees or the Office of the Inspector General, collection and testing procedures shall be conducted immediately pursuant to this rule.

6. A copy of the ~~Incident R~~report, Form DC6-210, shall be attached to the facility's copy of the Chain of Custody evidence Form, DC1-825, for positive specimens sent to the laboratory for confirmation testing and both documents shall be immediately forwarded to the testing facility. DC6-210 is incorporated in Rule 33-602.210. DC1-825 is incorporated by reference in section (3)(g) of this rule.

(b) Random Substance Abuse Testing. All correctional facilities shall receive on a weekly basis a list of the names and DC numbers of inmates generated through random selection

for substance abuse testing. The list will be electronically transmitted from the Offender Base Information System to the secure printer of the warden of each major institution or the correctional officer chief of the correctional facility and to the major of each community correctional center. Any facility that does not have a secure printer will have their respective list printed to a secure printer at another facility as designated by the warden of the institution or correctional officer chief of the facility. The list is considered confidential and shall not be disseminated to inmates or non-essential staff members prior to testing. Each time an inmate's name appears on the random list, he or she shall be tested regardless of whether or not he or she has been previously tested.

(c) No change.

(3) Procedures.

(a) Chain of Custody evidence.

1. At a minimum, the Cehain of Custody evidence Fform, DC1-825 DC6-217, must include inmate offender and tester collector identification, initials by both the inmate and the tester collector, date and time of collection, and type of test (i.e., random, for-cause or substance abuse treatment program) and identification of all individuals who had custody of the specimen from the time of collection until the specimen was prepared for shipment to the laboratory. Once the outside laboratory receives the specimen, it will become the laboratory's responsibility to maintain a chain of evidence throughout the testing process.

2. The Cehain of Custody evidence Fform, DC1-825, DC6-217 allows for any comments by the tester collector regarding any unusual observations. Any failure by the inmate to cooperate with the collection process, and the unusual nature (e.g., discolored urine or urine containing foreign objects) of any specimen provided shall be noted.

3. The tester collector shall ensure that all collected urine specimens, being sent to a designated outside laboratory for confirmation testing, are properly labeled and sealed with a security evidence label as provided on the Chain of Custody Form, DC1-825. The tester collector shall also ensure that the Cehain of Custody evidence Fform for all collected urine specimens is completed in accordance with procedures. One form can be used to accompany multiple urine specimens collected and transported together.

4. If an inmate is unable or unwilling to enter his or her initials on the Cehain of Custody evidence Fform, the tester collector will make a notation in the comment section of the Cehain of Custody evidence Fform and leave the space blank. The tester collector will not under any circumstances sign the Cehain of Custody evidence Fform for an inmate.

5. An entry shall be made on the chain of evidence form, DC6-217, each time the urine specimens are transferred to the custody of another individual.

(b) Specimen Collection Procedures.

1. The tester collector shall ensure that all urine specimens are collected in accordance with procedures. All collections shall be performed under direct observation, where the tester collector directly observes the voiding of urine into the specimen cup. Direct observation may also be accomplished through use of mirrors strategically mounted in the collection rest room.

2. Under no circumstances is direct observation by a tester collector of the opposite sex from the inmate allowed.

3. The tester collector shall ensure that there is positive inmate identification prior to collecting the inmate's urine specimen. Sight, name, DC number, and examination of picture identification card shall provide positive identification of the inmate selected for drug testing.

4. The tester collector shall search the inmate to ensure that the inmate is not concealing any substances or materials that which could be used to alter or substitute his or her urine specimen. If any such substances or materials are found, the inmate will be charged with refusing to submit to a substance abuse test.

5. No change.

6. The tester collector shall give each inmate a closed specimen cup with an identification label containing the inmate's name and DC number prior to collecting the inmate's urine specimen. The tester collector shall ensure that the inmate acknowledges his or her correct identity information on the label of the specimen cup.-

7. The inmate is expected to provide a minimum of 30 ml of urine. If the inmate provides less than this amount, the tester collector shall again attempt to collect an adequate specimen. If the inmate cannot immediately submit another urine specimen, then the procedure outlined in 8. below for a claimed inability to provide a urine specimen shall apply.

8. An inmate who has not provided an adulterated urine specimen and who indicates a claimed inability to provide an adequate urine specimen shall be detained in the presence of the tester collector or other designated person for a period not to exceed 1 hour to provide an adequate specimen. During that time, the inmate shall be allowed to consume one cup (8 oz.) of water or other beverage every 1/2 hour, not to exceed a total of 2 cups during this time period and an Acknowledgement of Beverage Form, DC1-823, should be completed. If after the 1 hour period an inmate still fails to submit a valid adequate urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with rules 33-601.301-601.314. The collector shall note such failure to provide a specimen on the chain of evidence form, DC6-217. If an inmate claims an inability to urinate due to a "bashful bladder" condition, procedures set forth in (3)(c) shall apply. DC1-823, Acknowledgement of Beverage Form, is incorporated by reference in Section (3)(g) of this rule.

9. After the inmate has voided a urine specimen into the cup, the tester will visually inspect the urine specimen to make sure that the specimen appears to be valid and unadulterated collector shall direct the inmate to close the cup tightly before placing the cup into the collector's custody. If the tester suspects that the specimen has been adulterated based upon observation, experience, or prior training, the tester will utilize the on-site specimen validity-testing device in front of the inmate following the manufacturer's testing protocols. If a positive result is received on the on-site specimen validity testing device indicating that the urine specimen was adulterated, the adulterated specimen will not be accepted as a valid specimen and will be discarded. The inmate will be required to submit a valid and unadulterated specimen. If the inmate cannot submit a valid and unadulterated specimen, then the procedure outlined below in section (3)(b)10. shall apply.

10. Inmates who have adulterated their urine specimen by ingesting substances, as established by the on-site testing device, shall be detained in the presence of the tester or placed in a "dry cell" for a period not to exceed two (2) hours. During that time, the inmate shall not be allowed to consume any water or other beverage. If, after the two hour period, an inmate still fails to submit an unadulterated valid urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with rules 33-601.301-601.314. The collector shall visually inspect all urine specimens placed in his or her custody to ensure that a valid, fresh, unadulterated urine specimen was provided. Urine specimens which are discovered to be obviously altered (e.g., discolored or containing foreign objects), will not be accepted as valid specimens. A suspect urine specimen will be discarded and the inmate will be required to submit another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined above for a claimed inability to provide a urine specimen shall apply.

11. Once the tester has determined that the urine specimen is valid and unadulterated, the tester shall direct the inmate where to place the urine specimen so that the on-site test can be conducted. The specimen must be in view of the inmate throughout the entire testing process.

~~12.44.~~ If a urine specimen contains blood or appears to contain blood, the inmate who produced the specimen shall be referred immediately to the medical department for evaluation. If no valid reason exists for having blood in the specimen, the inmate will be required to provide another urine specimen. If the inmate cannot submit a urine specimen, then the procedure outlined above for a claimed inability to provide a urine specimen shall apply.

12. Once the urine specimen has been securely closed by the inmate, the collector shall attach a security evidence label across the lid of the sample cup under the inmate's observation. The collector shall instruct the inmate to place his

or her initials on the chain of evidence form verifying that the urine specimen was collected and sealed under the inmate's observation and that the specimen cup identification is correct.

(c) No change.

1. The inmate shall be informed that he or she will be placed in a dry holding cell until he or she can provide a valid urine specimen. The inmate shall be issued a hospital or other type privacy gown during the time that he or she is housed in the dry holding cell.

2. The inmate shall remove the contents of his or her pockets, and his or her shirt, shoes, pants and hat. The inmate shall be thoroughly searched prior to entering the dry holding cell to prevent him or her from using any adulterants such as bleach or cleanser to alter his or her urine specimen.

3. The tester collector shall give the inmate a closed specimen cup with an identification label containing the inmate's name and DC number. The testing collecting officer shall ensure that the inmate acknowledges his or her correct identity information on the label of the specimen cup.

4. The inmate shall be allowed to consume one cup (8 oz.) of water or other beverage every 1/2 hour, not to exceed a total of two cups during the time spent in the dry holding cell and an Acknowledgement of Beverage Form, DC1-823, shall be completed.

5. No change.

6. Upon receipt of the urine specimen ~~that has been securely closed by the inmate~~, the tester collector shall visually inspect the urine specimen to ensure it appears valid and unadulterated and the procedures outlined in (3)(d)1. for the testing of urine specimens shall be followed attach a security evidence label across the lid of the sample cup under the inmate's observation. The inmate shall be instructed to place his or her initials on the chain of evidence form verifying that the urine specimen was collected and that the specimen cup identification is correct.

(d) Testing of urine specimens.

1. Only certified testing personnel are authorized to utilize the on-site testing equipment operate the drug testing equipment. For every on-site test conducted, regardless of purpose, the Inmate Scannable Drug Testing Control Card, DC1-826, will be filled out. Form DC1-826, the Inmate Scannable Drug Testing Control Card, is incorporated in section (3)(g) of this rule.

2. Certified testers shall follow collection procedures in (3)(b) examine each specimen prior to testing to ensure that the security evidence label is intact and that the specimen labeling and the chain of evidence form, DC6 217, is in proper order. In the event that the tamper evident seal is damaged or the chain of evidence form is incomplete, the tester shall not test those urine specimens.

3. All on-site testing procedures shall be conducted in the presence of the inmate in accordance with the manufacturer's protocols. Any specimens found to be positive upon initial

testing shall be re-tested at the department testing facility that day with a fresh aliquot of the specimen prior to reporting test results. Specimens testing negative on the retest shall be reported as negative.

4. After the tester has taken a sample of urine from the specimen cup for the on-site testing device, the inmate shall be directed to close the cup tightly. When a urine specimen's initial test results are positive, the tester shall follow the following procedures:

a. After double-checking the positive specimen's identity, the tester shall pipette a second urine sample from the original urine specimen cup and conduct the urinalysis testing procedure again, testing each positive specimen only for those drugs found positive on the initial test. Batch runs of several initial positive specimens are authorized.

b. If a specimen's results are negative on repeat testing, the tester shall document the test results on the random sample list and chain of custody form and dispose of the urine specimen and specimen cup.

e. If the urine specimen's test results are again positive on repeat testing, the tester shall document the test results as positive on the random list and substance abuse list and chain of custody form.

5. Negative test results. The tester shall inform the inmate of the negative test results of the on-site testing device. The tester shall record all negative test results on the Inmate Scannable Drug Testing Control Card, DC1-826, and the OBIS printout. The tester will then dispose of the remaining specimen, specimen cup and testing device. All forms shall be retained in accordance with state law and rules governing the retention of records.

6. Positive test results. The tester shall inform the inmate of the positive results of the on-site testing device. The inmate will then be given the opportunity to sign an Affidavit for Admission of Drug Use, DC1-824. Form DC1-824, Affidavit for Admission of Drug Use, is incorporated by reference in section (3)(g) of this rule.

a. If the inmate chooses to sign the Affidavit for Admission of Drug Use, DC1-824, the testing officer shall complete the affidavit form and have the inmate swear to its content, with the officer witnessing the inmate's signature. The inmate will be placed into administrative confinement and a disciplinary report written. The signed Affidavit for Admission of Drug Use, DC1-824, will be attached to the disciplinary report to be used as evidence in the disciplinary report hearing.

b. The testing officer will complete the Inmate Scannable Drug Testing Control Card, DC1-826, indicating the positive results of the on-site testing device.

c. If the inmate does not sign the Affidavit for Admission of Drug Use, DC1-824, the following steps shall be taken:

i. Once the urine specimen has been securely closed by the inmate, the tester shall attach a security seal from the Chain of Custody Form, DC1-825, across the lid of the sample cup under the inmate's observation.

ii. The tester shall instruct the inmate to place his or her initials on the Chain of Custody Form verifying that the urine specimen was collected and sealed under the inmate's observation and that the specimen cup identification is correct.

iii. The tester shall then prepare the urine specimen for shipment, by a commercial carrier, to the designated outside laboratory for confirmation testing.

iv. Inmates with positive test results on the on-site testing device shall immediately be placed in administrative confinement pending investigation until results of the confirmation test are received.

7. Once received from the outside laboratory, the confirmation testing results will be entered onto the respective Inmate Scannable Drug Testing Control Card. If the confirmation testing results are positive, a copy of the results will be attached to the disciplinary report for use as evidence during the disciplinary hearing.

(e) ~~Other on-site testing device procedures of urine specimens. Community correctional centers are authorized to conduct on-site testing of urine specimens in lieu of transporting specimens to testing facilities for initial testing.~~

1. Due to product limitations, it may become necessary to utilize other noninvasive on-site testing devices for alcohol testing. In such instances, the certified tester will utilize the on-site testing device in the presence of the inmate following the manufacturer's testing protocols. If the initial result of the on-site testing device is positive, and the inmate declines to sign the Affidavit for Admission of Drug Use Form, DC1-824, then a urine specimen will be obtained from the inmate and sent to a designated outside laboratory for confirmation testing, in accordance with the procedures outlined in section (3)(b), specimen collection procedures, and section (3)(d), testing of urine specimens. ~~Specimen collection procedures. Collectors shall follow collection procedures in (3)(b), with the exception that a security evidence label shall not be placed on the lid of the cup unless the specimen is found to be positive.~~

2. ~~Testing procedures. All on-site testing procedures shall be conducted in the presence of the inmate in accordance with the manufacturer's protocols.~~

a. ~~After the collector has taken a sample of urine from the specimen cup for the test, the inmate shall be directed to close the cup tightly.~~

b. ~~After the collector has followed the steps specified in the manufacturer's protocols, the collector shall record the test results on the chain of evidence form.~~

3. Negative test results. The collector shall inform the inmate of the negative test results of the on-site test. The collector shall record all negative test results on the chain of evidence form and dispose of the remaining specimen,

specimen cup and test device. All chain of custody forms shall be retained in accordance with state law and rules governing the retention of records.

~~4. Positive test results. The collector shall inform the inmate of the positive test results of the on site test. The collector shall record the positive test results on the chain of custody form and prepare the urine specimen for transfer to the designated testing facility in accordance with (3)(b) for a verification urine drug test. Inmates with positive test results on the initial on site test shall immediately be placed in administrative confinement pending investigation until a second test is conducted pursuant to (3)(d) and results are obtained.~~

~~2.5.~~ All correctional facilities shall maintain a record of all reasonable suspicion substance abuse tests conducted. This record shall be maintained by the correctional officer chief or his designee. Form DC6-237, Reasonable Suspicion Testing Tracking Form, shall be utilized for this purpose. Form DC6-237, Reasonable Suspicion Testing Tracking Form, is incorporated by reference in section (3)(g) of this rule.

(f) Record keeping. Each ~~testing~~ facility shall keep all records pertaining to the testing program. This includes the drug testing list and results, Chain of Custody evidence documentation forms, laboratory confirmation reports and inventory control logs ~~hard copy instrument printouts of calibration and testing, results of performance on proficiency test specimens, results of performance on inspections, and instrument and other equipment maintenance records.~~ All records shall be kept in accordance with state law and rules regarding retention of records.

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

1. Form DC1-823, Acknowledgement of Beverage, effective date _____. ~~Form DC6-217, Chain of Evidence, effective date February 8, 2000.~~

2. Form DC1-824 Affidavit for Admission of Drug Use, effective date _____.

3. Form DC1-825, Chain of Custody, effective date _____.

4. Form DC1-826, Inmate Scannable Drug Testing Control Card, effective date _____.

~~5.2.~~ Form DC6-237, Reasonable Suspicion Testing Tracking Form, effective date February 8, 2000.

Specific Authority 944.09, 944.472, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Everglades Program
 RULE CHAPTER NO.: 40E-63

PURPOSE AND EFFECT: The purpose is to develop rules to implement the Everglades Forever Act (“EFA”), Section 373.4592(4)(f)5., Florida Statutes (F.S.), which specifies, “effective immediately, landowners within the C-139 Basin shall not collectively exceed an annual average loading of phosphorus” The proposed rules will establish the compliance methodology and compliance actions required by C-139 landowners if the phosphorus load limitation for the C-139 Basin is exceeded. The effect of the proposed rule will be potential enhancement of the downstream receiving water quality in accordance with the intent of the EFA.

SUBJECT AREA TO BE ADDRESSED: Flow, rainfall, and phosphorus sample data representing the C-139 Basin for the period of October 1, 1978 through April 30, 2000. Specifically the sources of the data and potential problems and inconsistencies with the data, and any alternative proposals. Please be advised this meeting will be limited to issues related to the data and will be highly technical in nature. Other provisions of the proposed rule language will not be addressed. SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.4592 FS.

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

TIME AND DATE: 1:30 p.m. – 3:30 p.m., October 10, 2000

PLACE: Storch Room, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Randy McCafferty, Everglades Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6740 or (561)682-6740 (e-mail rmccaffe@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE TITLE: Approved Forms
RULE NO.: 60S-9.001

PURPOSE AND EFFECT: The purpose of this rule development is to propose the adoption of one new form and five revised forms related to Florida Retirement System participation, service credit, and benefits. The new form is to be used as a method for auditing benefit recipients. The amended forms are being adopted to accommodate workflow recommendations of the Division of Retirement's Reengineering, Improvement and Modernization (RIM) project, and to clarify the information requested.

SUBJECT AREA TO BE ADDRESSED: Form SAPS is a new form to be sent to recipients of retirement benefits whose addresses are within the United States to determine if they are still living and entitled to receive the benefits. The member's name and social security number will be electronically printed on the form prior to mailing. Form SMSD-1 is being revised by adding a statement clarifying the required digits in the employee's position number. Form FR-13 is being revised to add a section for designation of beneficiaries. Form HIS-1 is being revised because of a change in acceptable insurance coverage and in the return mail address, and to clarify information provided to the applicant regarding the Health Insurance Subsidy program. Form AAPS is to be sent to recipients of retirement benefits whose addresses are outside the United States to determine if they are still living and entitled to receive the benefits. The form is being changed to conform to the Division's revised forms format, which includes changing the notary section and deleting the request for the member's name and social security number, which will be electronically printed on the form prior to mailing. Form DP-PAYT is being revised to clarify the IRS rule regarding after-tax contributions, to allow for electronic calculation of the selected payout method, and to change the return mail address.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.055, 121.091 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: 10:00 a.m., October 9, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY RULE TEXT IS: Mary Beth Brewer, Senior Benefits Analyst, Division of Retirement, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida 32399-1560

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE: Pari-Mutuel Wagering Racing
RULE NO.: 61D-2.020

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes, which grant permitholders the authority to designate racing officials.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the interpretation of Florida Statutes, which is necessary to ensure the integrity of the industry.

SPECIFIC AUTHORITY: 550.0251(3),(11), 550.105(2)(c), (4)(b),(9), 550.2415(13), 550.2625(2)(d) FS.

LAW IMPLEMENTED 550.0251, 550.09514, 550.105, 550.235, 550.2415, 550.2625 FS.

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

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE: Hearings Before Stewards/Judges
RULE NO.: 61D-3.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes, which grant authority to Division stewards and judges to hear disciplinary matters.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the interpretation of Florida Statutes necessary to maintain disciplinary control over the industry.

SPECIFIC AUTHORITY: 120.80(4)(a), 550.0251, 550.1155 FS.

LAW IMPLEMENTED 120.80(4)(a), 550.0251, 550.1155 FS.

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

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLE: Prohibitions

RULE NO.: 61D-11.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to interpret Florida Statutes, which prohibit certain activities within licensed cardrooms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is interpretation of Florida Statutes, which is necessary to ensure the integrity of the activities taking place in licensed cardrooms.

SPECIFIC AUTHORITY: 550.0251(12), 849.086(4),(8),(12) FS.

LAW IMPLEMENTED 849.086 FS.

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

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Citations

RULE NO.: 61G19-5.006

PURPOSE AND EFFECT: The Board proposes to amend the citation fine for specifically designated violations to conform to statute provisions.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.224, 455.228, 468.606 FS.

LAW IMPLEMENTED: 455.224, 455.228, 468.621, 468.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.006 Citations.

In lieu of the disciplinary procedures contained in Section 455.225, Florida Statutes, the Department is hereby authorized to dispose of any violations designated herein by issuing a citation to the subject within six months after the filing of the complaint that is the basis for the citation. The Board shall issue a citation imposing a \$500.00 ~~\$50.00~~ fine per occurrence for the following violations:

- (1) through (3) No change.

Specific Authority 455.224, 455.228, 468.606 FS. Law Implemented 455.224, 455.228, 468.621, 468.627 FS. History—New 5-23-94, Amended 12-6-95, 12-7-97, 4-5-98,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Voluntary Certification Categories RULE NO.: 61G19-6.016

PURPOSE AND EFFECT: To adopt recommendations from the Florida Building Commission.

SUBJECT AREA TO BE ADDRESSED: Voluntary certification categories.

SPECIFIC AUTHORITY: 468.606, 468.609(10) FS.

LAW IMPLEMENTED: 468.609(10) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.016 Voluntary Certification Categories.

The following voluntary certification categories are created. All specialty licenses require a standard certification.

(1) through (4) No change.

(5) Modular Inspector.

(a) Modular Inspector means a person who is qualified to inspect and determine that modular buildings and structures are constructed in accordance with the provisions of the governing building codes and state accessibility laws. A person shall be entitled to take the examination for certification as a modular inspector if the person has three (3) years experience as an inspector with local government and/or state government. ~~As an alternative the applicant must have~~ or three years experience as an inspector with an independent inspection/plans review agency under contract with a state agency.

(b) Responsibilities: Verify ~~that~~ the state approved plans are in the factory. Assure ~~that~~ the buildings being manufactured comply with the approved plans and applicable codes. Compare the approved plans to the modular building and identify any deviations. Determine the reason for the deviations and investigate repetitive deviations in other buildings. Discuss the deviations with the in-plant quality control supervisor and establish a procedure to resolve the deviations ~~them~~. Verify ~~that~~ the appliances and equipment

installed in the building are consistent with those identified in the quality control manual. Verify the data plats have all the information as required for the data plat in Chapter 9B-1, Florida Administrative Code. Assure the state insignia is affixed to the correct ~~right~~ building. The modular inspector shall monitor quality control procedures to verify the in-plant quality control personnel are conducting quality control reviews at the proper times. The modular inspector shall notify the Department of Community Affairs contracted inspection agency of any problems with the in-plant quality control procedures. Notify his/her supervisor of ongoing problems with the in-plant quality control programs, and the inspector's supervisor shall notify the Department of Community Affairs. The inspector shall follow-up on quality control procedures to verify that the in-plant quality control inspector is making the inspection of the buildings at the proper time.

(6) through (7) No change.

Specific Authority 468.606, 468.609(10) FS. Law Implemented 468.609(10) FS. History—New 7-5-95, Amended 7-7-96, 8-6-97, 6-25-98,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE CHAPTER TITLE: Training Programs for Standard Certification RULE CHAPTER NO.: 61G19-7

PURPOSE AND EFFECT: The Board proposes to promulgate rules to set forth criteria for the development and implementation of training programs.

SUBJECT AREA TO BE ADDRESSED: Training programs for standard certification.

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.606 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-48R

RULE CHAPTER TITLE: Permits RULE CHAPTER NO.: 62-4

RULE TITLES:
 Transfer of Permits
 Scope of Part III

RULE NOS.:
 62-4.120
 62-4.510

PURPOSE AND EFFECT: The Department is proposing amendments to Florida Administrative Code Chapter 62-4 to cross-reference Florida Administrative Code Chapters 62-210 and 62-213 for air general permit procedures and Florida Administrative Code Rule 62-210.300 for transfer of air permits.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would affect air general permits and air facilities undergoing change of ownership.

SPECIFIC AUTHORITY: 373.026, 373.043, 373.044, 373.109, 373.113, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088, 403.814(1) FS.

LAW IMPLEMENTED: 373.026, 373.044, 373.109, 373.409, 373.413, 373.4135, 373.414(9),(11),(12)(a),(13),(14), (15),(16), 373.4145, 373.418, 403.021, 403.031, 403.061, 403.087, 403.088, 403.814, 403.702-.73, 403.851-.864 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, October 10, 2000
PLACE: Twin Towers Building, Sixth Floor, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Wendy Alexander, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9559

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-37R

RULE CHAPTER TITLE: Stationary Sources –
 General Requirements

RULE CHAPTER NO.:
 62-210

RULE TITLE: Notification Forms for Air General Permits

RULE NO.: 62-210.920

PURPOSE AND EFFECT: The Department is proposing to amend the air general permit rule and the notification forms for air general permits to incorporate general conditions for all non-Title V air general permits. A new air general permit for rock crushing units is also being proposed.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would affect air general permits.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, October 10, 2000
PLACE: Twin Towers Building, Sixth Floor, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Wendy Alexander, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9559

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-41R

RULE CHAPTER TITLE: Operation Permits for Major Sources
 of Air Pollution

RULE CHAPTER NO.:
 62-213

RULE TITLES: Title V Air General Permits
 Permit Review by EPA and Affected States
 Permit Shield

RULE NOS.: 62-213.300
 62-213.450
 62-213.460

PURPOSE AND EFFECT: The Department is proposing rule amendments to add a reference to Florida Administrative Code Rule 62-210.300 for Title V General Permit change of ownership, to notify the Title V air permit applicant of the date when a proposed permit has been forwarded to the Environmental Protection Agency and to clarify when a permit shield goes into effect.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments would affect Title V air permitting procedures.

SPECIFIC AUTHORITY: 403.061, 403.0872 FS.

LAW IMPLEMENTED: 403.061, 403.0872 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, October 10, 2000
PLACE: Twin Towers Building, Sixth Floor, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Wendy Alexander, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9559

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 97-79R

RULE CHAPTER TITLE: Requirements for Sources Subject to the Federal Acid Rain Program

RULE CHAPTER NO.: 62-214

RULE TITLE: Acid Rain Compliance Plan and Compliance Options

RULE NO.: 62-214.330

PURPOSE AND EFFECT: The Department is proposing to amend the current rule language involving multi-jurisdictional compliance averaging plans to allow submission of a schedule for obtaining approvals from other states involved in such plans.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment would affect certain sources subject to the federal acid rain program.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.0872 FS.

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

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

PLACE: Twin Towers Building, Sixth Floor, Room 609, 2600 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: Ms. Wendy Alexander, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9559

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NUMBER: 00-46R

RULE CHAPTER TITLE: State Revolving Fund Loan Program

RULE CHAPTER NO.: 62-504

for Stormwater Facilities

PURPOSE AND EFFECT: The rule revision to be developed would address the requirements for funding stormwater management systems under the State Revolving Fund Loan Program. The Program provides financial assistance in the form of low-interest loans to local governments for planning, design, construction, and technical services associated with construction and start-up of facilities. Applicable funding requirements would be established for different sources of program capitalization, including the proceeds of a bond sale. The program is authorized by Section 403.1835, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: State Revolving Loan Fund Program Rules for loans for stormwater management facilities.

SPECIFIC AUTHORITY: 403.1835 FS.

LAW IMPLEMENTED: 403.1835 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Don Berryhill, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Board of Acupuncture

RULE TITLE: Definitions

RULE NO.: 64B1-9.006

PURPOSE AND EFFECT: This proposed rule clarifies terms used in 457.116(1)(b), F.S.

SUBJECT AREA TO BE ADDRESSED: Defining Doctor of Oriental Medicine, commonly abbreviated as D.O.M.

SPECIFIC AUTHORITY: 457.102(1), 457.104, 457.105, 457.116(1)(b) FS.

LAW IMPLEMENTED: 457.102(1), 457.116(1)(b) FS.

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

TIME AND DATE: 9:00 a.m., December 1, 2000

PLACE: AHCA, Board of Acupuncture, 4042 Bald Cypress Way, Bin #CO6, Tallahassee, FL 32399-3256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Penny Perkins, Board of Acupuncture, (850)245-4162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-9.006 Definitions.

Doctor of Oriental Medicine, which may be abbreviated as D.O.M., is a professional designation for any person licensed as provided in this Chapter 457 to practice acupuncture and oriental medicine and modern oriental medical techniques as a primary health care provider and is not a claim that such licensee possesses an academic degree other than as provided in Chapter 457.105(2)(b), F.S., and the rules as adopted by the Board of Acupuncture.

Specific Authority 457.102(1), 457.104, 457.105, 457.116(1)(b) FS. Law Implemented 457.102(1), 457.116(1)(b) FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: RULE NO.:

Guidelines for the Disposition of Disciplinary Cases 64B2-16.003

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if amendments are necessary to update the guidelines for the disposition of disciplinary cases.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 455.624, 460.405, 460.413, 455.627 FS.

LAW IMPLEMENTED: 455.624, 460.413(4), 455.627 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., or shortly thereafter on October 13, 2000

PLACE: The Marriott North, 6650 N. Andrews Avenue, Ft. Lauderdale, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RULE NO.:

Quorum; Meetings; Board Meetings; Notice of Meetings; Agenda 64B3-1.008

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

SUBJECT AREA TO BE ADDRESSED: Quorum; Meetings; Board Meetings; Notice of Meetings; Agenda.

SPECIFIC AUTHORITY: 455.534, 483.805 FS.

LAW IMPLEMENTED: 286.0105, 455.534 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-1.008 Quorum; Meetings; Board Meetings: Notice of Meetings; Agenda.

(1) No change.

(2) The Board shall hold such meetings during the year as necessary, including an annual meeting ~~held in January~~ at which the chairperson and vice-chairperson shall be elected from the membership and shall serve for a term of one year. The chairperson or a quorum of the Board shall have authority to call other meetings.

(3) through (7) No change.

Specific Authority 455.534, 483.805 FS. Law Implemented 286.0105, 455.534 FS. History--New 3-15-93, Formerly 21KK-1.008, 61F3-1.008, Amended 2-7-95, Formerly 59O-1.008, Amended _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RULE NO.:

Supervisor 64B3-5.002

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

SUBJECT AREA TO BE ADDRESSED: Supervisor.

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to Rule 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall have four hours of Board approved HIV/AIDS continuing education and one of the following:

(a) an earned doctoral degree in medical technology or a clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought.

(b) a masters degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought, one (1) year of which shall be post masters.

(c) a baccalaureate degree in clinical laboratory sciences, one of the licensure categories, or one of the chemical or biological sciences, and five (5) years of pertinent clinical laboratory experience in the categories for which licensure is sought two (2) years of which shall be post baccalaureate, including a minimum of one (1) year in each category for which licensure is sought.

(d) in the categories of cytogenetics, cytology, histology, and radioassay, the experience required in paragraphs (a), (b) and (c) must be in the specific category for which licensure is sought.

(e) for the category of blood gas analysis only, an associate degree in cardiopulmonary function technology or respiratory care, five (5) years of pertinent clinical laboratory experience and be licensed as a technologist in the category of Blood Gases, or as a respiratory care practitioner certified in critical care services or a respiratory therapist pursuant to Chapter 468, Part V, F.S.

(f) for the category of Cytology only, a baccalaureate degree which shall include 16 semester hours of academic science, have completed an accredited or Board approved training program in cytology, be licensed as a clinical laboratory technologist and have five (5) years of pertinent clinical laboratory experience in cytology. Prior to 1985, have an associate degree or equivalent, national certification by the American Society of Clinical Pathologists, and 10 years of pertinent clinical laboratory experience within the past 15 years.

(g)(f) in lieu of one year of experience required by Rule 64B3-5.002(2)(a), F.A.C., an applicant may substitute Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the American Society of Clinical Pathologists, National Certification Agency of Medical Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, or American Board of Medical Laboratory Immunology.

(2) through (3) No change.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99,

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Manner of Application
 RULE NO.: 64B3-6.001
 PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

SPECIFIC AUTHORITY: 455.564, 483.805(4) FS.

LAW IMPLEMENTED: 455.564, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-6.001 Manner of Application.

(1) through (4) No change.

(5) Under the Federal Privacy Act, disclosure of a social security number is mandatory ~~voluntary~~. They are requested pursuant to Sections 455.521(9), 409.2577 and 409.2598, Florida Statutes, and are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.

(6) No change.

Specific Authority 455.564, 483.805(4) FS. Law Implemented 455.564, 483.815, 483.823 FS. History—New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 590-6.001, Amended 8-27-97, 9-20-98, 1-5-00,

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Requirements for Continuing Education Providers

RULE NO.: 64B3-11.003

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

SUBJECT AREA TO BE ADDRESSED: Requirements for Continuing Education Providers.

SPECIFIC AUTHORITY: 455.587(4), 455.564(7), 483.821, 483.805(4) FS.

LAW IMPLEMENTED: 455.587(4), 455.564(7), 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-11.003 Requirements for Continuing Education Providers.

Providers seeking Board approval shall meet the following requirements:

(1) through (5) No change.

(6) Providers shall furnish each participant with an authenticated certificate or letter of attendance which shall include the applicant's name, license number, course title, number of contact hours earned, dates of attendance, program provider's name, specialty area, and the signature of the provider and instructors signature.

Specific Authority 455.587(4), 455.564(7), 483.821, 483.805(4) FS. Law Implemented 455.587(4), 455.564(7), 483.821 FS. History—New 2-22-94, Amended 7-13-94, Formerly 61F3-11.003, 590-11.003, Amended 12-13-99,

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B3-12.001

PURPOSE AND EFFECT: The purpose for the development is to provide updated violations and penalty ranges relating to disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.624, 455.627, 483.805(4), 483.825, 483.827 FS.

LAW IMPLEMENTED: 455.624, 455.627, 483.825, 483.827 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 64B3-12.001 follows. See Florida Administrative Code for present text.)

64B3-12.001 Disciplinary Guidelines.

(1) Purpose. The Board provides within this rule, disciplinary guidelines which shall be imposed upon applicants, registrants, or licensees whom it regulates under Chapter 483, F.S. The purpose of this rule is to notify applicants, registrants, and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. Each range includes the lowest and highest penalty and all penalties falling in between. The purposes of the imposition of discipline are to punish the applicants, registrants or licensees for violation and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants, registrants, or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range of corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
<u>(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board.</u> <u>(468.825(1), 455.624(1)(h), F.S.)</u>	<u>Denial/revocation with no ability to reapply and \$1000 fine</u>	<u>Denial/revocation with no ability to reapply and \$3000 fine</u>
<u>First Offense</u>		

<u>Second Offense</u>	<u>Revocation with no ability to reapply and \$3000 fine</u>	<u>Revocation with no ability to reapply \$6000 fine</u>	<u>(e) Guilt of a crime directly relating to practice or ability to practice. (468.825(5), F.S.)</u>		
<u>Third Offense</u>	<u>Revocation with no ability to reapply and \$6000 fine</u>	<u>Revocation with no ability to reapply and \$10,000 fine</u>	<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>Denial/revocation and \$5000 fine</u>
<u>(b) Deceptive, untrue, or fraudulent representations in the entitlement to perform any clinical laboratory procedure or category of procedures not authorized by license. (468.825(2), 455.624(1)(a), F.S.)</u>			<u>Second Offense</u>	<u>1 year suspension and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>
			<u>(f) Having been adjudged mentally or physically incompetent. (468.825(6), F.S.)</u>		
<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>1 year suspension, 1 year probation with conditions and \$2000 fine</u>	<u>First Offense</u>	<u>1 year suspension, 1 year probation with conditions, and \$1000 fine</u>	<u>2 years suspension, 2 years probation with conditions or denial and \$5000 fine</u>
<u>Second Offense</u>	<u>1 year suspension, 1 year probation with conditions and \$2000 fine</u>	<u>Revocation and \$4000 fine, without ability to reapply</u>	<u>Second Offense</u>	<u>Revocation and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>
<u>Third Offense</u>	<u>2 years suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$6000 fine, without ability to reapply</u>	<u>(g) Violating or aiding and abetting in the violation of any statutory or regulatory requirements relating to the performance of clinical laboratory procedures. (468.825(7), 455.624(1)(I), F.S.)</u>		
<u>(c) Malpractice. (468.825(3), F.S.)</u>			<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$3000 fine</u>
<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>1 year suspension, 2 years probation with conditions or denial and \$5000 fine</u>	<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$3000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$6000 fine</u>
<u>Second Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$3000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$6000 fine</u>	<u>Revocation and \$10,000 fine</u>
<u>Third Offense</u>	<u>2 years suspension, 2 years probation with conditions and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>(h) Reporting a test result when no laboratory test was performed on a clinical specimen. (468.825(8), F.S.)</u>		
<u>(d) Performing a test and rendering a report to a person not authorized to receive such services. (468.825(4), F.S.)</u>			<u>First Offense</u>	<u>1 year probation with conditions and \$500 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$1000 fine</u>
<u>First Offense</u>	<u>Reprimand and \$100 fine</u>	<u>Reprimand and \$1000 fine</u>	<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$1500 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$3000 fine</u>
<u>Second Offense</u>	<u>Reprimand and \$1000 fine</u>	<u>6 months probation with conditions and \$3000 fine</u>			
<u>Third Offense</u>	<u>6 months probation with conditions and \$3000 fine</u>	<u>Revocation and \$5000 fine</u>			

	<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$3000 fine</u>	<u>Revocation and \$5000 fine</u>		<u>ability to practice with reasonable skill and safety</u>
	<u>(i) False, deceptive, or misleading advertising. (468.825(9), F.S.)</u>			<u>Second Offense</u>	<u>Submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety and \$1500 fine</u>
	<u>First Offense</u>	<u>Reprimand</u>	<u>6 months suspension and \$250 fine</u>		<u>Submit to mental/examination, suspension until able to demonstrate ability to practice with reasonable skill and safety and \$3000 fine</u>
	<u>Second Offense</u>	<u>6 months suspension and \$250 fine</u>	<u>9 months suspension and \$500 fine</u>	<u>Third Offense</u>	<u>Submit to mental/physical examination, suspension until able to demonstrate ability to practice with reasonable skill and safety and \$3000 fine</u>
	<u>Third Offense</u>	<u>9 months suspension and \$500 fine</u>	<u>1 year suspension \$1000 fine</u>		<u>Revocation and \$5000 fine</u>
	<u>(j) Failure to report the Board of action taken against license by another jurisdiction within 30 days of that action. (468.825(10)(11), 455.624(1)(f), F.S.)</u>			<u>(l) Delegation of professional responsibilities to unqualified person. (468.825(13), 455.624(1)(p), F.S.)</u>	
	<u>First Offense</u>	<u>Imposition of discipline which would have been if the substantive violation occurred in Florida and \$1000 fine</u>	<u>Suspension/denial until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and \$1000 fine. Impaired practioners working in Florida may be ordered into the PRN.</u>	<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>
				<u>Second Offense</u>	<u>1 year suspension, 1 year probation with conditions and \$3000 fine</u>
				<u>Third Offense</u>	<u>2 years suspension, 2 years probation with conditions and \$6000 fine</u>
	<u>Second Offense</u>	<u>Imposition of discipline which would have been if the substantive violation occurred in Florida and a \$1500 fine</u>	<u>Revocation until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and \$2000 fine</u>	<u>(m) Failure to perform legal obligation. (468.825(14), 455.624(1)(k), F.S.)</u>	
			<u>Impaired practioners working in Florida may be ordered into the PRN.</u>	<u>First Offense</u>	<u>Reprimand and \$100 fine</u>
				<u>Second Offense</u>	<u>6 months probation with conditions and \$100 fine</u>
				<u>Third Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$500 fine</u>
	<u>(k) Inability to perform clinical laboratory examinations with reasonable skill and safety. (468.825(12), F.S.)</u>			<u>Third Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$500 fine</u>
	<u>First Offense</u>	<u>Submit to mental/physical examination and impose conditions on practice</u>	<u>Submit to mental/physical examination and suspension until able to demonstrate</u>	<u>(n) Violation of law, rule, order, order of the Board, or failure to comply with subpoena. (468.825(14), 455.624(1)(q), F.S.)</u>	

<p><u>First Offense</u> <u>Suspension until law, rule, order, or subpoena complied with and \$500 fine</u></p>	<p><u>Revocation and \$1500 fine</u></p>	<p><u>Revocation and \$1500 fine</u></p>	<p><u>First Offense</u> <u>1 year probation with conditions and \$1000 fine</u></p>	<p><u>1 year suspension, 2 years probation with conditions or denial and \$5000 fine</u></p>	
<p><u>Second Offense</u></p>	<p><u>1 year suspension, 1 year probation with conditions and \$1500 fine</u></p>	<p><u>Revocation and \$5000 fine</u></p>	<p><u>Second Offense</u></p>	<p><u>Revocation and \$5000 fine</u> <u>Revocation and \$10,000 fine</u></p>	
<p><u>(o) Failure to report another licensee in violation.</u> <u>(468.825(15), 455.624(1)(I), F.S.)</u></p>			<p><u>(s) Practicing beyond scope permitted.</u> <u>(468.825(19), 455.624(1)(o), F.S.)</u></p>		
<p><u>First Offense</u></p>	<p><u>Reprimand</u></p>	<p><u>Reprimand and \$100 fine</u></p>	<p><u>First Offense</u></p>	<p><u>Reprimand and \$500 fine</u> <u>6 months suspension, 6 months probation with conditions or denial and \$1500 fine</u></p>	
<p><u>Second Offense</u></p>	<p><u>Reprimand and \$100 fine</u></p>	<p><u>6 months probation with conditions and \$500 fine</u></p>	<p><u>Second Offense</u></p>	<p><u>6 months suspension, 6 months probation with conditions and \$1500 fine</u> <u>1 year suspension, 1 year probation with conditions and \$3000 fine</u></p>	
<p><u>Third Offense</u></p>	<p><u>6 months probation with conditions and \$500 fine</u></p>	<p><u>6 months probation with conditions and \$1000 fine</u></p>	<p><u>Third Offense</u></p>	<p><u>1 year suspension, 1 year probation with conditions and \$3000 fine</u> <u>Revocation and \$5000 fine</u></p>	
<p><u>(p) Filing a false report or failing to file a report as required.</u> <u>(468.825(16), 455.624(1)(I), F.S.)</u></p>			<p><u>(t) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.</u> <u>(468.825(20),(21) 455.624 (1)(r), F.S.)</u></p>		
<p><u>First Offense</u></p>	<p><u>1 year probation with conditions and \$100 fine</u></p>	<p><u>6 months suspension, 1 year probation with conditions and \$250 fine</u></p>	<p><u>First Offense</u></p>	<p><u>6 months probation with conditions and \$1000 fine</u> <u>6 months suspension, 1 year probation with conditions and \$2000 fine</u></p>	
<p><u>Second Offense</u></p>	<p><u>6 months suspension, 1 year probation with conditions and \$250 fine</u></p>	<p><u>Revocation and \$500 fine</u></p>	<p><u>Second Offense</u></p>	<p><u>6 months suspension, 1 year probation with conditions and \$2000 fine</u> <u>1 year suspension, 2 years probation with conditions and \$4000 fine</u></p>	
<p><u>Third Offense</u></p>	<p><u>1 year suspension, 2 years probation with conditions and \$500 fine</u></p>	<p><u>Revocation and \$1000 fine</u></p>	<p><u>Third Offense</u></p>	<p><u>1 year suspension, 2 years probation with conditions and \$4000 fine</u> <u>Revocation and \$10,000 fine</u></p>	
<p><u>(q) Kickbacks or split fee arrangements.</u> <u>(468.825(17), F.S.)</u></p>			<p><u>(u) Exercising influence to engage patient in sex.</u> <u>(468.825(22), F.S.)</u></p>		
<p><u>First Offense</u></p>	<p><u>6 months suspension, 1 year probation with conditions and \$500 fine</u></p>	<p><u>Denial/revocation and \$1000 fine</u></p>	<p><u>First Offense</u></p>	<p><u>1 year suspension, 4 years probation with conditions referral to PRN and \$5000 fine</u> <u>Denial/revocation and \$7500 fine</u></p>	
<p><u>Second Offense</u></p>	<p><u>1 year suspension, 2 years probation with conditions and \$1000 fine</u></p>	<p><u>Revocation and \$2500 fine</u></p>	<p><u>Second Offense</u></p>	<p><u>Revocation and \$7500 fine</u> <u>Revocation and \$10,000 fine</u></p>	
<p><u>Third Offense</u></p>	<p><u>2 years suspension, 3 years probation with conditions and \$2500 fine</u></p>	<p><u>Revocation and \$5000 fine</u></p>			
<p><u>(r) Exercising influence on patient for financial gain.</u> <u>(468.825(18), 455.624(1)(n), F.S.)</u></p>					

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

<u>First Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$2000 fine</u>	<u>2 years suspension, 4 years probation with conditions and \$4000 fine</u>
<u>Second Offense</u>	<u>2 years suspension, 4 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$10,000 fine</u>

<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$10,000 fine</u>

(w) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice a licensee's profession.
(455.624(1)(c), F.S.)

<u>First Offense</u>	<u>6 months probation with conditions and \$1000 fine</u>	<u>Denial/revocation and \$5000 fine</u>
<u>Second Offense</u>	<u>1 year suspension and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>

(z) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.
(455.624(1)(m), F.S.)

<u>First Offense</u>	<u>1 year probation with conditions and \$500 fine</u>	<u>1 year suspension, 1 year probation with conditions and \$1500 fine</u>
<u>Second Offense</u>	<u>1 year suspension, 1 year probation with conditions and \$1500 fine</u>	<u>Revocation and \$3000 fine</u>
<u>Third Offense</u>	<u>2 years suspension, 2 years probation with conditions and \$3000 fine</u>	<u>Revocation and \$5000 fine</u>

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

<u>First Offense</u>	<u>Reprimand and meet the educational requirements</u>	<u>6 months probation with conditions, meet the educational requirements and \$100 fine</u>
<u>Second Offense</u>	<u>6 months probation with conditions, meet the educational requirements and \$100 fine</u>	<u>1 year probation with conditions, meet the educational requirements and \$500 fine</u>
<u>Third Offense</u>	<u>1 year probation with conditions, meet the educational requirements and \$500 fine</u>	<u>2 years probation with conditions, meet the educational requirements and \$1000 fine</u>

(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.
(455.624(1)(r), F.S.)

<u>First Offense</u>	<u>6 months probation with conditions and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$10,000 fine</u>

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

(bb) Engaging or attempting to engage a patient in verbal or physical sexual activity.
(455.624(1)(u), F.S.)

<u>First Offense</u>	<u>1 year suspension, 4 years probation with conditions referral to PRN and \$5000 fine</u>	<u>Denial/revocation and \$7500 fine</u>
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<u>Second Offense</u>	<u>Revocation and \$7500 fine</u>	<u>Revocation and \$10,000 fine</u>
<u>(cc) Failing to report to the board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. (455.624(1)(w), F.S.)</u>		
<u>First Offense</u>	<u>Reprimand</u>	<u>6 months suspension, 1 year probation with conditions and \$500 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$500 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$1000 fine</u>
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$1000 fine</u>	<u>Revocation and \$2000 fine</u>

(dd) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents. (455.624(1)(x), F.S.)

<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$10,000 fine</u>

(3) Aggravating and Mitigating Circumstances. The Board shall take into consideration the following factors in determining appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:

- (a) The severity of the violation, including the probability that death or serious harm to the health or safety of any person will result or has resulted;
- (b) The severity of the actual or potential harm;
- (c) The extent to which the provisions of Chapter 483 were violated;
- (d) Actions taken by the licensee to correct the violation or to remedy complaints;
- (e) Any previous violation by the licensee;

(f) The financial benefit to the licensee of committing or continuing the violation;

(g) Any other relevant mitigating or aggravating factors.

(4) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), Florida Statutes.

(5) Letters of Guidance. The provisions of this rule cannot and shall not be construed to limit the authority of the probable cause panel of the Board to direct the Department to send a letter of guidance pursuant to Section 455.621(3), Florida Statutes, in any case for which it finds such actions appropriate.

(6) Other Action. The provisions of this rule are not intended to and shall not be construed to limit the ability of the Board to pursue or recommend that the Department pursue collateral civil or criminal actions when appropriate.

Specific Authority 455.624, 455.627, 483.805(4), 483.825, 483.827 FS. Law Implemented 455.624, 455.627, 483.825, 483.827 FS. History—New 8-3-93, Formerly 61F3-12.001, Amended 2-7-95, 5-3-95, 12-4-95, Formerly 590-12.001, Amended 3-19-98, 9-20-98.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Citations

RULE NO.: 64B3-12.002

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

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617(1), (2), 483.805(4) FS.

LAW IMPLEMENTED: 455.617(1), (2), 483.827 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-12.002 Citations.

(1) through (3) No change.

(4) The Board designates the following as citation violations, which shall result in a penalty of \$100:

(a) Failure to renew license during which time the person continues to practice up to 60 days.

(b) Issuing a bad check to the Department of payment of licensure or renewal.

- (c) Failure to notify the Department of a change of address within sixty days.
- (d) Failure to respond to a continuing education audit.
- (5) through (6) No change.

Specific Authority 455.617(1),(2), 483.805(4), 483.827 FS. Law Implemented 455.617(1),(2), 483.827 FS. History--New 8-3-93, Formerly 61F3-12.002, 590-12.002, Amended.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Responsibilities of Technologists
 PURPOSE AND EFFECT: The Board proposes to update the existing rule text.
 SUBJECT AREA TO BE ADDRESSED: Responsibilities of Technologists.
 SPECIFIC AUTHORITY: 483.805(4) FS.
 LAW IMPLEMENTED: 483.800, 483.813, 483.823, 483.825 FS.

RULE NO.: 64B3-13.003

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B3-13.003 Responsibilities of Technologists.
- (1) through (2)(i) No change.
- (j) In the specialty of Cytology, in addition to the above responsibilities, the technologist shall:
 1. Document slide interpretation results of each gynecologic and nongynecologic cytology case he or she examined or reviewed as specified in Rule Chapter 59A-7, F.A.C., and the clinical laboratory's policies and procedure.
 2. Documents for each 24 hours period the total number of slides examined or reviewed.
 3. Document the number of hours spent examining slides in each 24 hour period.
 4. When affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "CT" to designate Cytotechnologist immediately following their name or signature if holding a current Florida license in the specialty of Cytology. The holder of temporary licensure must use the designation "GCT" to designate Graduate Cytotechnologist until such time as licensure is granted by the Board.

~~(k) In the specialties of Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, Blood Banking, and Immunohematology shall, when affixing their name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "MT" to designate Medical Technologist immediately following their name or signature if holding a current Florida license in any one or more of these specialties. The holder of temporary licensure must use the designation "GMT" to designate Graduate Medical Technologist until such time as licensure is granted by the Board.~~

~~(l) In the specialty of Histology, when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "HT" to designate Histotechnologist immediately following the name or signature if holding a current Florida license in the specialty of Histology. The holder of temporary licensure must use the designation "GHT" to designate Graduate Histotechnologist until such time as licensure is granted by the Board.~~

~~(m) In the specialties of Blood Gas and Radioassay shall when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "ST" to designate Specialist Technologist immediately following the name or signature if holding a current Florida license in these specialties. The holder of temporary licensure must use the designation "GST" to designate Graduate Specialist Technologist until such time as licensure is granted by the Board.~~

~~(n) In the specialty of Cytogenetics shall, when affixing the name or signature to any laboratory record or patient report, indicate the professional status by adding the designation "CGT" to designate Cytogenetics Technologist immediately following the name or signature if holding a current Florida license in this specialty. The holder of temporary licensure must use the designation "GCGT" to designate Graduate Cytogenetics Technologist until such time as licensure is granted by the Board.~~

~~(o) In the specialty of Histocompatibility, shall, when affixing their name or signature to any laboratory record or patient report, indicate their professional status by adding the designation "CHT" to designate Histocompatibility Technologist immediately following their name or signature if holding a current Florida licensure in this specialty. The holder of temporary licensure must use the designation "GCHT" to designate Graduate Histocompatibility Technologist until such time as licensure is granted by the Board.~~

Specific Authority 483.805(4), 483.823 FS. Law Implemented 438.800, 483.813, 483.823, 483.825 FS. History--New 12-6-94, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-13.003, Amended.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

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

PURPOSE AND EFFECT: To set forth the criteria regarding safety and sanitary requirements of electrolysis facilities wherein laser equipment is used.

SUBJECT AREA TO BE ADDRESSED: Rule governing licensure and inspection of electrology facilities.

SPECIFIC AUTHORITY: 455.711, 455.712, 478.43(1),(4), 478.51(3) FS.

LAW IMPLEMENTED: 478.49, 455.711, 455.712(2),(3),(5), 478.51 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Medicine/MQA, 4050 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: RULE NO.:

Disciplinary Guidelines; Range of 64B10-14.004
Penalties; Aggravating and
Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if changes are necessary to update the rule text for disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SPECIFIC AUTHORITY: 455.627(1), 468.1685(1) FS.

LAW IMPLEMENTED: 455.627, 468.1685(4),(5),(6) 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., or shortly thereafter on November 10, 2000

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: RULE NO.:

Reactivation of Inactive License 64B10-13.300

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

SUBJECT AREA TO BE ADDRESSED: Reactivation of inactive license.

SPECIFIC AUTHORITY: 455.711, 468.1685(1), 468.1725(2) FS.

LAW IMPLEMENTED: 455.711, 468.1725 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., or shortly thereafter on November 10, 2000

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: RULE NO.:

Examination 64B19-11.001

PURPOSE AND EFFECT: To address the scores of persons who have taken or take the written exam rather than the computerized exam.

SUBJECT AREA TO BE ADDRESSED: Examination.

SPECIFIC AUTHORITY: 455.574(1)(b),(c), 490.004(4) FS.

LAW IMPLEMENTED: 455.574(1)(b),(c),(d), 490.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howard, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-11.001 Examination.

(1)(a) The first part of the examination shall be the Examination for Professional Practice in Psychology (EPPP) developed by the Association of State and Provincial Psychology Boards.

(b) No change.

(c) The minimum passing score on EPPP shall be 70% correct of the items scored on the examination prior to the October 2000 examination. The minimum passing score on EPPP for the October 2000 examination and thereafter shall be the ASPPB recommended cut-off score. Examination security shall be maintained in compliance with Rule 64B-1.010.

(2) through (4) No change.

Specific Authority 455.574(1)(b),(c), 490.004(4) FS. Law Implemented 455.574(1)(b),(c),(d), 490.005 FS. History--New 4-4-82, Amended 7-11-84, Formerly 21U-11.03, Amended 2-19-86, 12-30-86, 3-10-87, 11-21-88, 3-5-90, 1-16-92, Formerly 21U-11.003, Amended 6-14-94, Formerly 61F13-11.003, Amended 1-7-96, 6-26-97, Formerly 59AA-11.001, Amended 2-21-99, 5-1-00, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Reexamination Fee

RULE NO.: 64B19-12.003

PURPOSE AND EFFECT: The Board has deemed it necessary to amend a portion of the reexamination fees.

SUBJECT AREA TO BE ADDRESSED: Reexamination fee.

SPECIFIC AUTHORITY: 456.017(2), 490.004(4) FS.

LAW IMPLEMENTED: 456.017(2), 455.564(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-12.003 Reexamination Fee.

(1) No change.

(2) The reexamination fee for the first part of the examination is ~~\$380.00~~ ~~\$365.00~~.

(3) No change.

Specific Authority 456.017(2) 490.004(4), ~~455.564(2)~~ FS. Law Implemented ~~456.017(2)~~ ~~455.564(2)~~ FS. History--New 2-22-82, Amended 7-11-84, Formerly 21U-12.03, Amended 7-18-88, 8-12-90, 1-16-92, Formerly 21U-12.003, Amended 10-12-93, Formerly 61F13-12.003, Amended 1-7-96, Formerly 59AA-12.003, Amended 12-3-98, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Reactivation Fee and Change of Status Fee

RULE NO.: 64B19-12.006

PURPOSE AND EFFECT: To comply with new statute provisions passed by the 2000 Legislature, and improve the clarity of the rule language.

SUBJECT AREA TO BE ADDRESSED: Reactivation fee and change of status fee.

SPECIFIC AUTHORITY: 455.711(4) FS.

LAW IMPLEMENTED: 455.711, 455.587, 455.711(4),(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howard, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-12.006 Reactivation Fee and Change of Status Fee.

The fee for reactivation of an inactive license is \$50.00. Upon any change of status, a \$50.00 change of status fee shall be charged if reactivation is applied for during the biennial renewal period. If reactivation is applied for at any other time, an additional \$50 shall be added. Such fee(s) shall be in addition to the biennial licensure fee as prescribed in Rule 64B19-12.005.

Specific Authority 455.711(4) FS. Law Implemented 455.711, 455.587, 455.711(4),(8) FS. History--New 1-19-84, Formerly 21U-12.06, Amended 1-4-88, 6-1-89, 8-12-90, Formerly 21U-12.006, 61F13-12.006, Amended 1-7-96, 6-26-97, Formerly 59AA-12.006, Amended _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Calculation of Assistance Time Limits
 RULE NO.: 65A-4.202

PURPOSE AND EFFECT: The proposed rule amendment will implement the requirements of s. 414.105(3), F.S., related to the calculation of earned temporary cash assistance eligibility for outpatient mental health or substance abuse treatment and its impact on assistance time limits. The rule will establish requirements to allow a participant to receive an extension of temporary cash assistance eligibility for successful participation and completion of a substance abuse or mental health treatment program.

SUBJECT AREA TO BE ADDRESSED: The amendment includes the earning of one month of eligibility for extended temporary cash assistance for each month the individual fully complies with the requirements of the mental health or substance abuse treatment. It will limit the amount of earned eligibility to 12 additional months and treatment credit to one time only during the 48-month lifetime limit. It will also designate the regional workforce board or contract provider as the entity responsible for certification and tracking of participation to determine successful completion and notification to the department of number of earned month(s) of eligibility. Additionally, it will provide for forms to be revised or developed and incorporated by reference to certify treatment participation, successful completion, and request for earned months.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.065(4)(e) 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., October 17, 2000

PLACE: 1313 Winewood Blvd., Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, 1317 Winewood Blvd., Bldg. 3, Room 421, Tallahassee, FL 32399-0700, Telephone (850)488-3090

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

PURPOSE AND EFFECT: This proposed rule amendment implements the requirements of s. 445.017, F.S. The 2000 Legislature enacted Chapter 2000-165, Laws of Florida (LOF), to create the Workforce Innovation Act of 2000 (WIA) and replace the Work and Gain Economic Self-Sufficiency (WAGES) Act. Many provisions of the WAGES Act were transferred, renumbered, revised, or repealed. Section 414.15, F.S., Diversion, was transferred and renumbered as s. 445.017, F.S., and amended. The statutory amendments require the regional workforce boards (RWB) to determine if an applicant family is likely to meet all the requirements of eligibility for diversion services and to identify barriers, that if corrected, may prevent the family from needing temporary cash assistance on a regular basis. The department is given authority to adopt rules governing the administration of this section.

SUBJECT AREA TO BE ADDRESSED: This rule provides: the screening process for potential eligibility; impact on eligibility for food stamps, Medicaid, and time limits; for a one-time payment of up to \$1,000 per family; for final eligibility determination and authorization for receipt of a diversion payment; and timeframe for processing payment. It also requires an agreement not to apply for temporary cash assistance for three months unless an emergency is demonstrated to the RWB; provides guidelines to determine an emergency; and increases the prorated repayment period from two to eight months. Additionally, forms are incorporated by reference related to activities.

SPECIFIC AUTHORITY: 445.017 FS.

LAW IMPLEMENTED: 445.017 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., October 13, 2000

PLACE: 1313 Winewood Blvd., Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Program Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, Telephone (850)488-3090

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER TITLE: Temporary Cash Assistance
 RULE CHAPTER NO.: 65A-4

RULE TITLE: Up-Front Diversion
 RULE NO.: 65A-4.212

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLE: Procedures
RULE NO.: 3A-22.003

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes that have been to the direct deposit form and to provide updated telephone numbers and an Internet address.

SUMMARY: The proposed amendment adopts changes to the direct deposit form and makes other technical changes.

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.

SPECIFIC AUTHORITY: 17.14, 17.075, 17.29 FS.

LAW IMPLEMENTED: 17.14, 17.075, 17.076 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., October 16, 2000

PLACE: Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack Peterson, EFT Administrator, Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9466

THE FULL TEXT OF THE PROPOSED RULE IS:

3A-22.003 Procedures.

(1) No change.

(2) In order to enroll for participation, a beneficiary must submit or cause to be submitted, a completed Direct Deposit Authorization Form (Form No. DBF-AA-26S) revised 8/00 effective 7-30-87 or a substitute form acceptable to the Section and approved by the Department prior to its use. To be acceptable to the Section and the Department, substitute forms must contain, at a minimum, the following: (a) the information required on Form No. DBF-AA-26S; (b) substantially the same agreement terms printed on Form No. DBF-AA-26S with respect to the beneficiary and the receiving financial institution; (c) substitute forms must be factually correct and must not contain any misleading information; and (d) substitute forms must be printed on 8 1/2" x 11" paper, and must contain a blank one inch space that runs parallel with the 8 1/2" side and begins 2 3/4" from that side. This space will be

used for the imprinting of the document control number and must be on the same side of the form as the information supplied by the beneficiary and the participating institution. After the Section has received and processed a completed Direct Deposit Authorization Form, all retirement benefits and wage payments made to a participating beneficiary will be made by Direct Deposit, unless a beneficiary is disqualified pursuant to Rule 3A-22.003(4).

(3) through (8) No change.

(9) The section will attempt to make available an adequate supply of authorization forms at all times to any agency for use by its Beneficiaries. Any Beneficiary or agency that would like additional authorization forms should contact:

EFT Section Administrator

Office of Comptroller

Room 414, Fletcher Building

Tallahassee, Florida 32399-0350

~~(850)410-9466 (904)488-2911~~

SUNCOM ~~210-9466 278-2922~~

E-Mail: DirectDeposit@mail.dbf.state.fl.us

Specific Authority 17.14, 17.075(2), 17.29 FS. Law Implemented 17.14, 17.075(2), 17.076 FS. History--New 7-30-87, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Peterson, EFT Administrator, Division of Accounting and Auditing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2000

DEPARTMENT OF INSURANCE

RULE TITLE: Uniform Certificate of Authority
RULE NO.: 4-136.034

Expansion Application
PURPOSE AND EFFECT: To adopt the NAIC Uniform Certificate of Authority Expansion Application for use by states when licensing foreign insurers.

SUMMARY: The UCAA expansion application captures substantially the same information as the Department existing foreign COA application package, and will have the added benefit of being consistent with other states.

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: 624.308 FS.
LAW IMPLEMENTED: 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.822, 624.501 FS.
IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE. A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 9:00 a.m., October 17, 2000
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Mostoller, Reinsurance Financial Specialist, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570

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 Joan Hendrix at (850)413-2570.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-136.034 Uniform Certificate of Authority Expansion Application.

(1) Effective December 1, 2000, any foreign insurer seeking a certificate of authority may file a Uniform Certificate of Authority Expansion Application which is substantially similar to that form as revised by the National Association of Insurance Commissioners as of July 31, 2000 in lieu of the filings required by Rule 4-136.002, F.A.C. Each applicant shall comply with the instructions contained in the Uniform Certificate of Authority Expansion Application and any other requirements specifically listed or referenced in the Uniform Certificate of Authority Expansion Application package, Form DI4-1413. Such filings shall not exempt a foreign insurer from any requirements under Florida Statutes.

(2) The following forms are incorporated by reference:

(a) Form DI4-1413, Uniform Certificate of Authority Expansion Application, as revised by the National Association of Insurance Commissioners on July 31, 2000;

(b) Form DI4-938, Fingerprint Card Instructions, rev. 7/99;

(3) Each applicant shall submit the following forms:

(a) Form DI4-1414, Expansion Application Checklist;

(b) Form DI4-1415, Expansion Application, as revised July 31, 2000;

(c) Form DI4-1416, Expansion Application Lines of Business;

(d) Form DI4-1417, Expansion Application Authorization for Disclosure of Financial Records;

(e) Form DI4-1418, Expansion Application Power of Attorney to Appoint and Certify Agents;

(f) Form DI4-1419, Expansion Application Certificate of Compliance;

(g) Form DI4-1420, Expansion Application Reinsurance Arrangements Checklist for Proportional Treaty Contract Clauses;

(h) Form DI4-1421, Expansion Application Reinsurance Arrangements Checklist for Non-Proportional Treaty Contract Clauses;

(i) Form DI4-1422, Uniform Certificate of Authority Application Questionnaire;

(j) Form DI4-881, Invoice, Application for Certificate of Authority, rev. 10/97;

(k) Form DI4-1301, Subscription Agreement Form, rev. 5/99;

(l) Form DI4-144, Service of Process Consent & Agreement, rev. 1/97;

(m) Form DI4-1423, NAIC Biographical Statement and Affidavit, rev. 8/00;

(n) Form DI4-450, Authority For Release of Information, rev. 5/00;

(o) Form DI4-903, Invoice, Request for Payment of Fingerprint Charges, rev. 4/97; and

(p) Form DI4-1424, Expansion Application, Florida Specific Information.

(4) The Department shall accept a Uniform Certificate of Authority Expansion Application filing in an electronic format after July 1, 2001.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.9891, 628.161, 628.907 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Mostoller, Reinsurance Financial Specialist, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne Johnson, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2000

DEPARTMENT OF INSURANCE

RULE TITLE: Proposals and Requirements
RULE NO.: 4-215.235

PURPOSE AND EFFECT: The rule was listed pursuant to section 120.536(2)(b), Florida Statutes, as lacking in delegated legislative authority, and therefore should be repealed.

SUMMARY: The rule is being repealed because of lack of delegated legislative authority.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.797 FS.

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

TIME AND DATE: 9:30 a.m., October 24, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Fountain, Bureau Chief, Agent and Agency Investigations, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0320, phone (850)413-5600

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

THE FULL TEXT OF THE PROPOSED RULE IS:

4-215.235 Proposals and Requirements.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.797 FS. History—Repromulgated 12-24-74, Formerly 4-9.06, 4-9.006, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Fountain, Bureau Chief, Agent and Agency Investigations, Division of Agent and Agency Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Hale, Director, Division of Agent and Agency Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2000

PUBLIC SERVICE COMMISSION

DOCKET NO. 001062-WS

RULE TITLE: RULE NO.:

Calculation of Rate Reduction After Rate Case Expense is Amortized 25-30.470

PURPOSE AND EFFECT: To repeal Rule 25-30.470.

SUMMARY: The rule establishes the methodology for reducing rates at the end of the four-year amortization period for rate case expense.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SERC was prepared.

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

SPECIFIC AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.0816, 367.121 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.470 Calculation of Rate Reduction After Rate Case Expense is Amortized.

~~To calculate the rate reduction to be made 4 years after a rate case as required by section 367.0816, F.S., the following methodology shall be used. The annual amount of rate case expense, which is equal to one fourth of the total allowed rate case expense, shall be divided by the regulatory assessment fee gross up factor. The resulting number shall then be divided by the revenue requirement to determine the percentage of the rate reduction. The percentage is then multiplied against the new rates to determine the amount of the future rate reduction. Revised tariff sheets implementing the reduction shall be filed no later than 1 month before the end of the fourth year.~~

Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.0816, 367.121 FS. History—New 11-30-93, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: John Williams, Division of Policy Analysis and Intergovernmental Liaison

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 9, March 3, 2000

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (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).

COMMISSION ON ETHICS

RULE TITLE: List of Forms and Instructions
RULE NO.: 34-7.010
PURPOSE AND EFFECT: The purpose of the proposed amendment is to revise CE Form 22 to comply with Section 112.3215, Florida Statutes, as amended by Chapter 2000-232, Laws of Florida.

SUMMARY: This amendment involves a form promulgated by the Commission and adopted by reference in Rule 34-7.010, specifically, CE Form 22, which is the expenditure report required to be filed by Executive Branch lobbyists. Chapter 2000-232, LOF, changed the filing cycle from quarterly to semiannually and proposed changes to the form includes this change as well as changes to the form's instructions.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Chapter 2000-232, Laws of Florida.

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

TIME AND DATE: 9:00 a.m., November 16, 2000

PLACE: Cabinet Meeting Room, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) through (k) No change.

(l) Form 22, Executive Branch Lobbyist's Expenditure Report. To be utilized by executive branch lobbyists for compliance with Subsection 112.3215(5), Florida Statutes. Effective 1/2001 ~~4/98~~.

(m) through (s) No change.

(2) No change.

Specific Authority Art. II, Sec. 8(f),(h), Fla. Const., 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS. Law Implemented 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a),(f),(h), Fla. Const., Chapter 2000-232, LOF. History—New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bonnie J. Williams, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

COMMISSION ON ETHICS

RULE CHAPTER TITLE: Lobbyist Registration
RULE CHAPTER NO.: 34-12

RULE TITLES: Exclusion for Officers or Employees of Agencies or Legislative or Judicial Branch Entities
RULE NOS.: 34-12.130

Expenditure Reporting Requirements 34-12.400

Penalties for Late Filing 34-12.405

Appeal of Statutory Fines: Hearings, Unusual Circumstances 34-12.407

Notification of Expenditure Reporting Deadlines 34-12.420

Lobbyist's Expenditure Reports 34-12.430

Expenditure Categories 34-12.450

PURPOSE AND EFFECT: Chapter 2000-232, Laws of Florida, which took effect upon becoming law, amends Section 112.3215, Florida Statutes, the executive branch lobbyist registration and expenditure reporting statute.

SUMMARY: The rule changes will incorporate the statutory changes to Section 112.3215, Florida Statutes. Specifically, employees of legislative or judicial branch entities are not considered to be "lobbyists"; the reporting cycle has been changed from quarterly to semiannually; the \$50 per day fine for late-filed reports is capped at \$5,000 per late report; procedural deadlines are changed to 30 days after notices are transmitted by the lobbyist registration office; unpaid fines will be transmitted to the Department of Banking and Finance for collection; and the responsibilities of lobbyists and principals are clarified. In addition, an obsolete reference to Chapter 93-121, LOF, is deleted.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 112.3215, 112.322(10) FS.

LAW IMPLEMENTED: 112.3215 FS., Chapter 2000-232, LOF.

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

TIME AND DATE: 9:00 a.m., November 16, 2000

PLACE: Cabinet Meeting Room, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Cobb Costas, Staff Attorney

THE FULL TEXT OF THE PROPOSED RULES IS:

34-12.130 Exclusion for Officers or Employees of Agencies or Legislative or Judicial Branch Entities. Agency Officers and Employees as "Lobbyists."

An agency officer or employee of a state agency or a legislative or judicial branch entity is excluded from being a "lobbyist" when acting on its lobbying in behalf of the agency which he serves in the normal course of his or her duties.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS., Chapter 2000-232, LOF. History—New 10-12-89, Amended 1-4-94, 7-2-00, _____.

34-12.400 Expenditure Reporting Requirements.

(1) No change.

(2) Reporting statements shall be filed with the Commission or other office established to administer lobbyist registration and shall include the expenditures for the periods January 1 through ~~March 31, April 1 through~~ June 30, and July 1 through ~~September 30, and October 1 through~~ December 31, respectively. The reporting statements are due no later than 45 days after the end of the reporting period and must be filed semiannually quarterly even if no reportable expenditures were made.

(3) through (6) No change.

Specific Authority 112.3215, 112.322(10), FS. Law Implemented 112.3215 FS., Chapter 2000-232, LOF. History—New 10-12-89, Amended 7-5-92, 12-6-92, 1-4-94, 1-1-97, _____.

34-12.405 Penalties for Late Filing.

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall notify the lobbyist ~~by certified mail, return receipt requested,~~ of the lobbyist's failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day up to a maximum of \$5,000 per late report.

(2) No change.

(3) After the person designated to review the timeliness of reports has calculated the amount of the fine that has been assessed against a lobbyist, the lobbyist will be notified of by certified mail, return receipt requested, the amount of the payment due.

(4) Such fine shall be paid within 30 20 days after ~~receipt~~ of the notice of payment due is transmitted by the lobbyist registration office, unless appeal is made to the Commission. The moneys shall be deposited into the Executive Branch Lobby Registration Trust Fund.

(5) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive the one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 30 20 days after ~~receipt of the~~ notice that any reports have not been timely filed is transmitted by the lobbyist registration office. A fine shall be assessed for any subsequent late-filed reports.

(6) No change.

(7) Fines imposed by the Commission that remain unpaid 60 days after the notice of payment due is transmitted or 60 days after the Commission renders its final order shall be transmitted to the Department of Banking and Finance for collection.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS., Chapter 2000-232, LOF. History—New 1-1-97, Amended 11-24-97, _____.

34-12.407 Appeal of Statutory Fines: Hearings, Unusual Circumstances.

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Section 112.3215(5)(f), Florida Statutes, shall file with the Commission on Ethics a notice of appeal within 30 20 days of the date ~~of receipt of~~ the notice of payment due is transmitted by the lobbyist registration office, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. The notice of appeal may be accompanied by any documentation or evidence supporting the claim.

(2) through (4) No change.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS., Chapter 2000-232, LOF. History—New 1-1-97, Amended _____.

34-12.420 Notification of Expenditure Reporting Deadlines.

Following each semiannual quarterly reporting period, the Commission or other office established to administer lobbyist registration will send to each currently registered lobbyist a copy of Commission Form 22 together with a notice stating that the form must be filed on or before the specified date.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS., Chapter 2000-232, LOF. History—New 10-12-89, Amended 7-5-92, 12-6-92, 1-4-94, 8-7-94, 1-1-97, _____.

34-12.430 Lobbyist's Expenditure Reports.

(1) Each registered lobbyist shall file semiannually quarterly, as provided in Rule 34-12.400, a Lobbyist's Expenditure Report on forms provided by the Commission on Ethics or other office established to administer lobbyist registration.

(2) The report shall include the name of the lobbyist and the name of the principal for whom the report is prepared. It is the lobbyist's responsibility to file an expenditure report for each period during any portion of which he or she was registered, and each principal is responsible for seeing that an expenditure report is filed for each period during any portion of which the principal was represented by a registered lobbyist.

(3) When a principal is represented by two or more lobbyists, the principal shall designate one lobbyist who will be responsible for filing a semiannual quarterly report which includes all lobbying expenditures made directly by the principal as well as those expenditures of the designated lobbyist on behalf of that principal.

(4) through (9) No change.

(10) Following each semiannual quarterly reporting period, the Commission or other office established to administer lobbyist registration shall aggregate the expenditures of all lobbyists for a principal represented by more than one lobbyist. Following each calendar year, the Commission or other office established to administer lobbyist registration shall provide a cumulative total of expenditures reported as spent by and on behalf of each principal.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS., Chapter 2000-232, L.O.F. History—New 1-4-94, Amended 1-1-97, 11-24-97, _____.

34-12.450 Expenditure Categories.

(1) The categories of expenditures contained in Section 112.3215, F.S. Chapter 93-121, L.O.F., and this rule chapter are defined in the following manner:

(a) through (j) No change.

(2) through (3) No change.

Specific Authority 112.3215, 112.322(10) FS. Law Implemented 112.3215 FS. History—New 1-4-94, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Julia Cobb Costas, Staff Attorney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bonnie J. Williams, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Ambulatory Surgical Center Services

RULE NO.: 59G-4.020

PURPOSE AND EFFECT: The purpose of the rule development is to incorporate by reference the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, April 2000. The handbook is revised to clarify policy content, update codes specific to policy content, add coverage and limitation policy on services to Family Planning Waiver recipients, insert additional billing instructions, and update the list of covered procedures in Appendix A of the handbook. The effect will be to incorporate by reference in the rule the current Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, April 2000.

SUMMARY: The proposed rule incorporates by reference the Ambulatory Surgical Center Coverage and Limitations Handbook, April 2000. The handbook revision includes: relocation of policy narrative within chapters; policy clarification; update of codes specific to policy; the addition of coverage and limitation policy on services to Family Planning Waiver recipients; instructions on modifier usage; instructions on billing single or multiple procedures; and the calendar year 2000 update of covered procedures listed in Appendix A of the handbook.

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: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 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. – 10:00 a.m., October 16, 2000

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ouida Mazzoccoli, Medical/Health Care Program Analyst, Medicaid Program Development Office, P. O. Box 12600, Tallahassee, FL 32317-2600, (850)922-7351

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.020 Ambulatory Surgical Center Services.

(1) No change.

(2) All ambulatory surgical center providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, April 2000 ~~April 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ouida Mazzoccoli

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben King-Shaw, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: General
RULE CHAPTER NO.: 61C-1

RULE TITLE: Definitions
RULE NO.: 61C-1.001

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

SUMMARY: Since 1996, the Division of Hotels and Restaurants has successively adopted significant portions of the FDA Food Code as current editions of the federal standards are published. Promulgation of this rule adopts the same portions of the 1999 edition of this code. Copies of the 1999 FDA Food Code are available on the Internet at the www.MyFlorida.com address on the Division of Hotels and Restaurants web site. Copies may also be requested from the contact person listed below.

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.

SPECIFIC AUTHORITY: 509.032(6) FS.

LAW IMPLEMENTED: 509.032(3)(a) 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. (EST), Monday, October 16, 2000

PLACE: Secretary's Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Lee M.Cornman, Management Review Specialist, (850)488-9263. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, 1999~~7~~ Recommendations of the United States Public Health Service/Food and Drug Administration, herein adopted by reference, shall apply to Chapters 61C-1, 61C-3 and 61C-4, FAC. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, FAC:

(1) through (13) No change.

(14) Food Code – Food Code, 1999~~7~~ Recommendations of the United States Public Health Service/Food and Drug Administration.

(15) through (30) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee M. Cornman, Management Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Cynthia A. Henderson, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: Public Food Service Establishments
RULE TITLE: Sanitation and Safety Requirements
RULE CHAPTER NO.: 61C-4
RULE NO.: 61C-4.010

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

SUMMARY: The language of Subsection 2-302.11(A), 1999 FDA Food Code, which specifies that employee fingernails shall be maintained as trimmed, filed, and cleanable, currently exists in the adopted portion of the 1997 FDA Food Code and will remain in effect. The Division of Hotels and Restaurants is seeking an exemption to Subsection 2-302.11(B), FDA Food Code, relevant to the maintenance of fingernail polish and artificial nails. Copies of the 1999 FDA Food Code are available on the Internet at the www.MyFlorida.com address on the Division of Hotels and Restaurants web site. Copies may also be requested from the contact person listed below.

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.

SPECIFIC AUTHORITY: 509.032(6) FS.

LAW IMPLEMENTED: 509.032(3)(a) 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. (EST), Monday, October 16, 2000

PLACE: Secretary's Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Lee M. Cornman, Management Review Specialist, (850)488-9263. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-4.010 Sanitation and Safety Requirements.

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

(a) through (h) No change.

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

(2) through (7) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee M. Cornman, Management Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Cynthia A. Henderson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2000

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: Grounds for Disciplinary Proceedings
RULE NO.: 61G1-12.001

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text.

SUMMARY: The Board proposes to amend this rule to include new language which will further clarify the grounds for disciplinary proceedings for architects, interior designers or businesses holding a certificate of authorization.

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: 455.304, 481.2055 FS.

LAW IMPLEMENTED: 455.303, 455.304, 481.225, 481.2251 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD NOTICED IN THE NEXT AVAILABLE 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:

61G1-12.001 Grounds for Disciplinary Proceedings.

(1) No change.

(2) As provided in Sections 481.225(1)(h) and 481.2251(1)(d), F.S., an architect or interior designer, ~~or firm,~~ or business holding a certificate of authorization shall not "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. If so contracted, the architect shall administer the construction project to protect the client's financial interests.

(c) An architect qualifying a firm shall be responsible for supervision of the financial aspects of the firm in providing architectural services.

(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: September 1, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Qualifications of Course Instructors

RULE NO.: 61G19-9.005

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the requirements for instructors who will be teaching the Florida Building Code.

SUMMARY: New language requires those instructors who are involved with the BCTP complete the "train-the-trainer" course.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.627 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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-9.005 Qualifications of Course Instructors.

(1) Course instructors shall be qualified as follows:

(a) through (d) No change.

(e) Every instructor involved with the Building Code Training Program (BCTP) core course must complete the "train-the-trainer" course developed by the Department of Community Affairs.

(2) through (4) No change.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History--New 5-23-94, Amended 11-28-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 4, 2000

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of Greenways and Trails**

DOCKET NO.: 99-50R

RULE CHAPTER TITLE: RECREATIONAL TRAILS PROGRAM
RULE CHAPTER NO.: 62S-2

RULE TITLES: DEFINITIONS
RULE NOS.: 62S-2.070

General Requirements 62S-2.071

Application Requirements and Processing 62S-2.072

Evaluation Criteria 62S-2.073

Federal Approval 62S-2.074

Grant Administration 62S-2.075

Compliance Responsibilities 62S-2.076

PURPOSE AND EFFECT: Recreational Trails Program for federal pass-through grants to local governments; state and federal agencies; recognized tribal units; and nonprofit entities created for this purpose.

SUMMARY: The rule will establish standards and criteria for evaluation of applications for federal pass-through grants to local governments and other entities for development or improvement of recreational trails. The Department will use the criteria to approve or reject applications for grants.

SPECIFIC AUTHORITY: 260.016(1)(h) FS.

LAW IMPLEMENTED: 260.016(1)(d),(f),(2)(a)2. FS.

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

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)488-2996 or (800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alexandra H. Weiss, Office of Greenways and Trails, MS 795, Tallahassee, FL 32399-3000, Phone (850)488-3701, Fax (850)922-6302

THE FULL TEXT OF THE PROPOSED RULES IS:

62S-2.070 Definitions.

The terms used in this part are defined as follows:

(1) "Cash" means money paid by a grantee to purchase goods and services from private and independent sources for accomplishment of a RTP project. In-kind service costs are not considered cash.

(2) "Capital Improvement Plan" means that portion of an applicant's adopted local comprehensive plan which indicates a schedule of capital improvement projects, including estimated costs and target dates for completion.

(3) "Corridor" means an area of real property suitable for development as a recreational trail.

(4) "Designated Greenway or Trail" means those greenways and trails designated as part of the Florida Greenways and Trails System pursuant to 62S-1, F.A.C.

(5) "Development" means the act of physically improving an outdoor recreation area, trail facility or project site to increase its ability or capacity to serve as a public outdoor recreation trail.

(6) "Equipment" means tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit and used specifically for trail construction or maintenance.

(7) "FDOT" means the Florida Department of Transportation

(8) "Facility" means a component which provides or assists in providing outdoor recreation trail opportunities.

(9) "FHWA" means the Federal Highway Administration of the U.S. Department of Transportation.

(10) "Fiscal Year" means the State fiscal year, July 1 – June 30.

(11) "Funding Cycle" means the interval of time between the start of a RTP application submission period and the allocation of project funds by DEP.

(12) "Grantee" means an eligible entity receiving RTP funds pursuant to an approved RTP application.

(13) "Greenways and Trails Plan" means the document entitled "Connecting Florida's Communities with Greenways and Trails."

(14) “Guidance” means the Recreational Trails Program Guidance manual. The manual is available from the Department’s Office of Greenways and Trails, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)488-3701.

(15) “In-kind Service Costs” means in-house expenses incurred by a grantee for labor or materials, or use of grantee-owned and maintained equipment for accomplishment of an approved RTP project.

(16) “Local Government Comprehensive Plan” means a plan adopted pursuant to Chapter 163, Florida Statutes.

(17) “Match” means the provision of cash or in-kind service costs in the ratio required by this rule to be added to RTP funds by the grantee for the project cost.

(18) “Motorized Trail” means a trail specifically for off-road recreational motorized vehicular activities, including all-terrain vehicle riding, motorcycling, use of off-road light trucks, e-bikes, or other off-road motorized vehicles.

(19) “Mixed-Use Trail” means a trail or corridor designated for more than one use, including motorized or nonmotorized uses.

(20) “Needs” means a deficiency in or a necessity to carry out a predetermined level of recreational trail service.

(21) “NEPA” means the National Environmental Policy Act.

(22) “New Construction” means building of new facilities not previously in existence.

(23) “Nonmotorized Trail” means a trail designated for foot, bicycle, canoe/kayak, equestrian traffic, or other nonmotorized uses.

(24) “Office of Greenways and Trails” means the Office of Greenways and Trails of the Florida Department of Environmental Protection.

(25) “Open Space” means an outdoor area the purpose of which is to provide a source of recreation and contribute to environmental harmony through the enrichment of flora, fauna and geological, cultural, or historic features.

(26) “PD&E” means the Project Development and Environment Manual developed by the Florida Department of Transportation (FDOT) to serve as a guide for compliance with state and federal environmental policy. The PD&E Manual may be downloaded from the FDOT Webbiest: www.dot.state.fl.us/emo.

(27) “Plan” means the SCORP, Local Government Comprehensive Plan or Land Management Plan, adopted under s. 253.034, F.S.

(28) “Pre-agreement Expenses” means expenses incurred by a grantee for accomplishment of an eligible RTP project prior to full execution of a project agreement.

(29) “Priority List” means a list that contains all eligible applications which will meet or exceed the minimum point score as required by section 62S-2.072(6), F.A.C.

(30) “Program” means the Recreational Trails Program.

(31) “Program Amount” means the amount of RTP funds allocated by the FHWA for the fiscal year.

(32) “Project” means the planned undertaking in which all actions or activities have a clear-cut identity and a well-defined, common outdoor recreation objective that has been planned to the point of definite implementation.

(33) “Project Agreement” means an executed contract between the Department and a grantee setting forth mutual obligations regarding an approved RTP project.

(34) “Project Cost” means the total amount of a RTP grant award and required match.

(35) “Project Element” means an identified facility within a project.

(36) “Project Period” means the period of time set forth in a project agreement during which eligible project costs may be incurred and charged to the grant.

(37) “Project Site” means the specific land area as specifically identified by a survey and a legal description, for which RTP funds are used.

(38) “Real Property” means land and improvements attached or affixed to the land.

(39) “Recreational Trail” means a thoroughfare or track across land or water, used for recreational purposes such as bicycling, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long distance backpacking, roller skating, in-line skating, running, aquatic or water activity and vehicular travel by motorcycle, four-wheel drive, all terrain off-road vehicles or dune buggies.

(40) “RTP” means the Recreational Trails Program.

(41) “RTP Advisory Committee” means the Florida Greenways and Trails Council appointed pursuant to s. 260.0142, F.S.

(42) “Renovation” means repair, replacement, or restoration of a trail or trail facilities to an improved condition suitable for public use, which trail and/or facilities have deteriorated due to visitor use to the point where their usefulness is impaired.

(43) “Secretary” means the Secretary of the Florida Department of Environmental Protection.

(44) “SCORP” means the State Comprehensive Outdoor Recreation Plan for the State of Florida prepared under section 375.021, F.S.

(45) “TEA-21” means the federal Transportation Equity Act for the 21st Century, (Pub. L. 105-178, June 9, 1998, as amended by Pub. L. 105-206).

(46) “Qualified Youth Conservation or Service Corps” means the Urban Youth Corps established under 42 U.S.C. 12656 or a qualified full-time, year-round youth corps program or full-time summer youth corps program as defined in 42 U.S.C. 12572.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.071 General Requirements.

The following constitutes the general requirements for the eligibility for and administration of the program.

(1) Distribution of Program Funds. The Department shall distribute RTP funds as reimbursement grants to applicants eligible under this rule. The Department's performance and obligation to award program grants are contingent upon an annual allocation by the FHWA and appropriation by the Florida Legislature.

(2) Application Submission Period. The Department shall accept program applications only during the application submission period. Applications must be postmarked on or before the last day of the application submission period. The Department shall publish the dates of the application submission period and other pertinent application information in the Florida Administrative Weekly.

(3) Maximum Grant Request. The Department shall announce the maximum funds that an applicant may request in an RTP application in the Florida Administrative Weekly.

(4) Match Requirements. Match requirements for RTP grants are set forth below:

(a) Matching Basis. RTP assistance is provided on a maximum 80:20 (program:grantee) matching basis, except as provided in (d), below.

(b) Eligible Match Types. A grantee may utilize the following types of match sources for the grantee share: Cash, or in-kind service costs allowable by this rule and the Guidance.

(c) Ineligible Match Sources. Value of real property or inmate labor.

(d) Federal Agency Project Sponsors. Federal agency project sponsors may provide their own funds toward RTP projects as additional federal share up to 95 percent of the project cost.

(5) Grant Award. The Secretary shall determine the final application priority list, based on a review of the RTP Advisory Committee's recommended priority list and considering the estimated program amount, and shall submit the list to the FHWA for final funding approval.

(6) Program Amount Allocation. The program amount shall be divided into three categories: mixed-use, motorized, and nonmotorized. The percentage of the program amount that is allocated to each category, after the Department's seven (7) percent for administrative costs and (5) five percent for education costs have been subtracted from the total allocation, shall be as follows:

(a) Mixed-use shall receive 40 percent of the allocation.

(b) Motorized shall receive 30 percent of the allocation.

(c) Nonmotorized shall receive 30 percent of the allocation.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.072 Application Requirements and Processing.

The Department shall approve applications for program grants in order of priority until all program funds are depleted under the following standards and criteria:

(1) Eligible Applicants. All local governmental entities and state or federal agencies, federally recognized Indian tribal governments which have the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public, and organizations registered as active Florida nonprofit corporations which have an agreement with a governmental agency to develop public lands, are eligible to submit RTP applications.

(2) Project Eligibility.

(a) Purpose: RTP grants shall only be awarded to grantees for projects that are for the primary purpose of providing recreational trails for the public.

(b) Eligible Site: The site of a proposed RTP project shall be on public lands. The site shall be owned by the applicant or government on or before the closing date of the application submission period. A site not owned by the applicant or government shall be under the applicant's or government's control by a 99-year lease or similar control, such that the applicant has the legal ability to dedicate and manage the site for public recreational trail use pursuant to Subsections 62S-2.076(1) and (2). School board property used primarily for educational or school related purposes is not eligible. In addition, nonprofit corporations must provide a letter from the land owner or managing agency stating that it supports the project and will abide by the compliance requirements of this rule, and the Guidance.

(c) Number of applications: The maximum number of applications an applicant may submit shall be as follows: local governments may submit one (1); consolidated city-county government may submit two (2); nonprofit corporations may submit one (1); state and federal agencies may submit one (1) per district.

(d) Active Projects: A grantee with two incomplete RTP projects by the closing date of an application submission period shall not be eligible to apply.

(e) Duplicate Projects: RTP funds shall not be approved for completion of an incomplete RTP project.

(3) Permissible Uses of Funds.

(a) Maintenance or renovation of existing trails.

(b) Development or renovation of trailside or trailhead facilities or trail linkages.

(c) Purchase of trail construction or maintenance equipment.

(d) Construction of new trails on local and state lands.

(e) Construction of new trails crossing federal lands, must be:

1. permissible under other law;

2. necessary and required by the SCORP that is required by the Land and Water Conservation Fund Act of 1965 and Chapter 375, F.S. and that is in effect; and

3. approved by each federal agency having jurisdiction over the affected lands under such terms and conditions as the head, or designee, of the federal agency determines to be appropriate; except that the approval shall be contingent upon compliance by the Federal agency with all applicable laws.

(f) Operation of educational programs to promote safety and environmental protection which specifically relate to the uses of recreational trails, to the extent the Department has not chosen to use the educational funds in whole or in part, to further a statewide goal of the Greenways and Trails Plan. Any unused funds will be made available to applicants in that funding year's grant submission cycle.

(4) Prohibited Uses.

(a) Condemnation of real property.

(b) Construction of recreational trails for motorized use on U.S. Forest Service or Bureau of Land Management land unless the land is designated for motorized use and such construction is consistent with the approved land resource management plan.

(c) Facilitating motorized trails on otherwise nonmotorized trail areas.

(d) Construction or expansion of existing trails for motorized vehicles on state owned property unless such use is consistent with the land management plan for the site.

(e) Trail planning, except when performed by the Department using the administrative funds portion of the State's allocation.

(f) Upgrading, expanding, or otherwise facilitating motorized use or access to recreational trails predominantly used by nonmotorized recreational trail users and on which, as of May 1, 1991, motorized use was prohibited or had not occurred.

(5) Eligibility Determination. Following closure of the application submission period, Department staff shall review and determine the eligibility of each applicant based on the following:

(a) Deficiency Documentation: The applicant may retain eligibility by submitting all documentation missing from or not clear in the application within fifteen working days from the date of the Department's written notification which identifies each missing or unclear item.

(b) Ineligibility: An application, in whole or in part, may be declared ineligible by the Department or the RTP Advisory Committee pursuant to Subsection 62S-2.073(2)(a)-(e), Subsection 62S-2.073(3)(a)-(f) and Subsection 62S-2.073(4)(a)-(f). If a portion of the project application is

determined to be ineligible, the applicant will be notified and given 15 working days to revise the ineligible portion. If the ineligible portion still does not meet the subparagraphs stated herein, the ineligible portion shall be severed or, if not severable, the application shall be rejected.

(6) Application Evaluation. Each eligible application shall be evaluated on the basis of the information provided in the application in accordance with this part. Each application shall be assigned a total point score pursuant to Subsection 62S-2.072(7) and Subsection 62S-2.074. A project site or facility would not be considered viable if the project does not receive a minimum number of 55 points for motorized projects, 55 points for nonmotorized projects, 61 points for mixed-use projects, and 61 points for education projects, as awarded under 62S-2.074. An application with fewer than the required minimum points will not be recommended for funding.

(7) Priority Lists. A total point score shall be assigned to each application upon evaluation of each project under sections 62S-2.073 and 62S-2.074. The RTP Advisory Committee shall prepare one priority list for each category. Applications shall be ranked on the priority list according to assigned point scores. The application with the highest score will receive the highest rank. The funds used for the project shall reduce that particular category's allocation accordingly. The remaining applications will be arranged in descending order according to their assigned point scores. Applications scoring below the minimum, established pursuant to Section 62S-2.072(6), shall not be placed on the priority list. The priority list shall include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to motorized or nonmotorized category, the RTP Advisory Committee may vote to deny assured access to funds in that category. The remaining or a portion of the funds, as determined by the RTP Advisory Committee, may then be allocated to another category.

(8) Tie-Breaker System. If two or more applications receive the same score, the following tie-breaker system will be used to decide the priority ranking among them. Tied applications will be evaluated according to the tie-breaker system in order and will be assigned their priority accordingly. Funding History. An order of priority among those applications with equal scores shall be established based on the amount of funds previously received by the applicant through RTP during the previous five fiscal years. This includes funds received under the program's previous name of National Recreational Trails Funding Program. The application from the applicant which received the lowest amount of program funds receives the highest priority. Other tied applications will be arranged in descending order related inversely to the amount of program funds each has received.

(9) Unsettled Claims. The Department shall deny or suspend program eligibility to any applicant or grantee against which the Department has an unsettled financial claim related to noncompliance with terms or conditions of an RTP or other DEP outdoor recreation grant.

(10) Unfunded and Ineligible Applications. Any unfunded or ineligible applications may be returned to the applicant upon request. If no request is made within 30 days after notification of grant awards, unfunded applications shall be discarded by staff.

(11) Application Form. The Recreational Trails Program Application Form, OGT-10, effective date [effective date], which shall be used for all applications, is hereby incorporated by reference and is available from the Department's Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)488-3701.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.073 Evaluation Criteria.

Pursuant to Subsection 62S-2.072(7), a total point score shall be assigned to each eligible application after an evaluation according to the application criteria which follows:

(1) Project Type.

(a) Construction of new trails on federal, state, county or municipal lands where recreational needs for such construction is shown: 30 points

(b) Development and rehabilitation of trailside and trailhead facilities and trail linkages: 25 points

(c) Maintenance and restoration of existing trails: 20 points

(d) Purchase of trail construction or maintenance equipment: 15 points

(2) General Criteria.

(a) The project implements the applicant's adopted local comprehensive plan (city or county); or the land management or recreation or trail plan of a state or federal agency and; is included in their Capital Improvement Plan (CIP) or similar plan during the current year or one of the next three (3) fiscal years: 10 points

or

is included as part of the plan through a resolution or agency commitment committing the applicant to amend their CIP or similar plan to include the project should the applicant receive program funds: 5 points

(b) The project addresses one or more issues or goals as identified in the SCORP: 5 points

(c) The project addresses one or more issues or goals as identified in the State's Greenways and Trails Plan: 5 points

(d) The project facilitates the access and use of trails by persons with disabilities: 5 points

(e) The project includes a written letter of commitment between the applicant and a recognized youth conservation or service corps in which the corps agrees to supply a stated amount of labor: 5 points

(f) The project provides access to or between:
Public parks or other recreational lands or facilities: 5 points

Features or areas of historic, cultural, biological or archaeological significance: 5 points

Existing trail systems: 5 points

Residential or public thoroughfare: 5 points

(g) The applicant obtained public involvement through the following methods:

Presentation at an advertised public meeting held solely for the discussion of the proposed project: 15 points

Presentation at a regularly scheduled meeting of an advisory board, with duties related to park, recreation and leisure service activities: 10 points

Presentation to community organizations or neighborhood associations, or taking of written opinion surveys: 5 points

(h) Project is located on or connects with the Florida National Scenic Trail: 3 points

(i) Project is located on or connects with a State of Florida Designated Greenway or Trail: 3 points

(j) Matching Ratio (federal grant amount: grantee's cash and/or in-kind services)

50:50 5 points

60:40 3 points

80:20 1 point

(k) The specific trail design demonstrates that the project will support recreational trail opportunities for both motorized and nonmotorized use through innovative techniques such as multiple trails sharing a single corridor, or time sharing of trails or trailhead facilities: 5 points

(l) The specific trail design demonstrates that the project will support mixed-use recreational trail opportunities, either motorized or nonmotorized, through innovative techniques: 3 points

(3) Specific Criteria for Motorized Trail Projects.

(a) The motorized trail project will: (select only one)
Develop new motorized trails: 10 points

Repair or restore designated motorized trails impacted by normal use: 8 points

Develop motorized trail facilities on existing motorized recreational trail corridors: 6 points

(b) The project will support compatible recreational trail use for the greatest number of the following:

Off-Road Motorcycles: 3 points

All-Terrain Vehicles: 3 points

Off-Highway Vehicles (high clearance vehicles): 3 points

Other Motorized Recreational Trail Use: 3 points

(4) Specific Criteria for Nonmotorized Trail Projects.

- (a) The nonmotorized trail project will: (select only one)
- Develop nonmotorized recreational trail facilities on new corridors: 10 points
- Develop nonmotorized recreational trail facilities on existing corridors: 8 points
- Improve or repair existing nonmotorized recreational trail and/or facilities: 6 points

(b) The project will support compatible recreational trail use for the greatest number of the following:

- Bicycling: 3 points
- Skating: 3 points
- Day Hiking: 3 points
- Equestrian Activities: 3 points
- Fitness Activities: 3 points
- Overnight or Long Distance Backpacking: 3 points
- Aquatic Activity: 3 points

(5) Specific Criteria for Motorized and Nonmotorized Mixed-Use Project

(a) The motorized/nonmotorized mixed-use project will: (select only one)

- Develop new mixed-use trails: 10 points
- Repair or restore designated mixed-use trails impacted by normal use: 8 points
- Develop mixed-use trail facilities on existing motorized recreational trail corridors: 6 points

(b) The project will support compatible recreational trail use for the greatest number of the following:

- Off-Road Motorcycles: 3 points
- All-Terrain Vehicles: 3 points
- Off-Highway Vehicles (high clearance vehicles): 3 points
- Other Motorized Recreational Trail Use: 3 points
- Bicycling: 3 points
- Skating: 3 points
- Day Hiking: 3 points
- Equestrian Activities: 3 points
- Fitness Activities: 3 points
- Overnight or Long Distance Backpacking: 3 points
- Aquatic Activity: 3 points

(6) Specific Criteria for Educational Project.

(a) The educational project will:

- Improve trail user safety: 3 points
- Reduce trail user impacts upon the resources: 3 points
- Reduce trail user conflicts: 3 points
- Increase public awareness of trail opportunities: 3 points

(b) The program has well defined goals and objectives: 6 points

(c) The program is sponsored by a coalition of at least two trail interest groups: 8 points

(d) The program is targeted towards a variety of recreational trail users and potential trail users, both motorized and nonmotorized: 8 points

(e) The program has a well developed evaluation method: 6 points

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.074 Federal Approval.

(1) Compliance and Assurances. Projects receiving federal funding must comply with the NEPA and Guidance standards for preconstruction, construction and post-completion compliance. The Grantee's compliance with the FDOT's PD&E constitutes compliance. The Department shall ensure the Grantee's compliance with all requirements of FHWA.

(2) Application. The Department shall submit state approved Recreational Trails Program applications to FHWA for federal approval.

(3) Transportation Planning. The Department shall submit a list of all projects to be funded to the FDOT for inclusion in the appropriate Statewide Transportation Improvement Program (STIP) or Metropolitan Planning Organization's Transportation Improvement Program (TIP).

(4) Approval. FHWA shall review all such applications. Once all projects are included in the approved STIP or TIP, FHWA and the Department shall enter into a project agreement to implement approved grant projects.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.075 Grant Administration.

The following constitutes procedures for administration of program grants:

(1) Project Agreement. Following FHWA approval of Department submitted applications, the Department and grantee shall enter into a project agreement which sets forth the responsibilities and duties of each regarding administration of the approved project. The project agreement shall contain terms and conditions particular to each project.

(2) PD&E Process. All approved projects are required by FHWA to complete the PD&E Process. Upon final Class of Action Determination and Department approval of the commencement documentation, the Department shall notify the grantee to proceed with project construction. Grantee may not proceed without such notification.

(3) Payment Basis. Grantees shall be paid program funds by the Department subject to the following conditions:

(a) Project Costs. Payment of project costs shall be reimbursed as provided for in this rule and in the project agreement. Costs must be incurred between the effective date of, and the project completion date identified in, the project agreement except for pre-agreement costs. Costs for surveys (boundary and topographic), title searches, and project signs

are eligible project expenses. If the total cost of the project exceeds the grant amount and the required match, the grantee shall pay the excess cost.

(b) Cost Limits. Project planning expenses, such as application preparation, architectural and engineering fees, permitting fees, project inspection, and other similar fees are eligible project costs provided that such costs do not exceed fifteen percent of the total project cost.

(c) Retention. The Department shall retain ten percent of the grant until the grantee completes the project and the Department approves the completion documentation as set forth in Subsection 62S-2.075(5).

(4) Accountability. Each grantee shall maintain an accounting system which meets generally accepted accounting principles and shall maintain financial records to properly account for all program and matching funds.

(5) Project Completion Certification. When the Project is completed, the grantee shall submit to the Department a Project Completion Certificate, OGT-14, effective date [effective date], hereby incorporated by reference and available from the Department's Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)488-3701.

(6) Reverted Project Funds. RTP funds remaining after termination of a grant award or completion of project shall revert to the State's program funds under the provisions of TEA-21. If any funds awarded during a funding cycle are not accepted by the grantee or become available before termination of the fiscal year for which the funds were appropriated, the Department shall offer the funds to unfunded applicants in order of priority.

(7) Development Projects. The following constitute the specific procedures for administration of development projects.

(a) Grant Period. The grantee will have up to two years from the effective date of the project agreement to complete the project. At the written request of the grantee, Department staff will extend this period for good cause such as financial hardship, public controversy, material shortage, unexpected weather conditions, or other major factors beyond grantee's control. Only two years total extensions shall be allowed. After four years all funds not paid revert to FHWA.

(b) Procurement of Goods and Services. The grantee shall secure all goods and services for accomplishment of the project according to its adopted procurement procedures and applicable federal requirements identified in the FHWA Recreational Trails Guidance manual.

(c) Project Development & Environment Process. The grantee shall provide all information and appropriate documentation as required by the PD&E Manual. The Department shall complete the process on the grantee's behalf.

(d) Commencement Documentation. Prior to commencement of project construction, the grantee shall submit for approval the documentation described in the

Recreational Trails Program Project Commencement Documentation Form, OGT-11, effective date [effective date], hereby incorporated by reference and available from the Department's Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-3701.

1. Project Preconstruction Certification. The grantee shall submit to the Department a Project Preconstruction Certificate, OGT-12, effective date [effective date], hereby incorporated by reference and available from the Department's Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)488-3701.

2. Survey. For all projects, the grantee shall submit to the Department a survey and legal description of the project site. The survey must provide a legal description, and show the site's boundaries, all known easements, and all encroachments, if any.

3. Commencement Documentation Time Period. The Department shall terminate the project agreement if the Commencement Documentation is not received and approved by the Department within twelve months of the project agreement's execution. This time period may be extended by the Department for good cause, such as natural disaster.

(e) Completion Documentation. Upon completion of the project and prior to release of the final payment, the grantee shall submit all documentation described in the Recreational Trails Program Project Completion Documentation Form, OGT-13, effective date [effective date], incorporated by reference and available from Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)488-3701.

(f) Inspections. The Department shall perform an on-site inspection of the project site to ensure compliance with the project agreement prior to release of the final grant payment. Any deficiencies must be corrected by Grantee prior to disbursement of final payment.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

62S-2.076 Compliance Responsibilities.

The following constitute the general requirements for program compliance:

(1) Site Dedication. Land owned by the grantee, or, in the case of a nonprofit grantee a governmental entity, which is developed or acquired with RTP funds, shall be dedicated for ninety-nine (99) years as an outdoor recreational site for the use and benefit of the general public. Land under control other than by ownership of the grantee such as by lease, shall be dedicated as an outdoor recreation area for the use and benefit of the general public for a minimum of twenty-five (25) years from the completion date set forth in the project completion certificate. The lease must not be revocable at will; must extend for twenty-five (25) years after project completion date; and must contain a clause which enables the grantee to

dedicate the land for the twenty-five (25) year period. The dedication must be recorded in the public property records by the grantee, or in the case of a nonprofit grantee, by the land owner.

(a) Continuing Recreational Use. At the option of the Grantee, the project site may be afforded Section 6(f)(3) protection of the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 460l-8(f)(3)]. The Grantee must have sufficient control and tenure of the project site as specified in the LWCF Manual in order to provide reasonable assurance that a conversion will not occur without approval of the National Park Service. The Grantee shall notify the Department that it requests Section 6(f)(3) protection prior to the FHWA authorizing the project.

(b) Equipment. All equipment purchased with RTP funds is to be used for trail maintenance and construction purposes on those trails indicated in the project application. The equipment shall be stored and maintained per the manufacturer's recommendations. The equipment shall be available for inspection by Department staff.

1. On July 1 of each year, the Grantee will submit proof of insurance for the current fiscal year, and an annual report indicating the previous year's operating and maintenance schedule.

2. All equipment whose value is in excess of \$5,000 remains property of FHWA and shall be surplus in accordance with their Guidance. All equipment whose value has depreciated to less than \$5,000 but greater than zero will be surplus in accordance with DEP Directive 320. A copy of the directive may be obtained from the Division of Administration, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Should the equipment be lost or stolen, it is the Grantee's responsibility to replace the equipment at its current value, as determined by the Department.

(2) Management of Project Sites. Grantees shall ensure by site inspections that facilities on project sites developed with RTP funds are being operated and maintained for public outdoor recreational purposes for a period of twenty-five (25) years from the completion date set forth in the project completion certificate. All project sites shall be open at reasonable times and shall be managed in a safe and attractive manner.

(3) Conversion. Should a grantee, within the periods set forth in Subsections 62S-2.076(1) and (2), convert all or part of the project site to other than public outdoor recreational uses, the grantee shall replace the area, facilities, resource, or site at its own expense with a project of comparable scope and quality.

(4) Non-Compliance. The Department shall terminate a project agreement and demand return of the program funds (including interest) for non-compliance by a grantee with the terms stated in the project agreement or this rule. If grantee fails to comply with the provisions of this part or the project

agreement, the Department shall declare the grantee ineligible for further participation in RTP until such time as compliance has been obtained.

(5) Public Accessibility. All facilities shall be accessible to the public on a non-exclusive basis without regard to age, gender, race, religion, residence, or ability level.

(6) Entrance Fees. Grantees may charge user fees for the project area, as described in the Guidance. Reasonable differences in entrance fees for program projects may be maintained on the basis of residence, but only if the grantee can clearly show that the difference in entrance fees reflects, and is substantially related to, all economic factors related to park management, and is not simply related to the amount of tax dollars spent by the residents for the park; and that a definite burden on the grantee in park maintenance costs clearly justifies a higher fee for nonresidents.

(7) Native Plantings. In developing a project area with program funds, a grantee shall primarily use vegetation native to the area, except for lawn grasses.

(8) Post Completion Inspections. Department staff shall periodically inspect completed program sites to ensure compliance with program requirements as stated in Subsections (4)-(7) of this section.

Specific Authority 260.016(1)(h) FS. Law Implemented 260.016(1)(d),(f), (2)(a)2. FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah H. Parrish, Director, Office of Greenways and Trails
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Bob Billiard, Deputy Secretary for
Land and Recreation

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 23, 2000

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Acupuncture Certification Examination
PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUMMARY: The Board is adding the word "chiropractic" to subsection (4) to identify and to clarify the licensure examination the Board is referring to in this paragraph.

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: 455.574(1)(b),(5), 460.405 FS.
LAW IMPLEMENTED: 455.574(1)(b),(5), 460.406(3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B2-11.013 Acupuncture Certification Examination.
(1) through (3) No change.
(4) Passage of the acupuncture certification examination shall not grant any applicant the right to practice chiropractic or acupuncture without passing the chiropractic licensure examination.
(5) No change.

Specific Authority 455.574(1)(b),(5), 460.405 FS. Law Implemented 455.574(1)(b),(5), 460.406(3) FS. History--New 10-6-86, Amended 1-28-87, 5-10-87, 8-7-88, 7-8-90, 7-15-91, 4-26-93, 7-14-93, Formerly 21D-11.013, 61F2-11.013, 59N-11.013, Amended 2-15-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF HEALTH
Board of Chiropractic Medicine

RULE TITLE: Licensure and Certification Reexamination Fees
RULE NO.: 64B2-12.003
PURPOSE AND EFFECT: The Board proposed to amend the rule to increase the reexamination fee for the licensure examination.

SUMMARY: The Board is increasing the reexamination fee for the licensure examination from \$450 to \$500.
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: 455.574(2), 460.405, 460.406(1) FS.
LAW IMPLEMENTED: 455.474(2), 460.406 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.003 Licensure and Certification Reexamination Fees.
The reexamination fee for the licensure examination shall be five hundred dollars (\$500.00) ~~four hundred fifty dollars (\$450.00)~~. The reexamination fee for the Acupuncture Certification Examination shall be seventy five dollars (\$75.00).

Specific Authority 455.574(2), 460.405, 460.406(1) FS. Law Implemented 455.574(2), 460.406 FS. History--New 1-10-80, Formerly 21D-12.03, Amended 2-24-86, 5-10-87, 4-19-89, 10-9-90, 10-15-92, Formerly 21D-12.003, 61F2-12.003, 59N-12.003, Amended 1-18-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2000

DEPARTMENT OF HEALTH
Board of Chiropractic Medicine

RULE TITLE: Deceptive and Misleading Advertising Prohibited; Policy; Definition
RULE NO.: 64B2-15.001
PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUMMARY: The Board is amending subsection (m) of this rule to further clarify what the Board shall consider as inappropriate for deceptive and misleading advertising or advertisements.
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.
SUBJECT AREA TO BE ADDRESSED: Deceptive and misleading advertising.
SPECIFIC AUTHORITY: 460.405 FS.
LAW IMPLEMENTED: 455.664, 460.413(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-15.001 Deceptive and Misleading Advertising Prohibited; Policy; Definition.

(1) No change.

(2) No chiropractor shall disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading if it:

(a) through (l) No change.

(m) Contains a reference to an allopathic or osteopathic a medical degree or uses the initials "M.D." or "D.O." unless the chiropractic physician has actually received such a degree. If the chiropractic physician is not licensed to practice allopathic or osteopathic medicine in Florida, the chiropractic physician must disclose this fact, and the letterhead, business card, or other advertisement shall also include next to the reference or initials a the statement such as "Not licensed as a medical doctor to practice medicine in the State of Florida" or "Licensed to practice chiropractic medicine only" in the same print size or volume.

(3) No change.

Specific Authority 460.405 FS. Law Implemented 455.664, 460.413(1)(d) FS. History—New 1-10-80, Amended 11-25-81, 5-12-83, Formerly 21D-15.01, Amended 4-19-89, Formerly 21D-15.001, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.001, Amended 9-21-98, 5-20-99, 4-23-00, _____.

.NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

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

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Technologist

RULE NO.: 64B3-5.003

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address additional educational requirements to be qualified as a technologist.

SUMMARY: The purpose of the rule amendments is to update the rule text with regard to the definition of "technologist".

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.003 Technologist.

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to Rule 64B3-6.002(6). All associate degrees used to qualify shall include, at a minimum, 60 semester hours of academic credit including eight (8) semester hours each of academic biological and chemical science. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, radioassay, histocompatibility, blood banking and blood gas analysis shall have four (4) hours of Board approved HIV/AIDS continuing education and at a minimum have one of the following:

(a) a baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and have successfully completed a technologist level, accredited medical technology program which may be part of the degree.

(b) a baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and have successfully completed a Board approved training program at the technologist level.

(c) a baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and three (3) years of pertinent clinical laboratory experience of which one (1) year shall be in the category for which licensure is sought.

(d) through (j) No change.

(k) Individuals with a baccalaureate degree in a chemical or biological science, Florida licensure as a technician and proof of completion of an accredited and/or Board approved clinical laboratory training program at the technician level, may qualify for a technologist license.

(2) Qualifications for Cytology Technologist. For the specialty of Cytology, have a baccalaureate degree which shall include 16 semester hours of academic science and have successfully completed an accredited training program in cytology. Prior to 1985, have an associates degree or equivalent and national certification by the American Society of Clinical Pathologists. For the category of cytology, applicants for technologist shall have successfully completed a minimum of 60 semester hours of academic credit including 16 semester hours of science, and have successfully completed an accredited cytology clinical laboratory personnel training program and shall have four (4) hours of Board approved HIV/AIDS continuing education.

(3) through (6) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.11(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 59O-5.003, Amended 5-26-98, 1-11-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Technician
RULE NO.: 64B3-5.004

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

SUMMARY: The rule defines the “Responsibilities of Technicians”.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.004 Technician.

(1) through (3) No change.

~~(4) Qualifications for Cytology Technicians. Licensed histology technicians and histology technologists are qualified to perform the functions of a cytology technician. To be licensed as a cytology technician, all other applicants shall have four (4) hours of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or a high school equivalency diploma and one of the following:~~

~~(a) successfully completed a Board approved technician level clinical laboratory training program.~~

~~(b) twelve (12) weeks of full time pertinent clinical laboratory experience in cytology preparation techniques acquired within (5) years immediately preceding application for licensure.~~

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

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, Formerly 59O-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Scope of Practice Relative to Specialty
RULE NO.: 64B3-10.005

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

SUMMARY: The rule amendment is for the purpose of updating the the scope of practice relative to specialty of licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

The following rules are not intended to prevent collection and storage of specimens or the performance of manual pretesting procedures by persons who are exempt by statute or statutorily authorized within their scope of practice. Clinical laboratory personnel qualified as a physician director, a licensed director, supervisor, technologist or technician in the specialty or specialties indicated can perform testing identified as being within the specialty. For the purpose of defining the specialties, Health Care Financing Administration's Common Procedure Coding System (HCFACPCS) shall be used as a supplemental guide for assigning tests to specific specialties. Tests which are not yet classified shall be assigned by the Board upon review.

(1) through (3) No change.

(4) The purpose of the specialty of serology/immunology is to detect and quantitate antibodies to infectious agents as well as microbial and non-microbial antigens. The specialty encompasses all the serological techniques (except those specific to immunohematology) used to detect the interaction of antigens with antibodies for evaluation of the consequences of the immune response.

(a) Individuals licensed in serology/immunology as the basis for practice in histocompatibility before January 26, 1999 may retain their licenses in serology/immunology, but must apply for licenses in histocompatibility on or before December 31, 2001. These individuals will be issued licenses in histocompatibility based upon experience meeting CLIA educational requirements in place at the time of licensure and previous successful completion of the Board approved examination in serology/immunology without being required to successfully complete the Board approved examination in histocompatibility. If these individuals fail to apply for licenses in histocompatibility by the December 31, 2001 deadline, they will be required to apply for licenses in histocompatibility and successfully pass the Board approved examination in

histocompatibility and meet all of the current education, training, and work experience requirements for licensure in histocompatibility.

(b) Individuals licensed in serology/immunology as the basis for practice in histocompatibility on or after January 26, 1999, must apply for a license in histocompatibility and successfully pass the Board approved examination in histocompatibility on or before June 30, 2002.

(c) After June 30, 2002, individuals wishing to practice in the specialty of histocompatibility must apply for a license in histocompatibility and successfully pass the Board approved examination in histocompatibility.

(d) Trainees for histocompatibility must be currently licensed as technologists or technicians in either serology/immunology or immunohematology and will be registered to train for one year. Once the trainees complete their Board approved one year training program, they must apply for licensure by endorsement and will receive temporary licenses, if eligible.

(5) through (10) No change.

(11) The purpose of the specialty of histology is to process cellular and tissue components through methods of fixation, dehydration, embedding, microtomy, frozen sectioning, staining, and other related procedures and techniques employed in the preparation of smears, slides, and tissues. This specialty also encompasses methods for antigen detection and other molecular hybridization testing methods where the purpose is analysis and/or quantification of cellular and tissue components for interpretation by a qualified physician. Technicians licensed in histology are limited to the performance of specimen processing, embedding, cutting, routine and special histologic staining, frozen sectioning and mounting of preparations under the direct supervision of a director, supervisor, or technologist. The purpose of the specialty of histology is to process cellular and tissue components through methods of fixation, hydration, embedding, microtomy, frozen sectioning, staining and other related procedures and techniques employed in the preparation of smears and slides for interpretation by a qualified physician. This specialty also encompasses methods for antigen detection, including enzyme linked analytical methods and testing methods where the purpose is analysis and quantification of cellular and tissue components specific to histology. Technicians licensed in histology are limited to the performance of specimen processing, embedding, cutting, routine and special histologic staining, frozen sectioning and mounting of preparations under the direct supervision of a qualified director, licensed supervisor or technologist.

(12) The purpose of the specialty of cytology is to process and interpret cellular material derived from the human body delineating data regarding human cytopathological disease. Cytology includes review and interpretation of gynecological cytology preparations in accordance with the provisions of

Rule Chapter 64B3-7, F.A.C., and screening non-gynecological cytology preparations where final review and interpretation is the responsibility of a qualified physician. ~~Technicians licensed in cytology are limited to the performance of cytopreparatory functions including specimen processing, Papamecolaou and Romanowsky staining and mounting of gynecological and non-gynecological specimens under the direct supervision of a qualified director or licensed supervisor or technologist. Personnel licensed in Histology may perform cytology technician duties without further licensure. Individuals performing technician functions only on gynecological specimens where the staining setup has been verified by a licensed cytotechnologist need not be licensed.~~

(13) The purpose of the specialty of cytogenetics is to determine the presence or absence of quantitative (numerical) and qualitative (structural) chromosome abnormalities relating to constitutional and acquired disorders. Laboratory personnel providing counseling associated with the results of cytogenetics testing shall be licensed in cytogenetics at the director level.

(14) ~~The purpose of the specialty of molecular genetics is to perform an analyses on human DNA, RNA and chromosomes to detect heritable or acquired disease-related genotypes, mutations, and phenotypes for clinical purposes. Such purposes would include predicting risk of disease, identifying carriers, and establishing prenatal or clinical diagnoses or prognoses in individuals, families, or populations to detect inheritable disease-related genotypes, mutations, or phenotypes for clinical purposes using procedures for the analysis of.~~

(15) The purpose of the specialty of histocompatibility is to insure the best possible results of the determination of tissue compatibility, prevent transmitted infections, and to investigate and evaluate post-transplant problems. The specialty encompasses blood typing, HLA typing, HLA antibody screening, disease marker. Cluster Designation specific to tissue compatibility, flow cytometry, crossmatching, HLA antibody identification, lymphocyte immunophenotyping, immunosuppressive drug assays, allogenic, isogeneic and autologous bone marrow processing and storage, mixed lymphocyte culture, ~~and~~ stem cell culture, cell mediated assays, and assays for the presence of cytokines.

(a) Individuals licensed in serology/immunology as the basis for practice in histocompatibility before January 26, 1999 may retain their licenses in serology/immunology, but must apply for licenses in histocompatibility on or before December 31, 2001. These individuals will be issued licenses in histocompatibility based upon experience meeting CLIA educational requirements in place at the time of licensure and previous successful completion of the Board approved examination in serology/immunology without being required to successfully complete the Board approved examination in histocompatibility. If these individuals fail to apply for licenses

in histocompatibility by the December 31, 2001 deadline, they will be required to apply for licenses in histocompatibility and successfully pass the Board approved examination in histocompatibility and meet the current education, training, and work experience requirements.

(b) Individuals licensed in serology/immunology as the basis for practice in histocompatibility on or after January 26, 1999, must apply for a license in histocompatibility and successfully pass the Board approved examination in histocompatibility on or before June 30, 2002.

(c) After June 30, 2002, individuals wishing to practice in the specialty of histocompatibility must apply for a license in histocompatibility and successfully pass the Board approved examination in histocompatibility.

(d) Trainees for histocompatibility must be currently licensed as technologists or technicians in either serology/immunology or immunoematology and will be registered to train for one year. Once the trainees complete their Board approved one year training program, they must apply for licensure by endorsement and will receive temporary licenses if eligible.

~~(16) In the specialties of clinical chemistry, hematology, immunoematology, microbiology and serology/immunology, clinical laboratory personnel licensed at the technician level may perform testing identified within the scope of each specialty in Rule 64B3-10.005(3)-(5), F.A.C., in any specialty for which they hold licensure provided such testing is performed under direct supervision. Individuals performing highly complex testing as defined in 42 CFR 493.10 and 493.17, regardless of specialty, shall meet the qualifications and/or exemptions provided in 42 CFR 493.1489, if the tests are classified as highly complex pursuant to 42 CFR 493.17 (September 7, 1999), incorporated by reference herein, only when under the direct supervision of a licensed technologist, supervisor, or director unless the technician meets the minimum qualifications contained in 42 CFR 493.1489 (September 7, 1999), incorporated by reference herein and the requirements contained in Rule 64B3-5.004(5).~~

(17) No change.

(18) Individuals using flow cytometry or molecular detection techniques in specialties other than histocompatibility must be able to demonstrate training or experience in this procedure, and must hold licensure in the specific discipline for which they are using flow cytometry and molecular detection techniques.

Specific Authority 483.805(4) FS. Law Implemented 483.813, 483.823, 483.825 FS. History—New 2-7-95, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 59O-10.005, Amended 3-19-98, 1-28-99, 11-24-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Laboratory
Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 9, 2000

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Provider Approval Procedures
 RULE NO.: 64B3-11.004

PURPOSE AND EFFECT: The purpose for the rule development is to provide procedures within.

SUMMARY: The purpose for the rule amendments is to update the rule text with regard to the provider approval procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 455.564, 483.807(1), 483.821 FS.

LAW IMPLEMENTED: 455.564, 483.807; 483.821 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.004 Provider Approval Procedures.

The provider seeking approval:

(1) No change.

~~(2) Shall submit all courses with evidence of adherence to standards for continuing education as set forth in rules 64B3-11.002 and 64B3-11.003.~~

~~(2)(3) Shall be granted approval for a period of 24 months.~~

~~(3)(4) Shall be subject to periodic review. Provider approval may be withdrawn if the Board determines that adherence to standards outlined in rule chapter 64B3-11 is not maintained or if information submitted to the Board by the provider is found to be a material misrepresentation of fact.~~

~~(4)(5) Shall use the provider and course approval numbers.~~

~~(5)(6) Shall be granted authority to give continuing education programs without prior Board approval and without submitting courses for Board approval once they are granted provider approval status by meeting one of the following requirements.~~

~~(a) Be a national organization and a Board approved provider.~~

~~(b) Be a regionally accredited college or university as provided in Rule 64B3-11.011(6), F.A.C.~~

~~(c) Be a laboratory instrument corporation or vendor and a board approved provider.~~

~~(6)(7) No change.~~

Specific Authority 455.564, 483.805(4), 455.587, 483.807(1), 483.821 FS. Law Implemented 455.564, 455.587, 483.807, 483.821 FS. History—New 2-22-94, Formerly 61F3-11.004, Amended 12-4-95, Formerly 59O-11.004, Amended 4-9-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2000

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Standards of Practice in Certain Office Settings
 RULE NO.: 64B8-9.0075

PURPOSE AND EFFECT: The proposed rule is intended to address physicians and physician assistants in practice settings which are not facilities licensed pursuant to Chapter 395 or 400; federally qualified clinics or state or federally regulated programs with risk management oversight; or under the ownership and control of a licensed Florida physician.

SUMMARY: The proposed rule sets forth standards for physicians and physician assistants practicing in settings which are not facilities licensed pursuant to Chapter 395 or 400; federally qualified clinics or state or federally regulated programs with risk management oversight; or under the ownership and control of a licensed Florida physician. The rule requires these practice settings to have a Florida licensed physician-in-charge who is responsible for ensuring that medical care is provided under sanitary conditions, lawfully billed to the patients and/or other payors and that persons assisting in the delivery of medical care to their patients are licensed, certified, and/or supervised as required by law.

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: 458.309, 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1) FS.

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

TIME AND DATE: 10:00 a.m., October 18, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0075 Standards of Practice in Certain Office Settings.

(1) Standards of care and standards of practice require that Florida licensed physicians and physician assistants provide their patients appropriate medical care under sanitary conditions; that medical care is provided pursuant to informed consent, adequately documented and lawfully billed to the patients and/or other payors; and that persons assisting in the delivery of medical care to their patients are licensed, certified, and/or supervised as required by law. Except as specifically provided for in the following practice settings, physicians and physician assistants may neither delegate to others nor reasonably rely upon others to ensure compliance with these patient responsibilities.

(2) Physicians and physician assistants with a practice setting in a hospital or other facility licensed pursuant to Chapter 395 or 400, Florida Statutes, or who practice in a federally qualified health clinic or other state or federally regulated program that provides an equivalent risk management and oversight of physicians and physician assistants, may reasonably rely upon the licensed facility to ensure that medical care is provided under sanitary conditions, lawfully billed to the patients and/or other payors and that persons assisting in the delivery of medical care to their patients are licensed, certified, and/or supervised as required by law.

(3) Licensed physicians and physician assistants in a practice setting that is not identified in section (2) above, nor under the ownership and control of an actively licensed Florida physician who is responsible for ensuring that the requirements in section (2) are complied with, may reasonably rely upon a Florida licensed physician-in-charge to ensure compliance with the responsibilities set out in section (2), only if the physician-in-charge has filed a notarized statement on a form approved by the Board of Medicine, specifically agreeing to accept the following responsibilities on behalf of one or more named licensed physicians or physician assistants in the practice setting:

(a) ensure that all staff in the practice setting are licensed or certified as required by law and that licensure or certification documentation is maintained at the practice setting and immediately available upon request to Department of Health or Agency for Health Care Administration investigators;

(b) ensure that any medical services provided by staff at the practice setting are appropriately supervised as required by law;

(c) ensure that the practice setting complies with the relevant sections of Chapters 455, 458, 465, 499 and 893, Florida Statutes, and the relevant Board rules, to include but not limited to, rules regarding office surgery, medical records keeping, and the reporting of adverse incidents; and

(d) review all practice setting billings to ensure that the billings are not fraudulent. This includes a systematic review of the medical services provided, the dates of service, procedure and diagnostic codes, and the name of the provider.

(e) The original notarized statement set forth in paragraph (3) above, shall be filed with the Board of Medicine. Copies of said statement shall be maintained at the practice site and be immediately available, upon request, to Department of Health or Agency for Health Care Administration investigators.

Specific Authority 458.309, 458.331(1)(v) FS. Law Implemented 458.331(1) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fraud Committee, Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Formulary RULE NO.: 64B8-30.008

PURPOSE AND EFFECT: The proposed rule amendments are intended to make additions and a deletion to the Physician Assistant formulary as recommended by the Formulary Committee.

SUMMARY: The proposed rule amendments make additions and one deletion to the Physician Assistant formulary in response to the recommendation of the Formulary Committee.

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: 458.309, 458.347(4)(f)3. FS.
 LAW IMPLEMENTED: 458.347(4)(e),(f) 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., October 24, 2000
 PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.008 Formulary.

THE APPROVED FORMULARY FOR THE WRITING OF PRESCRIPTIONS BY PHYSICIAN ASSISTANTS APPROVED TO PRESCRIBE MEDICINAL DRUGS UNDER THE PROVISIONS OF SECTIONS 458.347(4)(e) AND 459.022(4)(e), FLORIDA STATUTES:

(1) through (2) No change.

(3) Formulary.

(a) No change.

(b) Subject to the requirements of this subsection, Sections 458.347 and 459.022, F.S., and the rules enacted thereunder, only the following drugs may be delegated by a Supervising Physician to a Physician Assistant to prescribe. Medicinal drugs not specifically included in this formulary are excluded. Excluded medicinal drugs may not be prescribed, regardless of whether they are in a pure form or in combination with a drug included in this formulary.

1. through 15. No change.

16. Alosetron HCl

16. through 109. renumbered 17. through 110. No change.

111. Cevimeline HCl

110. through 127. renumbered 112. through 129. No change.

~~128. Cisapride~~

129. through 331. renumbered 130. through 332. No change.

333. Levetiracetam

332. through 362. renumbered 334. through 364. No change.

365. Meloxicam

363. through 536. renumbered 366. through 539. No change.

540. Risedronate Sodium

537. through 599. renumbered 541. through 603. No change.

604. Tizanidine

600. through 648. renumbered 605. through 653. No change.

654. Zonisamide

Specific Authority 458.309, 458.347(4)(f)3. FS. Law Implemented 458.347(4)(e),(f) FS. History--New 3-12-94, Formerly 61F6-17.0038, Amended 11-30-94, 2-22-95, 1-24-96, 11-13-96, 3-26-97, Formerly 59R-30.008, Amended 11-26-97, 1-11-99, 12-28-99, 6-20-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Formulary Committee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2000

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Application Fee for Inactive Status

RULE NO.: 64B19-12.008

PURPOSE AND EFFECT: This rule is no longer necessary due to new statute provisions passed by the 2000 Legislature.

SUMMARY: The Board proposed to repeal this rule as it is unnecessary.

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: 455.711(3) FS.

LAW IMPLEMENTED: 455.711(3) 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.008 Application Fee for Inactive Status.

Specific Authority 455.711(3) FS. Law Implemented 455.711(3) FS. History--New 1-4-88, Amended 6-1-89, 8-12-90, Formerly 21U-12.008, 61F13-12.008, Amended 1-7-96, 6-26-97, Formerly 59AA-12.008, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: September 8, 2000

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

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE NO.: RULE TITLE:
 3D-45.010 Demonstrated Unworthiness
 Defined

NOTICE OF CHANGE

Notice is hereby given that the Department has made the following changes to the above referenced rule, which was originally published in the July 21, 2000, Vol. 26, No. 29, Pages 3349-3351, issue of the Florida Administrative Weekly, based on comments by the Joint Administrative Procedures Committee. The Department has deleted the phrase "but not limited to" from the first unnumbered paragraph of the rule.

DEPARTMENT OF INSURANCE

RULE NO.: RULE TITLE:
 4-189.003 Workers' Compensation:
 Application and Audit
 Procedures

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. 13, March 31, 2000, of the *Florida Administrative Weekly*. These changes are being made to address concerns expressed Rule 4-189.003(1) and (2) have been changed to read:

(1)(a) Each employer applying to a carrier in the voluntary market for workers' compensation coverage required by Section 440.38, Florida Statutes, shall use Form ACORD 130-FL (rev. 2000/08 3/96) ~~or Form ACORD 130-FL (rev. 6/94), "Florida Workers' Compensation Application," which is hereby adopted and incorporated by reference. Carriers are authorized to continue to use Form ACORD 130-FL (rev. 3/96), "Florida Workers' Compensation Application," which was previously adopted until the current supply of forms is exhausted.~~ The form shall be completed and submitted to the carrier with which the employer wishes to contract for coverage.

(b) A carrier wishing to use its own application form shall submit the form to the Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Department of Insurance, Larson Building, Tallahassee, FL 32399-0330, and receive ~~for~~ approval prior to its use. At a minimum the form shall require the employer to provide the following information: name, address, and legal status of the employer;

federal employer identification number; type of business and contractor licensing number if the employer is a contractor; rating information including past and prospective payroll; estimated revenue; locations; list of officers, sole proprietors and partners including their social security numbers (disclosure of social security numbers is voluntary; as an alternative, attach a copy of exclusion or inclusion forms filed with the state); list of all employee names, employees' social security numbers and classifications (disclosure of social security numbers is voluntary; as an alternative, the latest UCT-6 form with class codes added can be used in lieu of a separate listing of employee names, employees' social security numbers and classifications); ~~and~~ previous workers' compensation experience; former business names and predecessor companies for the last five years; former and current owners in the last five years; all names under which the corporation operates; and any other information necessary to enable the carrier to accurately underwrite the employer. The application shall contain a statement that the filing of an application containing false, misleading, or incomplete information with the purpose of avoiding or reducing the amount of premiums for workers' compensation coverage is a felony of the third degree. The application shall contain a sworn statement by the employer attesting to the accuracy of the information submitted.

(c) Each employer applying for workers' compensation coverage in the Florida Workers' Compensation Joint Underwriting Association (FWCJUA) ~~may be required by their carrier to~~ shall use ACORD Form 130-FL (rev. 2000/08 3/96) ~~unless the FWCJUA files and receives approval by the Department of Insurance to use a different application form in accordance with paragraph (1)(b). The FWCJUA shall submit any addendum to the application to the Department and receive approval prior to using use ACORD Form 133-FL (rev. 1/96), "Florida Workers' Compensation Joint Underwriting Association, Inc., Addendum to ACORD 130-FL" (rev. 3/96) which is hereby adopted and incorporated by reference.~~ The completed application and all addendum instruction forms shall be submitted to the FWCJUA at the address on the form.

(d) The forms adopted in this subsection (1) may be obtained from ACORD, Number 1 Blue Hill Plaza, 15th Floor, Post Office Box 1529, Pearl River, New York 10965-8529.

(2)(a) An application complying with this rule is required for all policies having covered Florida exposure. For new business effective after the implementation of this rule, a carrier shall use an application which complies with this rule. When this new business policy is renewed, the carrier is not required to obtain another application. ~~For existing business on a carrier's books as of 90 days after the effective date of this rule, the carrier is required to obtain an application complying with this rule at the first renewal of this existing business. On subsequent renewals of this existing business, the carrier is not~~

~~required to obtain another application.~~ These requirements also apply to policies written in other states where there is covered Florida exposure other than incidental Florida exposure.

(b) The applicant's signature on the application form shall be notarized. ~~The carrier is authorized to require it is not necessary for the producer's signature to be notarized.~~ The remainder of the rule reads as previously published.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-5.014
 RULE TITLE: Grading Services for Poultry
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with §120.54(3)(d)1., F.S. published in Vol. 26, No. 31 on August 4, 2000, issue of the Florida Administrative Code Weekly:

5K-5.014 Grading Services for Poultry.

(3) Under that agreement and to offset the cost of providing the services to the producer who orders them, the department establishes the following schedule:

- (a) Grader's time per hour for:
 - 1. Full-time resident location \$25.00 ~~21.05~~
 - 2. Overtime \$30.00 ~~26.50~~
 - 3. Non-resident location \$31.50 ~~28.50~~
 - 4. Non-specified days \$31.50 ~~28.50~~
- (b) Travel time to and from grader's headquarters:
 - 1. Non-resident location \$31.50 ~~28.50~~
 - 2. Non-specified days \$31.50 ~~28.50~~
 - 3. Part-time resident location \$25.00

(c) Mileage and per diem to and from the grader's headquarters shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

Specific Authority 570.07(23), 583.04, 570.07(23) FS. Law Implemented 583.051, 583.052 FS. History--New 8-13-92, Formerly 5E-7.014, Amended 9-30-96,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-6.010
 RULE TITLE: Grading Services for Shell Eggs
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with §120.54(3)(d)1., F.S. published in Vol. 26, No. 31 on August 4, 2000, issue of the Florida Administrative Code Weekly:

5K-6.010 Grading Services for Shell Eggs.

(3) Under that agreement and to offset the cost of providing the services to the producer who orders them, the department establishes the following schedule:

- (a) Grader's time per hour for:
 - 1. Full-time resident location \$25.00 ~~21.05~~
 - 2. Overtime \$30.00 ~~26.50~~
 - 3. Non-resident location \$31.50 ~~28.50~~
 - 4. Non-specified days \$31.50 ~~28.50~~
- (b) Travel time to and from grader's headquarters:
 - 1. Non-resident location \$31.50 ~~28.50~~
 - 2. Non-specified days \$31.50 ~~28.50~~
 - 3. Part-time resident location \$25.00

(c) Mileage and per diem to and from the grader's headquarters shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

Specific Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History--New 8-13-92, Formerly 5E-7.014, Amended 9-30-96,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

THIRD 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. 22, June 2, 2000, issue of the Florida Administrative Weekly:

- 33-602.201 Inmate Property.
 - (1) through (12) No change.
 - (13) If items of impounded property cannot be located ~~and are missing when the any time~~ stored property is returned to an inmate, a written report of this fact, listing the missing items and their possible value, with attached property records documenting ownership, shall be given to the Assistant warden or other designee of the warden, who will conduct or initiate a thorough investigation of the loss.
 - (a) through (c) No change.
 - (d) If claims are substantiated, the warden shall forward a cover letter, along with a copy of the investigation and verification of ownership through inmate property records to the Regional Director or his designee ~~service center general services manager~~ outlining reasons for recommending reimbursement.

(e) The Regional Director or his designee ~~service center general services manager~~ shall:

- 1. Ensure that the claim has been properly investigated and contains all supporting documents.
- 2. Ensure that supporting documents provide evidence of ownership of lost or destroyed property.
- 3. Return the claim to the institution for further investigation or action if the claim is incomplete or if there is insufficient evidence available to support the claim.
- 4. Forward the claim and supporting documents to the Office of the Inspector General, Risk Management Section, for processing if the claim is complete.

(f)4. The Risk Management Section of the Office of the Inspector General shall review and forward the claim to the Department of Insurance, Division of Risk Management, for review and reimbursement consideration. Form DC6-238, Report of Risk Management Claim for Inmate Property, shall be used for this purpose.

(g) In the event that the Department of Insurance, Division of Risk Management, decides to pay any or all of the inmate's claim, the following procedure will be followed:

1. The check and payment package will be received by the Risk Management Section of the Office of the Inspector General.

2. The check will be retained in the Risk Management Section of the Office of the Inspector General and the lien disclosure form provided by the Department of Insurance and the property release form will be forwarded to the regional office servicing the institution where the inmate is currently housed.

3. The regional office will forward the lien disclosure and property release for signature to the institution where the inmate is currently housed.

4. After the inmate signs the forms, the original documents will be sent to the Department of Insurance, Division of Risk Management, with copies sent to the Risk Management Section of the Office of the Inspector General, and to the regional office. If the inmate refuses to sign any of the documents, the refusal shall be documented in writing and returned to the Department of Insurance, Division of Risk Management, with copies sent to the Risk Management Section of the Office of the Inspector General, and to the regional office.

5. When the Inspector General's Office receives its copy from the institution (provided the inmate has signed the documents), the check will be forwarded to the inmate bank for deposit and distribution as directed by the Department of Insurance. If the inmate has refused to sign the documents, the check will be returned to the Department of Insurance along with the refusal documents.

(14) through (16) No change.

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-602.301	Death Row – General
33-602.302	Death Row – Definitions
33-602.303	Death Row Facilities
33-602.304	Death Row – Review Responsibilities
33-602.305	Death Row – Restraint and Escort Requirements
33-602.306	Death Row – Conditions and Privileges

33-602.307	Death Row Records
33-602.308	Transportation of Death Row Inmates
33-602.309	Inmates with Active Death Warrant
	NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 26, No. 24, June 16, 2000, Florida Administrative Weekly have been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.050	Community Mental 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. 28, Florida Administrative Weekly, July 14, 2000. These changes are in response to comments received from the Joint Administrative Procedures Committee.

The following changes were made to the Community Mental Health Coverage and Limitations Handbook, July 2000, which is being incorporated by the reference in the rule.

Chapter 1, Page 1-4, in the block labeled "Provider Qualifications" we changed "provisional" to read "probationary."

Chapter 1, Page 1-5, we deleted the word "appropriate."

Chapter 1, Page 1-5, we deleted the word "adequate," and changed the bullet to read, "Credentialing policies and procedures that ensure qualified, competent personnel render services."

Chapter 1, Page 1-5, we deleted the word "appropriately."

Chapter 1, Page 1-6, we changed "may" to "will."

Chapter 1, Page 1-11, we deleted the note that Certified Addiction Professional could be grandfathered in.

Copies of the full text of the Community Mental Health Coverage and Limitations Handbook, July 2000, may be obtained by contacting Marilyn Bryant, Medicaid Program Development, (850)487-2618.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-6.015	Monitoring of Continuing Education Requirements
	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. 27, July 7, 2000, issue of the Florida Administrative Weekly. The changes are in response to written comments received by the Joint Administrative Procedures Committee and comments received at the public hearing held on August 21, 2000. Paragraph (f) of

subsection (4) of the proposed rule has been changed, and subsections (5) and (6) are being added, so that when it is adopted it will read:

61-6.015 Monitoring of Continuing Education Requirements.

(4)(f) The Department shall initiate disciplinary action against a continuing education provider or course either by request of the board or on its own motion for failure to comply with its duties under this section. A provider may challenge the decision of the Department pursuant to chapter 120, Florida Statutes.

(5) The provisions of this rule shall be phased in pursuant to section 455.2177(1), Florida Statutes, so that the monitoring system will provide for monitoring of compliance with applicable continuing education requirements by all professions regulated by the department no later than July 1, 2002.

(6) The provisions of this rule shall not apply to the completion of continuing education requirements of licensed architects and interior designers under part I of chapter 481, Florida Statutes.

The remainder of the rule will read as published.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

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

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. 24, June 16, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the public, and from the Board meeting held on September 12, 2000.

The rule shall now read as follows:

61G6-5.0035 Certification of Registered Contractors.

Any registered contractor who wishes to become a certified contractor in the appropriate category pursuant to the "grandfathering" provisions of Section 489.514, F.S., shall meet all of the following requirements:

(a) passed a written, proctored examination in the appropriate category as specified in subsection (2) of the statute, and,

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.0015
 RULE TITLE: Exemption of Spouses of Members of Armed Forces from License Renewal Requirements

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. 30, July 28, 2000 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on September 7, 2000 in Miami, Florida.

The rule shall now read as follows:

61G19-9.0015 Exemption of Spouses of Members of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must provide the Board with documentation with regard to the absence and the spouse's military status.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.007
 RULE TITLE: Records Required to Be Maintained by Course Sponsors

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. 34, August 25, 2000 issue of the Florida Administrative Weekly. The changes are due to a Board review of the rule during their meeting held on September 7, 2000 in Miami, Florida.

The rule shall now read as follows:

61G19-9.007 Records Required to Be Maintained by Course Sponsors.

(2) Course sponsors shall maintain the required records for each course at least three (3) years following the date the course is completed.

(3) Upon request by the board, each course sponsor shall provide the board with copies of any required records. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.005
RULE TITLE: Licensure by Examination: Supervised Experience Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 9, March 3, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.: 64F-18.001, 64F-18.002, 64F-18.003
RULE TITLES: Scope and Purpose, Definitions, Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules published in the Florida Administrative Weekly, Vol. 26, No. 32, August 11, 2000. The changes were made in response to written comments received from the Florida Legislature Joint Administrative Procedures Committee.

64F-18.002 The proposed new language is amended to read:

(4) "Federal poverty guidelines" mean the poverty guidelines defined by Rule 64F-16.001(7).

64F-18.003 The proposed new language is amended to read:

(1) A person wishing to participate in the insulin program can obtain an application from any county health department. The application is form number DH2105, 10/99, "Insulin Application Form" which is incorporated herein by reference. A copy of this form can be obtained from any local county health department or its designated agent.

(2)(b)2. has a net family income at or below 100% of Federal poverty guidelines, and

(2)(d) If the Department of Health's pharmaceutical budget permits.

Applicants with a net family income 101-200% of Federal poverty guidelines that meet the requirements in.....

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE IS: Virginia Foster, Family Health Services, Department of Health, 4052 Bald Cypress Way, Bin #A18, Tallahassee, FL 32399

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-13.003
RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

NOTICE OF CHANGE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to paragraphs 68A-13.003(1)(d), (4)(c), and (5)(b) of this proposed rule which was published in Vol. 26, No. 31, Florida Administrative Weekly, August 4, 2000, so that when adopted, those paragraphs will read as follows:

(1) Duck, light goose, and coot season:

(d) In addition to the open season specified in paragraph (1)(a) above, a "Youth Waterfowl Hunting Day" will be held on the first consecutive Saturday and Sunday after January 20. Youth hunters must be under 16 years of age and must be accompanied by a non-hunting adult at least 18 years of age. Daily bag limits and species restrictions for ducks, geese, and coots will be as described in paragraphs (1)(f) and (g). Florida gallinules (common moorhens) may also be taken on the "Youth Waterfowl Hunting Day;" bag and possession limits for this species will be as specified in Rule 68A-13.008, F.A.C.

(4) Canada goose season:

(c) Limits:

- 1. Daily bag: The daily bag limit is three Canada geese.
- 2. Possession: The possession limit is six Canada geese.

(5) Falconry:

(b) Open season for ducks, light geese, and coots: November 1 through November 12, February 1 through February 28, and the open season specified in (1)(a) of this rule.

**Section IV
Emergency Rules**

DEPARTMENT OF INSURANCE

RULE TITLE: Emergency Restrictions and Limitations on Construction Materials Mining Activities
RULE NO.: 4ER00-4

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Department of Insurance hereby states that the following circumstances constitute an immediate danger to the public health, safety, and welfare:

1. This emergency rule is necessitated by the action of the Florida Legislature in passing CS/SB 772, which gives the State Fire Marshal the sole and exclusive authority to promulgate standards, limits, and regulations regarding the use of explosives in conjunction with construction materials mining activities. Previously the counties or municipalities established these standards.

2. The rules relate directly to public safety in that the subject of the regulation is an inherently dangerous activity.

3. The legislation was enacted by the legislature on May 5 and became effective on June 14 upon signature by the Governor. The Department has not been afforded sufficient time to implement rules through the normal rule adoption process. At this time the State Fire Marshal has no standards in place.

4. The bill upon its effective date renders the county and municipal standards null and void. This emergency rule adopts the local standards for a period of 90 days to allow the permanent rulemaking process to occur.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Department of Insurance believes that adopting an emergency rule is the fairest method to protect the public because CS/SB 772 became effective immediately upon the Governor's signature. Even with the initiation of the rule development workshop procedure prior to the Governor's action, there was not sufficient time to accomplish standard rulemaking. Standard rulemaking is in progress, giving parties the ability to participate in the rulemaking. Where consistent with law implemented, the division has crafted the emergency rule in a way that preserves the status quo by maintaining standards equivalent to those previously enacted by local authorities. In jurisdictions where there are no properly enacted standards, the State Fire Marshal will continue to enforce the requirements of Chapter 552, Florida Statutes.

SUMMARY OF THE RULE: This emergency rule adopts the local standards for a period of 90 days to allow the permanent rulemaking process to occur.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Terry Hawkins, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0342, phone (850)413-3624

THE FULL TEXT OF THE EMERGENCY RULE IS:

4ER00-4 Emergency Restrictions and Limitations on Construction Materials Mining Activities.

(1) The Division of State Fire Marshal adopts the following ordinances which are in effect as of the effective date of Section 552.30, Florida Statutes, and which are applicable to the use, handling, and licensure of explosives generally as the standards, limits, and regulations applicable to the use, handling, and licensure of explosives in conjunction

with construction materials mining activities as defined in section 552.30, Florida Statutes, conducted within the applicable jurisdiction, except to the extent that ground vibration limits established in such ordinances do not conform with subsection (2) of this rule. Any person or company using explosives in conjunction with construction materials mining activities as defined in Section 552.30, Florida Statutes, shall continue to abide by, and be fully and completely bound by, such ordinances of local government in all respects, as if the local government's ordinance regarding the operation and handling of explosives were still in full force and effect:

<u>LOCAL GOVERNMENT</u>	<u>ORDINANCE</u>
<u>Alachua</u>	<u>Code of Ordinances County of Alachua, Florida, Part III Unified Land Development Code, Title 35 Environment, Chapter 352 Surface Mining Land Reclamation</u>
<u>Broward</u>	<u>Ordinance 97-01 Blasting Ordinance & Policy Blasting Policy 12</u>
<u>Citrus</u>	<u>Part II Citrus County, Florida Code Chapter 66 Natural Resources Sec. 66-1. Mining Pre-Blast Meeting Agenda, Sunset Lakes; May 28, 1997; City of Miramar Procedure Manual for Resolution of Blasting Damage Complaints 1/22/97</u>
<u>City of Miramar</u>	<u>City of Plantation Code or Ordinances, Article III Explosives, Section 8-51 through and including Section 8-67</u>
<u>City of Plantation</u>	<u>Collier County Land Development Code, Division 3.4 Explosives</u>
<u>Collier</u>	<u>Code of Metropolitan Dade County, Florida, Part III Code of Ordinances Chapter 13 Explosives; Ordinance No. 96-45, Section 1, 3-19-96</u>
<u>Dade</u>	<u>DeSoto County Ordinance 1999-15 in Section C "Criteria for Operating Permit Issuance, Number 16 "Blasting"</u>
<u>DeSoto</u>	<u>Section 14.7.0 Limerock Mining and Mining Other Than Phosphates</u>
<u>Hamilton</u>	

<u>Hardee</u>	<u>2.06.06 Standards</u>
<u>Hernando</u>	<u>Hernando County Ordinance No. 93-13, Hernando County Code of Ordinances Chapter 19</u>
<u>Hillsborough</u>	<u>Hillsborough County Land Development Code Part 8.02.00 Phosphate Mining Regulations Sec 8.02.8 Operating Procedures</u>
<u>Indian River</u>	<u>Indian River Ordinance No. 2000-007 Title 1X Land Development Regulations Chapter 974 Noise and vibrations control</u>
<u>Lee</u>	<u>Lee County Blasting Ordinance 99-07</u>
<u>Monroe</u>	<u>Monroe County Code Chapter 5 Blasting and Explosives</u>
<u>Palm Beach</u>	<u>Resolution No. R-2000-0419; Palm Beach County's Unified Land Development Code Section 7.6</u>
<u>Pasco</u>	<u>Chapter 61/2 Explosives, Blasting Agents and Blasting</u>
<u>Sarasota</u>	<u>Ordinance No. 82-111</u>
<u>Sumter</u>	<u>Division 13 Safety and Nuisance Standards</u>
<u>Walton</u>	<u>Emergency Ordinance An Ordinance Prohibiting the Testing of Explosives and/or Weapons and Firearms in Walton County Without a Permit; Providing Definitions; Providing Penalties for Violations Thereof; Providing an Effective Date</u>

applied to the use of explosives in construction materials mining activities, the State Fire Marshal delegates to each local government having an established program to monitor and enforce ground vibration limits the responsibility and authority to monitor and enforce the requirements and standards established by subsection (2) above, including establishing the location and means of vibration measurements. The delegation of authority provided by this subsection includes the assessment and collection of reasonable fees for the purpose of carrying out the delegated activities. In addition, each local government which has enacted ordinances requiring licensure or permitting and establishing procedures for obtaining a license or permit in order to use, transport, possess, or handle explosives in conjunction with construction materials mining activities shall, as a component of such monitoring and enforcement authority, continue to enforce such requirements as they apply to construction materials mining activities.

(4) As used herein, "local government" means any incorporated city, town, county, or other local governmental entity in this state, as referred to in Section 552.25, Florida Statutes.

(5) In adopting this emergency rule, it is the intent of the State Fire Marshal that local governments retain the authority to enforce existing ordinances to the fullest extent possible consistent with current law.

(6) This rule takes effect on September 14, 2000.

Specific Authority 552.30 FS. Law Implemented 552.30 FS. History--New 9-14-00.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 14, 2000

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the CITY OF JACKSONVILLE and the CITY OF ATLANTIC BEACH. This petition was assigned the number DCA00-WAI-226. Notice of this petition appeared in the July 14, 2000 edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner CITY OF JACKSONVILLE and CITY OF ATLANTIC BEACH be, and by this Final Order is, hereby GRANTED with respect to FCT Project number 99-018-P9A.

The above ordinances are hereby incorporated by reference, and are obtainable from the respective local government.

(2) Each person or company engaged in construction materials mining activities shall conduct their activities such that ground vibration resulting from such activities conforms to those limits established in the United States Bureau of Mines Report of Investigations 8507, Appendix B – Alternative Blasting Level Criteria (Figure B-1), which is hereby adopted and incorporated in this emergency rule by reference. Copies of Appendix B, Figure B-1 may be obtained from the Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee FL 32399-0342.

(3) The State Fire Marshal hereby delegates to the applicable local government identified in subsection (1) above responsibility and authority to monitor and enforce the ordinances incorporated in subsection (1) above. Further, as

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the CITY OF FORT MYERS. This petition was assigned the number DCA00-WAI-228. Notice of this petition appeared in the July 28, 2000 edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner CITY OF FORT MYERS be, and by this Final Order is, hereby DENIED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation (hereafter the "Department") has granted a Variance from Rule 14-94, Florida Administrative Code, to Flagler County, Florida, on September 8, 2000. The Petition for Variance was received on June 19, 2000. The original notice of the Petition was published on June 30, 2000, in Vol. 26, No. 26, of the Florida Administrative Weekly. The Variance is from the level of service standards of Rule 14-94.003, Florida Administrative Code. Rule 14-94.003, Florida Administrative Code, which contains criteria for setting level of service standards on the State Highway System based upon population of the surrounding area. Currently, the northernmost and southernmost portions of I-95 within Flagler County are designated level of service standard B based upon the rural population status. The Variance reduces the level of service standard to C for those portions of I-95 within the County currently at level of service standard B. The basis for the Variance is that census data for the year 2000 is expected to change the level or service standard on I-95 to C for the southernmost area of the County. For the northernmost area, Flagler County has transportation improvement plans for the Flagler County Road System to alleviate traffic on I-95, and the Department of Transportation is planning to add lanes to that portion of I-95. A copy of the Order Granting Petition for Variance may be obtained from the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact Robert Downie, Assistant General Counsel, at (850)414-5265.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 24, 2000, the Florida Public Service Commission received a request from Chong O. Kim, Inc. d/b/a Quick Trip Food Mart (Docket No. 000353-TC – Application for certificate to provide pay

telephone service by Chong O. Kim, Inc. d/b/a Quick Trip Food Mart), seeking waiver of Rule 25-24.511(5), Florida Administrative Code. The rule requires that only one pay telephone certificate will be granted per applicant and that a new pay telephone certificate will not be granted to any applicant who has previously had a certificate cancelled involuntarily. By Order No. PSC-00-1479-PAA-TC, issued August 16, 2000, the Commission granted the request for a waiver. No protests were filed by September 6, 2000; therefore, the Order has become final. For additional information, contact Beth Keating, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (904)413-6212.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for waiver exemption from Rule 25-24.515(13), Florida Administrative Code, filed May 25, 2000, in Docket No. 000638-TC was approved by the Commission at its August 1, 2000, Agenda Conference. Order No. PSC-00-1445-PAA-TC, issued August 10, 2000, memorialized the decision. The rule requires that all pay telephone stations allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on June 23, 2000. A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on August 21, 2000, a petition from Armellini Express Lines, Inc. for a waiver pursuant to subsection 376.3071(12)(k)(5), F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition has been assigned OGC case number 00-1034. Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn.: Kelly J. Muga. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on September 1, 2000, a petition from CF Industries, Inc., seeking a waiver of certain documentation requirements of 376.3071, Florida Statutes, Chapter 62-773, Florida Administrative Code, and FDEP guidance interpreting the Statute and the Rule. The petition has been assigned OGC case number 00-1716. Copies may be received from, and written comments submitted to: Inguna

Varlavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on August 28, 2000, a petition from PDG Environmental, Inc., seeking a waiver of certain documentation requirements of 376.3071, Florida Statutes. The petition has been assigned OGC case number 00-1688. Copies may be received from, and written comments submitted to: Inguna Varlavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on August 25, 2000, a petition from Rust Environment and Infrastructure, Inc., seeking a waiver of certain documentation requirements of 376.3071, Florida Statutes. The petition has been assigned OGC case number 00-1729. Copies may be received from, and written comments submitted to: Inguna Varlavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on August 25, 2000, a petition from Federated Mutual Insurance Company, on behalf of its insured, Thomas Oil Company, seeking a waiver of certain documentation requirements of 376.3071, Florida Statutes, and Rule 62-773, Florida Administrative Code. The petition has been assigned OGC case number 00-1729. Copies may be received from, and written comments submitted to: Inguna Varlavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on August 18, 2000, a petition from J.A. Jones Environmental Services Company for a waiver pursuant to subsection 376.3071(12)(k)(5), F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition has been assigned OGC case number 00-1105. Copies may be received from, and written comments submitted to, Department of Environmental

Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn.: Rebecca Grace. Comments must be received no later than 14 days from the date of publication of this notice.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meetings, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, October 3, 2000, 1:30 p.m.

PLACE: Florida Department of Transportation, Miami District Office, Executive Conference Room 6207, 1000 N. W. 111 Avenue, Miami, FL 33172-5800, (305)470-5126

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No.: DOT 252-047, Miami District Office Addition, Dade County, Florida

COMMITTEE: Art Selection Committee

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

PLACE: Florida Department of Transportation, District Two, Temporary District Office, 1650 Lake Jeffrey Road, Lake City, FL 32055, (904)961-7028

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No.: DOT 213-896, District Office, Lake City, Columbia County, Florida

COMMITTEE: Art Selection Committee

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

PLACE: FDOT, Brooksville Maintenance Yard Office, 16411 Springhill Drive, Brooksville, FL 34609, (352)797-5700

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No.: DOT 259-055, Brooksville Maintenance Yard, Hernando County, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, October 12, 2000, 1:30 p.m.

PLACE: Leon County Health Department, Conference Room, 2nd Floor, 2965 Municipal Way, Tallahassee, FL 32304-3800, (850)487-7954

PURPOSE: To hold a Slide Review meeting to select artwork for Art in State Buildings Project No.: DOH 9620/9300, Leon County Health Department, Tallahassee, Florida

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

DEPARTMENT OF LEGAL AFFAIRS

The **Office of the Attorney General**, Florida Motor Vehicle Theft Prevention Authority announces a public meeting of the Board of Directors of the Florida Motor Vehicle Theft Prevention Authority to which all interested persons are invited.

DATE AND TIME: Wednesday, November 8, 2000, 10:00 a.m.

PLACE: Holiday Inn, Grand Ballroom, 2905 Sheridan Street, Hollywood, Florida 33020

PURPOSE: Quarterly meeting of the Board of Directors as required by Florida Statute. Consideration of matters as presented in the agenda for the meeting.

A copy of the agenda may be obtained by contacting: Karen O'Bryan, Florida Motor Vehicle Theft Prevention Authority, Office of the Attorney General, The Capitol, Room PL-01, Tallahassee, Florida 32399-1050, (850)414-3361. A request for the agenda may be faxed to the Authority office, (850)413-0633. TDD users, please call through the Florida Relay Service, 1(800) 955-8771.

If special accommodations are needed to attend this meeting because of a disability, please contact Karen O'Bryan no later than seven days prior to the proceedings, (850)414-3361. If hearing impaired, contact Karen O'Bryan via Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BANKING AND FINANCE

The **Bureau of Unclaimed Property** announces a public Special Meeting and all persons are invited to attend.

DATE AND TIME: October 3, 2000, 2:30 p.m.

PLACE: Department of Banking and Finance, G16-C Fletcher Building, Tallahassee, Florida

PURPOSE: Legislative Issues Meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Anne Bodiford, (850)410-9923, at least 48 hours before the meeting. If you are

hearing or speech impaired, contact Anne Bodiford via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

DATE AND TIME: October 11, 2000, 10:00 a.m. – 3:00 p.m.

PLACE: Room 547, Fletcher Bldg., 101 E. Gaines Street, Tallahassee, Florida

PURPOSE: Regular Rules Committee business.

To obtain further information and to obtain a copy of the agenda contact: Gladys Hennen, Administrative Assistant II, Division of Finance, 101 East Gaines St., Fletcher Bldg., Room 624P, Tallahassee, FL 32399-0350, (850)488-9898, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Gladys Hennen, (850)488-9898, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Gladys Hennen via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

The **Department of Insurance** announces a public hearing to which all persons are invited.

DATE AND TIME: October 6, 2000, 9:00 a.m. – conclusion

PLACE: The Knott Building, Room 412, 402 South Monroe Street, Tallahassee, Florida 32399-1300

PURPOSE: To consider a Workers' Compensation filing made by the National Council on Compensation Insurance by which the Council requests an overall average increase in premium levels of 2.7% for the voluntary market for all new and renewal Workers' Compensation Insurance policies written in the State of Florida, effective January 1, 2001.

A copy of the agenda may be obtained by writing: Department of Insurance, Attention: James Watford, Actuary, Room 328-B, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0330.

The Florida **Department of Insurance** announces a meeting of the Three-Member Panel to which all persons are invited.

DATE AND TIME: Wednesday, October 18, 2000, 9:00 a.m.

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

PURPOSE: The meeting will be a workshop to discuss possible changes to the "Health Care Provider Fee for Service Reimbursement Manual, 1997 edition" and other reimbursement manuals.

CONTACT: Beth Vecchioli, Bureau Chief, Bureau of Property and Casualty Forms and Rates, Florida Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5310.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Department at least 5 calendar days before the meeting by contacting Beth Vecchiolo, (850)413-5310.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

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

PLACE: Larson Building, Room 116, 200 East Gaines Street, Tallahassee 32399

PURPOSE: Firefighter Employment Safety 4A-62.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 13, 2000, 10:00 a.m.

PLACE: Florida State Fire College, 11655 N. W. Gainesville Rd., Ocala, FL 34482

PURPOSE: Regular meeting of the Fire Fighters Standards and Training Advisory Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2000, 3:00 p.m. – 5:00 p.m.

PLACE: Plantation Inn and Golf Resort, 9310 West Fort Alley Trail, Crystal River, Florida 34429

PURPOSE: This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the DACS Marketing Division to discuss the Council's business plans and review programs.

Additional information may be obtained by writing: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650 or by calling Vicki O'Neil, (850)921-8001.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours in advance by contacting Ms. O'Neil at the number above.

The **Department of Agriculture and Consumer Services** announces a joint meeting of the Florida Aquaculture Review Council and Florida Aquaculture Interagency Coordinating Council.

DATE AND TIME: October 13, 2000, 12:30 p.m.

PLACE: J. Seward Johnson Marine Education and Conference Center, Harbor Branch Oceanographic Institution, 5600 U.S. 1, North, Ft. Pierce, Florida

PURPOSE: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda can be obtained by contacting: Karen Metcalf, 1203 Governor's Square Boulevard, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Karen Metcalf as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Technical Council, to which all persons are invited:

DATE AND TIME: November 6, 2000, 2:00 p.m.

PLACE: Eyster Auditorium Conference Room, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

PURPOSE: Seed Technical Council Meeting.

You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The **Department of Agriculture and Consumer Services** announces a meeting of the Animal Industry Technical Council.

DATE AND TIME: December 1, 2000, 1:00 p.m.

PLACE: Four Points Sheraton Hotel, 4141 South Florida Avenue, Lakeland, Florida 33813, (941)647-3000

PURPOSE: To discuss animal health issues of concern to the agricultural industry both intrastate and interstate and to provide a forum for the Department to keep agricultural industry groups abreast of state and national activities as they relate to animal health issues in Florida, and activities of other states and USDA, affecting Florida's agriculture animal industries.

A copy of the agenda can be obtained by contacting: Dr. Leroy Coffman, Florida Department of Agriculture and Consumer Services, 335 Mayo Building, Tallahassee, FL 32399-0800, (850)410-0900.

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

The **Department of Agriculture and Consumer Services**, Lettuce Advisory Committee announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, October 4, 2000, 12:00 Noon

PLACE: Drawbridge Cafe, Belle Glade Country Club, End of Canal Road, Belle Glade, Florida 33430

PURPOSE: To consider the following agenda items:

1. Welcome and Introduction
2. Approval of Minutes from February 2, 2000 Meeting
3. Old Business
4. New Business
 - A. Division of Plant Industry Representatives
 - B. EREC Staff Project Updates
5. Other Business; General Discussion

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by October 2, 2000.

A copy of the agenda may be obtained by writing: Dr. Wayne Dixon, Division of Plant Industry, Department of Agriculture and Consumer Services, Post Office Box 147100, Gainesville, FL 32614-7100.

The **Department of Agriculture and Consumer Services**, Endangered Plant Advisory Council announces a public meeting to which all persons are invited:

DATES AND TIMES: Wednesday, October 11, 2000, 2:00 p.m. – Friday, October 13, 2000, 12:00 Noon

PLACE: Jackson Guard Building, 107 Highway 85, North, Niceville, Florida 32578

PURPOSE: To consider the following agenda items:

- (1) Funding Status Update for Grant Proposals.
- (2) Proposed Legislation for Native Plant Uses.
- (3) History of EPAC.
- (4) Evaluate and Rank Grant Proposals for FY 2001-2002.
- (5) New Listing Proposals.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by October 8, 2000.

A copy of the agenda may be obtained by writing: Mr. Danny Phelps, Secretary, Endangered Plant Advisory Council, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100, Telephone (352)372-3505.

DEPARTMENT OF EDUCATION

The **Department of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 3, 2000, 9:00 a.m. – 2:00 p.m.

PLACE: Holocaust Memorial Resource and Education Center of Central Florida, 851 North Maitland Avenue, Maitland, Florida 32751, (407)628-0555, Fax (407)628-1079

PURPOSE: Annual meeting of the Commissioner’s Task Force on Holocaust Education.

The Department of Education welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Rositta E. Kenigsberg, Chair, Commissioner’s Task Force on Holocaust Education, (305)919-5690, at least five calendar days before the meeting.

The Florida **Department of Education** announces a public meeting which all interested parties are invited to attend.

DATES AND TIME: October 3, 2000; October 4, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Education Center, Turlington Building, 17th Floor, 325 West Gaines Street, Tallahassee, Florida 32399

PURPOSE: To conduct a meeting of the Florida Council of Student Financial Aid Advisors.

A copy of the agenda may be obtained by writing: Bureau of Student Financial Assistance, Department of Education, Attention: Sherall Jackson, 325 West Gaines Street, 124 Collins Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the American Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency by contacting Mario Butler, (850)922-7178, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the agency by calling, (850)488-4095.

The **Board of Regents** announces a public meeting of the Leadership Board for Applied Research and Public Service to which all persons are invited:

DATE AND TIME: October 3, 2000, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Education Center, Turlington Building, Room 1704, 325 West Gaines Street, Tallahassee, Florida 32399-1950

GENERAL SUBJECT MATTER TO BE CONSIDERED: On-going projects of the Leadership Board for Applied Research and Public Service.

A copy of the agenda may be obtained by contacting: Carolyn Renfroe, (850)645-4965.

Any person requiring a special accommodation to participate in the meeting because of a disability should contact Carolyn Renfro, (850)645-4965, at least five (5) business days in advance to make appropriate arrangements.

The **Gulf Coast Community College District**, Board of Trustees will hold its monthly meeting as follows.

DATE AND TIME: October 12, 2000, 10:00 a.m. (CDT)

PLACE: Gardner Seminar Room

PURPOSE: Regular monthly meeting.

Contact person for the meeting is: Dr. Robert L. McSpadden, President.

The **State Board of Independent Colleges and Universities** announces public meetings to which all persons are invited.

DATE AND TIME: Thursday, October 5, 2000, 2:00 p.m. – 4:00 p.m.

PLACE: Disney Institute, Studio 3, 1960 North Magnolia Way, Lake Buena Vista, FL

PURPOSE: To provide an overview of the Disney Institute and the Education Governance Reorganization Transition Task Force; and a timeline and strategy to accomplish goals of the Special Committee on Strategic Planning.

DATE AND TIME: Thursday, October 5, 2000, 10:00 a.m. – 5:00 p.m.

PLACE: Adam’s Mark Hotel, 1500 Sand Lake Road, Orlando, FL

PURPOSE: 1) Special Committee on Evaluator Training, 10:00 a.m.; 2) Accreditation Review of DETC (Distance Education and Training Council) 1:00 p.m.; 3) Special Committee on Institutional Licensure 3:00 p.m.

DATE AND TIME: Friday, October 6, 2000, 10:00 a.m. – 5:00 p.m.

PLACE: Adam’s Mark Hotel, 1500 Sand Lake Road, Orlando, FL

PURPOSE: SBICU Quarterly Board Meeting.

The Board welcomes participation from any interested members of the public. Any person who desires a copy of the proceedings should arrange to tape the meetings.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he or 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the Board at least five calendar days before the meeting by contacting Mary Cook, (850)488-8695.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATES AND TIMES: October 5, 2000, 1:00 p.m. – 5:00 p.m.; October 6, 2000, 9:00 a.m. – 5:00 p.m.

PLACE: University of South Florida, Center for Urban Transportation Research, 4202 East Fowler Avenue, Room CUT 100, Tampa, Florida 33620-5375

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Introduction of New Members
- 2) Election of New Officers for 2000- 2001
- 3) Briefings – Energy 2020 Commission: Status Report and Board; Role/Participation; Hydrogen Summit – Anticipated Events
- 4) Update on inventory and Resource Manual
- 5) Clean Fuel Work Plan Development

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Alexander Mack, Community Program Administrator, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Communities Trust** announces a public meeting of the governing body to which all persons are invited.

DATES AND TIME: October 5, 2000; October 6, 2000, 9:00 a.m. – Conclusion

PLACE: Room 110, Senate Office Building, Capitol Complex, Tallahassee, Florida

PURPOSE: Score, rank and select applications for funding from the Preservation 2000 Program, P10 application cycle; extend grant contracts for certain funded projects; approve project plans for certain funded projects; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business.

To obtain a copy of the agenda, contact: Trust, (850)922-2207. If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based. Persons requiring a special accommodation for a disability or physical impairment should contact Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces a conference call to discuss Criminal Justice Standards and Training Commission rule revisions. All parties are invited to participate.

MEETING: Criminal Justice Standards and Training Commission Meeting Conference Call

DATE AND TIME: October 12, 2000, 1:30 p.m., following the Executive Planning Committee Meeting.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professional Program's Conference Room, Room B1055, First Floor, 2331 Phillips Road, Tallahassee, Florida 32302 (Please call (850)921-2548 or Suncom 291-2548 to participate in the telephone conference)

PURPOSE: To discuss revisions to Commission rules prior to the November 2000 Commission meeting in order to meet the deadlines currently established for the Department's rule promulgation process.

COMMISSION MEETING AGENDA: A copy of the conference call agenda may be obtained by contacting: Donna Hunt, (850)410-8615. If you wish to write the Commission for a copy of this issue, please write: Florida Department of Law Enforcement, Criminal Justice professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (850)410-8615, at least two (2) weeks prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIMES: Tuesday, October 17, 2000, Open House, 6:00 p.m. – 7:00 p.m.; Formal Presentation, 7:00 p.m.

PLACE: Melbourne International Airport, One Air Terminal Parkway, Melbourne, Florida 32902

PURPOSE: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Item Number 404667-1-21-01, otherwise known as the Project Development and Environmental (PD&E) Study for Nasa Boulevard Realignment with Ellis Road at Wickham Road in Brevard County, Florida.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address below or call telephone number (904)943-5408. Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Henry Pinzon, P. E., Project Engineer, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: Thursday, October 12, 2000, 9:00 a.m. – 4:00 p.m.

PLACE: Hermitage Room, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida. The conference call number is (850)488-0979, Suncom 278-0979

PURPOSE: This is a regular business meeting of the Council to discuss the October, 2000, bonding capacity estimate; and to discuss the general business of the Council.

Anyone wishing a copy of the agenda should contact: Patti Elsbernd, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Patti Elsbernd, (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 4, 2000, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a scheduling conference to be held in the following docket, to which all interested persons are invited.

Docket No.: 991378-TL – Initiation of Show Cause Proceedings Against Bellsouth Telecommunications, Inc., for Apparent Violation of Service Standards.

DATE AND TIME: Tuesday, September 26, 2000, 3:30 p.m. or immediately following the Commission's Agenda Conference, whichever is later

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To determine the revised procedures under which this docket will be governed.

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

Docket No.: 960786-TL – Consideration of Bellsouth Telecommunications, Inc.'s Entry into Interlata Services Pursuant to Section 271 of the Federal Telecommunications Act of 1996.

Docket No.: 981834-TP – Petition of Competitive Carriers for Commission Action to Support Local Competition in Bellsouth Telecommunications, Inc.'s Service Territory.

The staff of the Florida **Public Service Commission** will take part in a public meeting of Southeastern Regulatory Agencies regarding third-party testing of BellSouth Telecommunications, Inc.'s Operations Support Systems (OSS). One or more Florida Commissioners may attend. The public meeting will be held at the following time and place.

DATE AND TIME: Friday September 29, 2000, 1:30 p.m.

PLACE: 400 West Robinson Street, South Tower, Room D, Orlando, FL

PURPOSE: KPMG Consulting and FPSC Staff will report on the status of the third-party OSS testing in Florida.

A copy of the agenda for the public meeting may be obtained: after September 22, 2000, Lisa Harvey, Division of Regulatory Oversight, Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6806.

The Florida **Public Service Commission** will consider at its October 17, 2000, Agenda Conference, Docket No.: 001084-GU, Application of City Gas Company of Florida, a Division of NUI Corporation, to issue and sell securities, pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, during the twelve months ending September 30, 2001. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue and sell securities in amounts not to exceed \$40 million.

DATE AND TIME: Tuesday, October 17, 2000, the agenda conference, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

PURPOSE: To take final action in Docket No.: 001084-GU.

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

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 4, 2000, 9:30 a.m.

PLACE: Highlands County Health Department, Conference Room, 7205 South George Blvd., Sebring, Florida

PURPOSE: Regular Monthly Meeting of the Council.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, October 9, 2000, 8:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Executive/Budget Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, October 9, 2000, 10:00 a.m.
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Tampa Bay Regional Planning Council.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, October 9, 2000, 12:00 Noon
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Legislative Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 12, 2000, 9:00 a.m.
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Agency on Bay Management.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Area Agency on Aging of Pasco-Pinellas, Inc.** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, October 16, 2000, 9:30 a.m.
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Area Agency on Aging of Pasco-Pinellas, Inc.

Please note that if a person decides to appeal any decision made by the agency with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, October 23, 2000, 9:30 a.m.
(Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

REGIONAL TRANSPORTATION AUTHORITIES

The **Central Florida Regional Transportation Authority (LYNX)** announces the following public meetings of the Governing Board of the Authority.

DATES AND TIMES: October 3, 2000; October 13, 2000, 8:00 a.m. – 10:00 a.m., 11:00 a.m. – 1:00 p.m., 2:00 p.m. – 4:00 p.m.

PLACE: Hyatt Regency Orlando International Airport Hotel, Meeting Room to be posted in lobby, 9300 Airport Boulevard, Orlando, FL 32827

PURPOSE: Candidate interviews for the position of LYNX Executive Director.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should

contact Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

The **Hillsborough Area Regional Transit Authority (HART)** announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

PUBLIC HEARING

DATE AND TIME: September 20, 2000, 5:00 p.m., Board Meeting immediately following the Budget Hearing

PLACE: Tampa Port Authority, 1101 Channelside Drive, 1st Floor, Boardroom, Tampa, FL

PURPOSE: Budget Hearing and Board Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to order
2. Approval of Minutes
3. Introductions, Recognition and Awards
4. Consumer Advisory Committee Report
5. Public Comment on Action Items
6. Consent Action Items
7. Other Action Items
8. Chairman's Report
9. Reports from HART Representatives
10. HART Committee Reports
11. Other Board Member's Report
12. Executive Director's Report
13. Employee Comment
14. General Public Comment
15. Discussion and Presentations
16. Monthly Information Reports
17. Other Information Items
18. Other Business

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 1600, Tampa, FL 33602, (813)223-6831.

Section 286.0105, Florida Statutes, states that if a person decided 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 Joe DeHoyos, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

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

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, October 3, 2000, 5:30 p.m.

PLACE: Citrus Research and Education Center, Ben Hill Griffin Hall, 700 Experiment Station Road, Lake Alfred, Florida

INDUSTRIAL ADVISORY COMMITTEE

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

PLACE: Venice Service Office, 115 Corporation Way, Venice, Florida

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, October 20, 2000, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business. Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida), or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIME: October 24, 2000; and may be continued October 25, 2000, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899

PURPOSE: The acquisition of certain lands eligible to be considered for funding from the Water Management Lands Trust Fund (Save Our Rivers)/Florida Preservation 2000 Trust Fund which lands are further described as follows:

Part of the Alafia River Corridor project comprised of one parcel referred to as SWF Parcel No. 11-709-124 consisting of approximately 999.65 acres and lying in portions of Sections 34 and 35, Township 30, South, Range 34, East and Sections 1 and 2, Township 31, South, Range 21, East, located on the east side of Boyette Road at its intersection with Browning Road in Hillsborough County, Florida; and

Part of the Green Swamp project comprised of one parcel referred to SWF Parcel No. 10-200-1230C to be acquired by a conservation easement consisting of approximately 780± acres. The parcel is located west of U.S. Highway 33 on Calvin Lee Road in all or parts of Sections 27, 28, 33 and 34, Township 23, South, Range 24, East in Lake County, Florida; and

Part of the Weekiwachee Preserve project comprised of four parcels referred to as SWF Parcel Nos. 15-773-104, 137, 150 and 162 which range in size from approximately .46± acres to 49± acres. The parcels are generally located east and west of Shoal Line Boulevard (County Road 597) and north and south of Osowaw Boulevard (County Road 595) and east and west of Aripeka Road (County Road 595) in Sections 25, 35, Township 23, South, Range 16, East, Sections 5 and 31, Township 23, South, Range 17, East, and Section 36, Township 22 South, Range 16, East in Hernando County, Florida.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, (TTD only) 1(800)231-6103.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, October 4, 2000, 10:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

PURPOSE: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting of the panel on Medicaid reimbursement to which all persons are invited.

DATE AND TIME: Wednesday, October 4, 2000, 10:00 a.m.

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

PURPOSE: In accordance with Chapter 99-394, Laws of Florida, the panel on Medicaid reimbursement will be conducting a public meeting. The purpose of the panel is to study the State's Medicaid reimbursement plan for nursing home services and recommend changes to accomplish specific goals. The meeting will be for the purpose of reviewing research conducted by panel members and interested parties on specific preliminary recommendations for modifications to the patient care and property components of the reimbursement methodology.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda has not been set. Contact Mr. Edwin Stephens, (850)413-8067 or Suncom 293-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** is scheduling public meetings, to which all persons are invited, to address issues related to Medicaid managed behavioral health care expansion authorized by the Florida Legislature in CS/HB 1129. The meeting for Alachua County in Medicaid Area Three will be held:

DATE AND TIME: October 6, 2000, 10:30 a.m.

PLACE: Alachua County Public Library, Meeting Room A, 401 East University Avenue, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the Agency to meet with providers, consumers and other stakeholders to answer questions, hear concerns and obtain recommendations for implementation of the requirements of the legislation.

Questions should be directed to: Wendy Smith, Behavioral Health Care Unit, Medicaid Program Development, Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Tallahassee, FL 32308, (850)488-8711, Fax (850)414-1721.

The **Agency for Health Care Administration** announces a meeting of the Florida Statewide Organ and Tissue Procurement and Transplantation Advisory Board meeting in Orlando, Florida. The meeting is open to the public.

DATE AND TIME: October 6, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: LifeLink of Florida, Conference Room, 409 Bayshore Blvd., Tampa, FL 33606

PURPOSE: To elect new officers, hear the Standards Sub-Committee report and recommendations, and to conduct the normal business of the Advisory Board.

NOTE: If you need a special accommodation in order to attend this meeting because of a disability, please notify the Agency for Health Care Administration in writing: 2727 Mahan Drive, Tallahassee, FL 32308, or by phone call Jo Ann Linch, (850)487-2717.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

DATE AND TIME: October 2, 2000, 11:00 a.m.

PLACE: Florida ARF Conference Room, 2475 Apalachee Parkway, Suite 205, Tallahassee, FL

PURPOSE: Annual Certification of RESPECT Work Centers. In order to participate in the RESPECT program as a provider of products or services to state and local government through the provisions of Section 413.035, Florida Statutes, nonprofit agencies must be certified by our governing body, the Commission for the Purchase from the Blind or Other Severely Handicapped.

Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact RESPECT by using the Florida Relay Service, 1(800)955-8771 (TDD).

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

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

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2548 or Suncom 291-2548)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or 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 based.

ADA NOTICE: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext.1036, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday October 4, 2000, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2548 or Suncom 291-2548)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or 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 based.

ADA NOTICE: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Monday October 9, 2000, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2548 or Suncom 291-2548)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or 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 based.

ADA NOTICE: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five working days prior to the meeting.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Wednesday, October 11, 2000, 2:00 p.m.

PLACE: Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149 (The meet-me telephone number is (850)921-2548 or Suncom 291-2548)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the commission. Items to be discussed will include general administrative issues.

A copy of the agenda may be obtained by contacting: Ms. Sharon Moultry, Clerk of the Commission, Florida Commission on Human Relations, 325 John Knox Road, Bldg. F, Suite 240, Tallahassee, Florida 32303-4149, (850)488-7082, Ext. 1036.

VERBATIM RECORD OF MEETING: If any person decides to appeal any decision made during the meeting, he or 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 based.

ADA NOTICE: Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five working days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces the following meetings to be conducted by the Florida **Board of Architecture and Interior Design** (Board):

MEETING: Board of Architecture and Interior Design Committee Meetings and Rules Development Workshop

DATE AND TIME: October 18, 2000, 9:00 a.m.

PURPOSE: To conduct official Architecture, Interior Design, and Continuing Education Task Force Committee meetings and a Rules Development Workshop of the Board of Architecture and Interior Design to review issues associated with the regulation of the architecture and interior design professions. The first session will begin at approximately 9:00 a.m. with the Architecture Committee Meeting, followed by the Interior Design Committee Meeting. The Rules Development Workshop will begin at approximately 1:30 p.m., followed by the Continuing Education Task Force Committee Meeting.

MEETING: Board of Architecture and Interior Design

DATE AND TIME: October 19, 2000, 9:00 a.m.

PURPOSE: To conduct an official meeting of the full Board to review issues associated with regulation of architecture and interior design professions.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Board Conference Room, 1940 N. Monroe Street, Tallahassee, FL 32399

Agenda copies may be obtained by writing: Board, 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Any person deciding to appeal a decision made with respect to any matter considered at the meeting must ensure a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which an appeal is to be based.

Any person requiring special accommodations because of a disability or physical impairment should contact the Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0751 or call (850)488-6685, at least forty-eight (48) hours prior to the meeting. Hearing or speech impaired respondents may contact the Board Office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, October 11, 2000, 4:00 p.m.; Thursday, October 12, 2000, 8:00 a.m.; Friday, October 13, 2000, 8:00 a.m.

PLACE: Ramada Airport Inn and Conference Center, 5303 W. Kennedy Boulevard, Tampa, Florida

PURPOSE: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Cathleen E. O'Dowd, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: October 19, 2000, 1:00 p.m.

PURPOSE: Finance committee meeting, Rules committee meeting, immediately followed by Probable Cause Panel meeting, which portions may be closed to the public. Agenda available on request.

DATE AND TIME: October 20, 2000, 9:00 a.m.

PURPOSE: General Board and Business meeting.

PLACE: Sheraton Suites Key West, 2001 S. Roosevelt Blvd., Key West, FL 33040, 1(800)452-3224

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-0698, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Mandatory Continuing Education Committee to which all persons are invited:

DATE AND TIME: Friday, September 29, 2000, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

PURPOSE: Development of proposed recommendations to the Legislative and Rules Committee on mandatory continuing education requirements.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Friday, September 29, 2000, 1:00 p.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, FL 32301

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: October 24, 2000, 1:30 p.m. or the soonest thereafter

PLACE: Suite 301, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a meeting to which all persons are invited.

DATE AND TIME: October 25, 2000, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida

PURPOSE: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, Recovery Fund Claims, education issues, petitions for declaratory statement, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required. Probable Cause Panel(s) may also meet during this session. Portions of the Probable Cause are not open to the public.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, Administration Office, P. O. Box 1900, Orlando, Florida 32802-1900.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the

meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, Office of the Florida Keys National Marine Sanctuary announces a public meeting to which all persons are invited:

DATE AND TIME: September 29, 2000, 4:00 p.m. – 6:30 p.m.

PLACE: Florida Keys National Marine Sanctuary Office, Mile Marker 95.230 Overseas Highway, Key Largo, Florida 33037

PURPOSE: The Florida Keys National Marine Sanctuary Personnel Watercraft Working group (FKNMSPWCWG) will hold a meeting of its Working Group members. The agenda of this regular meeting of the FKNMSPWC Working Group will include: preliminary discussion for drafting alternatives for addressing the PWC issue in the FKNMS. Discussions will also include other related topics.

A copy of the full agenda may be obtained by contacting: Brenda Altmeier, (305)852-7717, Ext. 21.

If accommodations are needed for an attendee with a disability to participate in this activity, please notify Brenda Altmeier, Department of Environmental Protection, Florida Keys National Marine Sanctuary, (305)852-7717, Ext. 21, prior to the event.

The **Department of Environmental Protection** (DEP) announces a public meeting of the TMDL Allocation Technical Advisory Committee (TAC) to which all persons are invited.

DATE AND TIME: Monday, October 2, 2000, 9:00 a.m. – 4:30 p.m.

PLACE: Tampa District Office, 3804 Coconut Palm Drive, Conference Rooms A and B, 2nd Floor, Tampa, Florida 33619

PURPOSE: To assist in the preparation of a report, pursuant to s. 403.067(6), Florida Statutes, describing how to allocate load reductions to contributing source(s) once Total Maximum Daily Loads (TMDLs) have been determined for parameters of concern. Discussion may include options to fairly and equitably allocate pollution loads to both nonpoint and point sources, including consideration of existing treatment levels and management practices, and environmental, economic, and technological feasibility.

A copy of the agenda for the meeting may be obtained by contacting: Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, MS 3555, Tallahassee, Florida 32399-2400, (850)921-9488.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel

Services Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection**, Division of Air Resources Management announces a rule development workshop to which all persons are invited:

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

PLACE: Twin Towers Building, Sixth Floor, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

PURPOSE: This workshop will cover proposed amendments to sections of Florida Administrative Code Rules 62-210, 62-213, and 62-214, previously noticed for a workshop that was scheduled for Thursday, September 7, 2000, and subsequently cancelled. Topics to be discussed include clarifying Title V fee proration and the volatile organic compound fee calculation method, adding a new Title V source Statement of Compliance Form, adding language to address transfer of air permits, adding a new Transfer of Air Permit Form, adding the option of separately processing and issuing the Acid Rain part of a Title V permit, amending and deleting Acid Rain Program definitions, and amending the Acid Rain rules and forms.

A copy of the agenda may be obtained by contacting: Ms. Sandy Ladner, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400, (850)921-9551.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting the Personnel Service Specialist, 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 workshop to which all interested persons are invited to discuss a draft rule for the development of a methodology to identify impaired waters for listing on the State's 303(d) list.

DATE AND TIME: Wednesday, October 11, 2000, 9:00 a.m. – ending not later than 4:30 p.m.

PLACE: DEP Orlando District Office, 33319 Maguire Blvd., Suite 232, Orlando, Florida

PURPOSE: To receive public input on the draft rule for the development of the methodology to identify impaired waters for inclusion on the State's 303(d) list pursuant to Section 403.067, Florida Statutes, and Section 303(d) of the Federal Clean Water Act.

A copy of the agenda for the meeting may be obtained by writing: Mr. Jan Mandrup-Poulsen, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400, (850)921-9488.

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 Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine** will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Wednesday, October 4, 2000, 12:30 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL, at Meet Number (850)488-5776

PURPOSE: For cases previously reviewed by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Board of Chiropractic Medicine** will hold a duly noticed meeting, to which all persons are invited to attend.

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

PLACE: Marriott North, 6650 North Andrews Avenue, Ft. Lauderdale, FL, (954)771-0440

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda may be obtained by writing: Sherra Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Metal Health Counseling announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: October 2, 2000, 3:00 p.m.

PLACE: Phone Number (850)245-4474, to inquire about call-in number

PURPOSE: Probable Cause Panel Meeting.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)488-0595, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

All interested parties should contact the board by writing: Sue Foster, Executive Director, Board of Clinical Social Work, Mental Health Counseling and Marriage and Family Therapy, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258 or call (850)245-4474.

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces an official Board meeting. All interested parties are invited to attend which is normally open to the public.

DATES AND TIME: October 19-20, 2000, 9:00 a.m.

PLACE: The Sheraton Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)377-4000

PURPOSE: General Business Meeting.

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, 4052 Bald Cypress Way, 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, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by October 6, 2000.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: October 6-8, 2000, 8:00 a.m.

PLACE: Rozen Plaza Hotel, 9700 International Drive, Orlando, FL 32819, (813)225-1234

PURPOSE: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-1753.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a meeting.

DATE AND TIME: October 14, 2000, 2:00 p.m.

PLACE: Hyatt Regency, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

PURPOSE: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section

no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, Telephone (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

NOTICE OF CORRECTION – The Department of Health, Board of Nursing announces public meetings to which all interested persons are invited.

EDUCATION RULES WORKSHOP

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

PLACE: Sheraton Suites, Cypress Creek, Grand Cypress Ballroom, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To consider rules for education issues.

LPN SUPERVISION RULES WORKSHOP

DATE AND TIME: Tuesday, October 10, 2000, to follow Education Rules Workshop

PLACE: Sheraton Suites, Cypress Creek, Grand Cypress Ballroom, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To discuss LPN supervision and other issues.

INTERVENTION PROJECT FOR NURSES COMMITTEE MEETING

DATE AND TIME: Wednesday, October 11, 2000, 8:00 a.m.

PLACE: Sheraton Suites, Cypress Creek, Grand Cypress Ballroom, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To discuss matters relating to the policies and procedures of the Intervention Project for Nurses.

ADVANCED REGISTERED NURSE PRACTITIONER'S COMMITTEE MEETING

DATE AND TIME: Wednesday, October 11, 2000, 8:30 a.m.

PLACE: Sheraton Suites, Cypress Creek, Salon 1, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To consider applications and review certification of Advanced Registered Nurse Practitioners.

EDUCATION COMMITTEE MEETING

DATE AND TIME: Wednesday, October 11, 2000, 8:30 a.m.

PLACE: Sheraton Suites, Cypress Creek, Grand Cypress Ballroom, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To consider matters relating to nursing programs and applications for licensure.

CONTINUING EDUCATION

DATE AND TIME: Wednesday, October 11, 2000, 9:00 a.m.

PLACE: Sheraton Suites, Cypress Creek, Salon 1, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To discuss and hold hearings on procedures for continuing education rules.

CREDENTIALS COMMITTEE

DATE AND TIME: Wednesday, October 11, 2000, 10:00 a.m.

PLACE: Sheraton Suites, Cypress Creek, Salon 1, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: To discuss and hold hearings on credential issues.

BOARD OF NURSING BI-MONTHLY BOARD MEETING

DATES AND TIMES: Wednesday, October 11, 2000, 1:30 p.m.; Thursday, October 12, 2000, 8:30 a.m.; Friday, October 13, 2000, 8:30 a.m.

PLACE: Sheraton Suites, Cypress Creek, Grand Cypress Ballroom, 555 N. W. 62nd St., Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: Rule Hearing/Adoptions; Nursing Education Program Requests and Reports; Advanced Registered Nurse Practitioners Certificates and matters relating advanced nursing practice; Continuing Education matters; Legal and Disciplinary Actions; Licensing Problems, Informal Hearings, Declaratory statements, Correspondence and other miscellaneous matters relating to the practice of nursing.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** and the **Board of Occupational Therapy Practice** and the Probable Cause Panel of the **Board of Occupational Therapy** announce meetings to which all persons are invited:

DATE AND TIME: October 16, 2000, 8:00 a.m. (EST) or soon thereafter, Probable Cause Panel; General Board Meeting, will commence immediately following the Probable Cause Panel or soon thereafter

PLACE: Holiday Inn Select, 5750 T. G. Lee Blvd., Orlando, FL 32822, (407)851-6400

PURPOSE: Reconsideration of cases previously heard by the Probable Cause Panel; Rules Committee Meeting; General Business Meeting; Legislative Workshop; Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Opticianry** announces a Rules Committee Meeting via telephone conference call. All interested parties are invited to participate, the conference call is open to the public.

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

PLACE: Phone Number: (850)245-4474, to inquire about call-in number

PURPOSE: Rules Committee Meeting.

Any person requiring special accommodations for this conference call due to disability or physical impairment should call (850)245-4474, at least five (5) calendar days prior to the conference call. If you are hearing or speech impaired, please contact the office using the Florida Dual Party Relay system, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

All interested parties should contact the board by writing: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258 or call (850)245-4474.

The **Board of Optometry**, Probable Cause Panel will hold a meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, October 19, 2000, 8:00 a.m.

PLACE: Jacksonville Marriott, 4670 Salisbury Road, Jacksonville, FL 32256, (904)296-2222

PURPOSE: For cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra W. Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Board of Optometry** will hold a meeting to which all persons are invited to attend.

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

PLACE: Jacksonville Marriott, 4670 Salisbury Road, Jacksonville, FL 32256, (904)296-2222

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the 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: Sherra W. Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Physical Therapy Practice** announces a meeting to which all persons are invited.

DATE AND TIME: October 27, 2000, 8:00 a.m. or soon thereafter

PLACE: The Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, FL 33309, (954)772-5400

PURPOSE: General Business Meeting; Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology**, Probable Cause Panel announces a conference call to which all persons are invited:

DATE AND TIME: October 31, 2000, 8:00 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting Betsey Hines, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, (850)245-4372

PURPOSE: Reconsideration of cases previously heard by the Probable Cause Panel.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, the Board of Respiratory Care** announces meetings to which all persons are invited.

DATES AND TIMES: October 12, 2000, Probable Cause Committee beginning at approximately 7:00 p.m. or soon thereafter; October 13, 2000, General Board Meeting and Rules Review, 9:00 a.m. or soon thereafter

PLACE: The Clarion Hotel, 2108 Dixie Clipper Road, Jacksonville, Florida 32218, (904)741-1997

PURPOSE: Probable Cause Committee and General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 2000, 8:00 a.m. – 3:30 p.m.

PLACE: Golf Coast Community College, Gibson Lecture Hall, Lifelong Learning Center, 5230 West Highway 98, Panama City, FL 32401-9978.

PURPOSE: A task force appointed by the Department of Health and the Agency for Health Care Administration is meeting to implement legislation, conduct a study and develop recommendations regarding the following:

- Hospital diversion of Emergency Medical Services
- Closure of hospital emergency departments
- Staffing and coverage of physicians and other ancillary services and providers of hospital – based emergency care
- Impact of unfunded mandates and uncompensated care on the provision of emergency services and care.

The task force is directed to submit to the legislature a report of the study and recommendations by January 1, 2001.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, BIN #C18, Tallahassee, Florida 32399-1739 or by calling Jeanine Dawson, (850)245-4440, Ext. 2711.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before September 25, 2000 by contacting Jeanine Dawson, (850)245-4440, Ext. 2711. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number FOO396

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 5 announces the following public meeting to which all persons are invited:

COMMUNITY-BASED CARE PINELLAS TASK FORCE

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

PLACE: Mary Grizzle State Office Building, Room 418D, 11351 Ulmerton Road, Largo, FL

PURPOSE: To discuss implementation of community-based care in District 5.

Agendas can be obtained seven days in advance of meeting: Mary Grizzle State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting at (727)588-7071 or TDD (727)588-6662 to arrange accommodations.

The Office of Mission Support and Performance of the **Department of Children and Family Services**, Central Office announces the following workshop at which members of the public are invited to observe.

DCF/JESSIE BALL DUPONT FUND OUTCOME PROJECT STAKEHOLDER WORKSHOP

DATE AND TIME: Monday, October 2, 2000, 9:00 a.m.

PLACE: Omni Hotel, Jacksonville, FL

PURPOSE: This workshop will review the Department's system of performance measures; allow stakeholder representatives for identifying appropriate measures to recommend for Legislative use in assessing social service outcomes; define possible data gathering parameters; and propose methods by which these recommendations can be communicated for public information and advocacy purposes.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, Mission Support and Performance/OSMSP, 1317 Winewood Blvd. Tallahassee, FL 32399-0700, Attn.: Becky Lyons, by phone (850)488-5033 or by email Becky_Lyons@dcf.state.fl.us.

If you wish to attend this workshop and need special accommodation for a disability please notify Becky Lyons at the above address at least 48 hours in advance.

The Family Preservation and Support Coalition Executive Committee, sponsored by the District 12, **Department of Children and Family Services** announces the following public meeting to which all persons are invited.

DATE AND TIME: October 4, 2000, 9:00 a.m.

PLACE: Domestic Abuse Council, 211 N. Ridgewood Avenue, Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Jeff Miller.

If you need special accommodations (i.e., assistive listening devices, sign language interpreter, etc.) please notify Jeff Miller, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay System, 1(800)955-8771.

The Family Preservation and Support Coalition Training Committee, sponsored by the District 12, **Department of Children and Family Services** announces the following public meetings to which all persons are invited.

DATE AND TIME: October 10, 2000, 9:30 a.m.

PLACE: United Way of Volusia and Flagler Counties, 3747 West International Speedway Blvd., Daytona Beach, Florida

PURPOSE: Regular Business Meeting.

A copy of the agenda may be obtained by writing: Family Preservation and Support, Department of Children and Family Services, 210 North Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Jeff Miller.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Jeff Miller, (904)226-7826, at least 48 hours in advance of the meeting. Hearing impaired please use Florida Relay System, 1(800)955-8771.

The **Department of Children and Family Services**, District 4 announces the following public meetings to which all persons are invited.

DATE AND TIME: October 4, 2000, 3:00 p.m.

PLACE: Conference Room I, Roberts Building, 5920 Arlington Expressway, Jacksonville, FL 32211

PURPOSE: Organizational meeting of the community alliance (Duval County only).

DATE AND TIME: November 15, 2000, 1:00 p.m.

PLACE: Board of Regents Room, University Center, UNF, 12000 Alumni Drive, Jacksonville, FL 32224

PURPOSE: Organizational meeting of the community alliance (all five counties of District 4).

The Regional Health and Human Services Committee of District 4 will meet as follows:

DATES AND TIME: Tuesday, October 17, 2000; Tuesday, November 21, 2000, 3:00 p.m.

PLACE: Conference Room 1, Roberts Building, 5920 Arlington Exp., Jacksonville, FL

A copy of the agendas may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083, Attention: Glenda Davis.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Glenda Davis, (904)723-2022, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** has scheduled an Executive Meeting meeting to all interested persons:

DATE AND TIME: To be held in conjunction with the Commission's business meeting, October 3, 2000, 9:30 a.m., (notice of business meeting was published August 4, 2000, Vol. 26, No. 31, Florida Administrative Weekly).

PLACE: Second Floor, Conference Room, Farris Bryant Building, 620 South Meridian Street, Tallahassee, Florida

PURPOSE: During this meeting, the Commissioners, the Executive Director and the General Counsel shall meet in private to discuss pending litigation in which the Commission is a party.

The meeting will be recorded by a certified court reporter. Upon conclusion of litigation, a verbatim transcript of the meeting may be obtained from the Office of the General Counsel, Florida Game and Fresh Water Fish Commission, 620 S. Meridian Street, Tallahassee, Florida 32399-1600.

NORTHEAST FLORIDA AREA AGENCY ON AGING

The **Northeast Florida Area Agency on Aging** (PSA4) announces a Budget/Finance Committee meeting and a Board of Directors meeting to which all persons are invited:

DATE AND TIMES: September 20, 2000, Budget and Finance Committee, 12:30 p.m.; Board of Directors Meeting, 1:00 p.m.

PLACE: Houston Conference Room, Flagler Hospital, St. Augustine, Florida

PURPOSE: General Board business and voting on committee recommendations.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 590 S. Ellis Road, Jacksonville, FL 32254, (904)786-5111.

FLORIDA SEAPORT TRANSPORTATION AND ECONOMIC DEVELOPMENT COUNCIL

The **Florida Seaport Transportation and Economic Development Council** (FSTED), Environmental Management Committee announces a public meeting in which all interested persons are invited to participate.

DATE AND TIME: September 26, 2000, 11:00 a.m. – 1:00 p.m.

PLACE: Radisson Hotel, 415 North Monroe Street, Tallahassee, Florida

PURPOSE: General Business.

Information on the meeting may be obtained by contacting: Tara Vercellone, Florida Ports Council, 315 South Calhoun Street, Suite 712, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Tara Vercellone, (850)222-8028.

FLORIDA PORTS CONFERENCE

The **Florida Ports Conference** announces a public meeting to which all interested persons are invited.

DATE AND TIME: September 27, 2000, 7:30 a.m.

PLACE: Radisson Hotel, 415 N. Monroe Street, Tallahassee, FL

PURPOSE: General Business Meeting.

A copy of the agenda may be obtained by contacting: James C. Massie, General Counsel, (850)222-8021.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise James C. Massie, (850)222-8021.

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Strategic Plan Committee

DATE AND TIME: Wednesday, September 27, 2000, 10:00 a.m. – 1:00 p.m.

PLACE: Hyatt Orlando Airport, Orlando, Florida, (407)825-1234

PURPOSE: Strategic Plan Committee Meeting.

If an accommodation is needed for a disability or physical impairment, please contact Debra Matthews, (407)316-4656, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 27, 2000, 11:30 a.m.

PLACE: Moffitt Board Room, 12902 Magnolia Drive, Tampa, FL

PURPOSE: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer, by Friday, September 22, 2000.

FLORIDA COMMERCIAL SPACE FINANCING CORPORATION

The **Florida Commercial Space Financing Corporation** announces a Board of Directors meeting and teleconference to which the public is invited.

DATE AND TIME: October 11, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920

PURPOSE: General Board Business Meeting.

For more information, contact Karri Burns, (321)730-5301, Ext. 1144. The Board of Director’s meeting will be available at the office of Florida Commercial Space Financing Corporation.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

LOCAL EMERGENCY PLANNING COMMITTEE

The District I, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: October 18, 2000, 10:00 a.m.

PLACE: Santa Rosa County Emergency Operations Center, 4499 Pine Forest Road, Milton, FL 32583-2831

PURPOSE: To conduct general business of the District I, Local Emergency Planning Committee.

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.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The **Florida Local Government Finance Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, October 13, 2000, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

PURPOSE: Meeting of the Commission relating to its statewide pooled commercial paper program.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN that the State of Florida, Office of the Comptroller, Department of Banking and Finance, Division of Finance, has received a Petition for Declaratory Statement from Brighton Credit Corp., (hereinafter “Petitioner”). The Petitioner is requesting the Department’s opinion regarding the applicability of Part II of Chapter 559, Florida Statutes (2000), to the Petitioner’s anticipated activities within the State of Florida.

A copy of the Petition for Declaratory Statement, Department’s Case Number 7834-F-8/00, may be obtained by a written request: Agency Clerk, Office of the Comptroller, The Fletcher Building, 101 East Gaines Street, Suite 526, Tallahassee, Florida 32311-0350. Please refer all inquiries to Adam K. Ehrlich, Assistant General Counsel, Office of the Comptroller, Office of the General Counsel, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

NOTICE IS HEREBY GIVEN that the State of Florida, Office of the Comptroller, Department of Banking and Finance, Division of Finance, has received a Petition for Declaratory Statement from Auto-Cash Title Loans, Inc., (hereinafter “Petitioner”). The Petitioner is requesting the Department’s opinion regarding the applicability of Chapter 2000-138, Laws of Florida, to the Petitioner and whether the Petitioner is required to comply with these provisions after the effective date of the Act, October 1, 2000.

A copy of the Petition for Declaratory Statement, Department's Case Number 7832-F-8/00, may be obtained by a written request: Agency Clerk, Office of the Comptroller, The Fletcher Building, 101 East Gaines Street, Suite 526, Tallahassee, Florida 32311-0350. Please refer all inquiries to Adam K. Ehrlich, Assistant General Counsel, Office of the Comptroller, Office of the General Counsel, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by Christopher Spencer, President of the International Fire Fighters Association, Local #2887, on June 16, 2000. The following is a summary of the agency's disposition of the petition: Question No. 1: Could not be answered because the question as asked did not meet the criteria for a petition question. Question No. 2: If a Public Safety Officer does not have the official basic state certification of a fire fighter, which consists of 360 hours as provided by Section 633.35(1), Florida Statutes, he or she can not be considered a qualified, certified, fire fighter and also perform the duties and responsibilities required of a certified fire fighter, as provided in Section 633.35(2), Florida Statutes. The only way to become certified as a professional fire fighter, and to legally engage in the activities of a "regular and certified fire fighter" is to complete the entire 360 hours course.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on September 7, 2000, from the Division of State Fire Marshal, with regards to the classification of a building as a two story or three story structure. The request has been assigned the number DCA00-DEC-276.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by eData.com on July 5, 2000. The following is a summary of the agency's disposition of the petition: The Commission acknowledged eData.com's voluntary dismissal of its petition. Docket No. 000816-TP

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from Gemini Networks FL, Inc. The petition seeks

the agency's opinion as to the applicability of Sections 364.02(12) and 364.337, Florida Statutes, as it applies to petitioner. Docket No. 001261-TP

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on August 31, 2000 from Paulette Ximines. Petitioner is seeking amendment of Rule 33-401.401, Florida Administrative Code, to ban the use of all tobacco products at Department of Corrections institutions.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on September 5, 2000 from James Quigley. Petitioner is seeking amendment of Rule 33-103.005(2)(b)2., Florida Administrative Code, to require only two, rather than three, copies of attachments to the DC1-303, Request for Administrative Remedy or Appeal Form.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on September 6, 2000 from Craig Caldwell. Petitioner is seeking amendment of Chapter 33, Florida Administrative Code, to require the Department to adopt rules relating to institution barbershops.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Richard Adamson. The Petitioner requested that the Department of Corrections amend Rule 33-602.201(6), Florida Administrative Code, to permit inmates to place orders for personal property from an approved catalog vendor three times during the year providing the inmate has sufficient funds to cover the cost of purchases. He further requested amendment to permit inmates with special liens or other holds upon their accounts to make similar purchases one time during the year.

The Department denied Inmate Adamson's Petition to Initiate Rulemaking as unnecessary, finding that the matter of inmate catalog purchases was permitted by Rule 33-203.101(10)(b),(c) providing an inmate had sufficient funds in his or her inmate bank trust account.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Richard Adamson. The Petitioner requested that the Department of Corrections amend Rule 33-601.308(3)(l), Florida Administrative Code, to require the Department to give an inmate placed in administrative confinement pending a disciplinary proceeding credit for time served against any penalty imposed in the event the inmate is subsequently found guilty of the disciplinary violation.

The Department denied Inmate Adamson's Petition to Initiate Rulemaking. The Rule currently requires the disciplinary team to consider time served in administrative confinement in determining the total number of days of recommended disciplinary confinement. The Rule was specifically designed to give the team discretion in whether to award credit for time served as an incentive for good behavior while in administrative confinement.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Richard Adamson. The Petitioner requested that the Department of Corrections amend Rule 33-203.101(2), Florida Administrative Code, to increase the amount of permissible weekly canteen purchases from \$45.00 to \$50.00.

The Department denied Inmate Adamson's Petition to Initiate Rulemaking since the weekly draw of \$45.00 was established by statute and Department rules must conform to statutory authority.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on September 1, 2000 from Randall T. Prater. Petitioner is seeking amendment of Rule 33-501.301(8), Appendix One, Florida Administrative Code, to require the Department to include the Florida Administrative Weekly and Florida Administrative Code Annotated in prison law libraries.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission has received and will consider the following Petition for Declaratory Statement:

Case No.: DS-2000-001

In Re: Petition for Declaratory Statement of the City of Winter Haven

The City of Winter Haven filed a petition for declaratory statement asking whether its employees who are currently represented by certified bargaining agents should receive an annual pay adjustment effective October 1, 2000, since the employee organizations representing those employees are not currently requesting that the city bargain.

A copy of the petition may be obtained by writing: Clerk, Public Employees Relations Commission, 2586 Seagate Drive, Suite 100, Tallahassee, Florida 32301-5032.

Any person desiring to submit a statement regarding the petition may do so by filing such statement at the above address within 20 days of the date of this publication.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a final order in In Re: Petition for Declaratory Statement, Whitehall Condominium Association, Inc., Petitioner; Docket Number 2000-111.

The petition was denied on the basis that it did not seek the agency's opinion as to the applicability of a statutory provision, rule, or order of the agency but rather sought an interpretation of existing case law and/or an interpretation of an ambiguous provision of the condominium's by-laws.

A copy of the final order may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on August 17, 2000 a petition for Declaratory Statement concerning applicability of Section 403.182, Florida Statutes, to Alachua County. The petition has been assigned OGC case number 00-1626. Copies

may be received from, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, Attn.: Patricia E. Comer.

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:

Save the Manatee Club, Inc. vs. Southwest Florida Water Management District; Rule No.: 40D-4.051(3),(5),(6); Case No.: 99-3885RX

Osceola Fish Farmers Association, Inc. vs. South Florida Water Management District; Rule No.: 40E-2; Case No.: 00-3615RU

Florida Hospital Association, Inc. vs. Agency for Health Care Administration; Rule No.: 59A-12.020; Case No.: 00-3613RP

Florida Association of the American Institute of Architects, The American Institute of Architects and Miguel A. Rodriguez, AIA vs. Department of Business and Professional Regulations; Rule No.: 61-6.015; Case No.: 00-3614RP

Joseph P. Laurino, PH.D. vs. Department of Health, Board of Clinical Laboratory Personnel; Rule No.: 64B3-5.007(2)(a); Case No.: 00-3315RX

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

GTE Florida, Inc. vs. Florida Public Service Commission; Rule No.: 25-4.300-.302; Case No.: 99-5368RP; Invalid

Bellsouth Telecommunications, Inc. vs. Florida Public Service Commission; Rule No.: 25-4.300-.302; Case No.: 99-5369RP; Invalid

Save the Manatee Club, Inc. vs. Southwest Florida Water Management District, South Shores Properties Partners, Ltd.; Rule No.: 40D-4.051(3),(5),(6); Case No.: 99-3885RX; Invalid

Florida Academy of Cosmetic Surgery, Inc.; Charles Graper, M.D., D.D.S., F.A.C.S.; and R. Gregory Smith, M.D. vs. Department of Health, Board of Medicine and Florida Hospital Association; Association of Community Hospital and Health

Systems; Florida Society of Plastic Surgeons, Inc., and Florida Society of Anesthesiologists, Inc.; Rule No.: 64B8-9.009; Case No.: 00-1058RX; 64B8-9.009(4)(b),(6)(b); 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

NOTICE TO CONSTRUCTION MANAGERS

Florida A and M University, on behalf of the State of Florida, Board of Regents announces that construction management services will be required for the project listed below:

Project No.: BR-314, Project and Location: Pharmacy Building, Phase – I, Florida A & M University, Tallahassee, Florida 32307.

This project consists of the construction of a 59,900 (+-) gross square feet state of the art Pharmacy Building for Phase One. This Academic Facility will house classrooms, offices, teaching and research laboratories primarily for undergraduate and graduate programs in the College of Pharmacy and Pharmaceutical Sciences.

The estimated construction cost is \$10,000,000.

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 analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract,

or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 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: Alice T. Williams, Secretary or Rod McQueen, Coordinator, Facilities Planning and Construction, (850)599-3197, Fax (850)561-2289.

Six (6) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307.

Submittals must be received by 3:00 p.m., local time, November 22, 2000. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida, on behalf of the State of Florida, Board of Regents announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project Number: BR-549

Project Name and Location: Natural and Environmental Sciences Building, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION: This project is for the College of Arts and Sciences, and will serve the departments of Chemistry, Geology, and Environmental Sciences. The building consists of wet and dry research labs, dry teaching labs, offices, classrooms and support space totaling approximately 37,000 net square feet and 59,000 gross square feet. The proposed building site(s) will be in the proximity of the existing Chemistry Building located in the center of Campus, on the south side of the Central Lawn area.

The selected firm will provide program verification, final site location recommendation, design, applications for permitting, construction documents, construction administration and post-occupancy services for the referenced project. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services. Project development including professional services is contingent upon availability of funds. The estimated construction budget for this project is anticipated to be approximately \$11,100,000 including site related work. It is anticipated that this project will utilize a construction manager for pre-construction and construction services.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; minority participation; volume of work; and distance from project. Finalists will be provided a copy of the approved building program and a copy of the standard Architect/Engineer Agreement.

Firms desiring to apply for consideration shall submit a letter of application, a completed Board of Regents "Professional Qualifications Supplement", version dated 9/99, and a copy of the applicant's current Professional Registration Certificate from the appropriate governing board. Applications on any other form will not be considered.

All applicants must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Natasha Stewart, Senior Word Processing Operator, Facilities Planning and Construction, University of South Florida, FPC 110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, telephone (813)974-0850, Fax (813)974-3542.

Interested firms are invited to attend a presubmittal meeting at the University of South Florida, Tampa Campus, to be held at 2:30 p.m., Monday, October 10, 2000, at Facilities Planning and Construction FPC 109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the short listed applicants and the State University System. Requests for any project information must be in writing to the above address. The Selection Committee may reject all proposals and stop the selection process at any time.

Six (6) copies of the above requested data, bound in the order listed shall be addressed to: Steve Warren, 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 in the University of South Florida, Facilities Planning and Construction Office, FPC 110, by 2:00 p.m., local time, on Tuesday, October 24, 2000.

Facsimile (FAX) submittals are not acceptable and will not be considered.

REGIONAL PLANNING COUNCILS

The Gold Coast Clean Cities Coalition
Announces Alternative Fuel Vehicle
Mini-grants to Local Governments
Solicitation Number CC-MG-00

The South Florida Regional Planning Council, Gold Coast Clean Cities Coalition, is seeking proposals from local governments including, but not limited to, cities, towns, counties, school boards, airport authorities, transit agencies,

designated 501(c)(3) organizations and other organizations recognized by the local governments within Martin, Palm Beach, Broward, Miami-Dade, and Monroe counties. The mini-grants (\$25,000 and under) are to be used for alternative fuel projects that make a positive contribution to reducing reliance on petroleum; the environment; and the health, welfare and quality of life in the applicant's community.

The Coalition has determined that it is in the best interest of its Alternative Fuel Vehicle Program that the following category of projects be given the highest priority for funding. Priorities are listed in order of importance with Priority 1 being the highest priority.

1. Mass transit projects,
2. Airport projects and law enforcement projects,
3. New fleet and private fleet projects,
4. Carpool leasing projects,
5. Projects that use existing alternative fueling facilities, and
6. All other AFV projects not identified above.

Interested parties can receive a copy of the complete Mini-grant Funding Notice that includes the proposal requirements by contacting

Larry Merritt, Coordinator
Gold Coast Clean Cities Coalition
South Florida Regional Planning Council
3440 Hollywood Boulevard, Suite 140
Hollywood, Florida 33021
Local: (954)985-4416 or SunCom: 473-4416 or
State: 1(800)985-4416
E-mail at MerrittL@sfrpc.com

Approximately \$60,000 is available and proposals will be evaluated on a first-come, first-serve basis and in consideration of the priorities identified above. The South Florida Regional Planning Council reserves the right to reject any and all proposals. Proposals must be submitted by Friday, November 3, 2000.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD) if you require additional information regarding this grant funding notice. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4415, by October 1, 2000 to participate in this grant program.

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED General or Underground Utilities Contractor CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: YL SAMAS CODE:

PROJECT NAME AND LOCATION: Region IV Sewer System and Manhole Rehabilitation Dade Correctional Institution, Everglades Correctional Institution, Opa Locka Community Correctional Center, and the South Florida Reception Center FOR: Florida Department of Corrections

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004. A copy of the rule requirements is included in the Instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: October 24, 2000, Until 1:00 p.m., Local Time

PLACE: LBFH, Inc., 3550 S. W. Corporate Parkway, Palm City, Florida 34990

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT/ENGINEER: Lindahl, Browning, Ferrari & Hellstrom, Inc., 3550 S. W. Corporate Parkway, Palm City, Florida 34990, (561)286-3883

Pre-bid Conference is changed from September 12, 2000, to October 6, 2000, 11:00 a.m., at South Florida Reception Center Administrations conference room.

Drawings and specifications may be purchased for \$55.00 per set from the Architect/Engineer, plus \$12.00 per set for shipping and handling.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Invitation to Negotiate

The Florida Department of Children and Family Services is requesting applications for Adoption Services. The program will be for a minimum of eighteen months and will not exceed a maximum of twenty-four months. General units of local government, minority non-profit businesses, non-profit agencies and Indian tribes are eligible to apply.

District 13 (Citrus, Hernando, Lake, Marion and Sumter Counties) is in the process of converting to Community Based Care Services. Pursuant to Chapter 63, Florida Statutes, the purpose of this Invitation to Negotiate is to attract qualified providers who will perform on a district specific contract designed to perform Adoption Services in District 13, to increase the number of finalized adoptions of children who are available for adoption; minimize the length of time children wait for permanent adoptive homes; increase the number of child sibling groups kept together and adopted; increase the number of finalized adoptions of teenagers who are available for adoptions and want to be adopted; and, increase the number of finalized adoptions of children with special needs, and when possible, maintain children in their adoptive home after finalization.

Copies of the Invitation to Negotiate may be obtained from the Department of Children and Family Services, District 13 beginning 8:00 a.m. (EDT) Tuesday, September 5, 2000. Written notices of intent to submit proposals should be received by the department by Monday, September 11, 2000. A prospective respondent's conference will be held on Monday, September 18, 2000, 10:00 a.m. (EDT) in Room 2002 of the Children and Family Services, District 13, Headquarters Office located at 1601 W. Gulf Atlantic Hwy., Wildwood, Florida. All applications for Adoption Services must be received by the department no later than Monday, October 30, 2000, 5:00 p.m. (EST). Applications received after that time will not be considered. The department will post a list of the qualified applicants with whom it may seek to negotiate on Tuesday, November 6, 2000, 12:00 p.m. (EST). Certified minority business enterprises are encouraged to participate in any respondents conferences, presolicitation or prebid meetings which are scheduled. The department reserves the right to reject any and all applicants or accept minor irregularities in the best interest of the state.

All invitations for negotiation, inquiries, notices of intent to respond to the Invitation to Negotiate, and submission of the applications for Adoption Services are to be directed in writing to the following: Phillip C. Love, Contract Manager, Adoption ITN, Department of Children and Family Services, District 13, 1601 W. Gulf Atlantic Hwy., Wildwood, FL 34785.

Invitation to Negotiate

The Florida Department of Children and Family Services is requesting applications for In-Home Services. The program will be for a minimum of eighteen months and will not exceed a maximum of twenty-four months. General units of local government, minority non-profit businesses, non-profit agencies and Indian tribes are eligible to apply.

District 13 (Citrus, Hernando, Lake, Marion and Sumter Counties) is in the process of converting to Community Based Care Services. Pursuant to Chapter 39, Florida Statutes, the purpose of this Invitation to Negotiate is to attract qualified providers who will perform on a district specific contract designed to perform In-Home Services in District 13, to ensure safety and stability for children and their families by developing and delivering intensive and extensive in home services to meet the unique family needs and capitalize on family strengths; enable children to grow up in permanent homes within an environment that promotes healthy child development; help children and families resolve crises and other problems in child rearing to promote safety and stability in the home; assist families in navigating social service systems and obtain culturally appropriate services and supports to meet multiple needs; avoid unnecessary out-of-home placements for children; keep children safely in their homes, when possible, or maintain children safely in their own homes after reunification; and, prevent the occurrence or reoccurrence of child abuse and/or neglect.

Copies of the Invitation to Negotiate may be obtained from the Department of Children and Family Services, District 13 beginning 8:00 a.m. (EDT) Tuesday, September 5, 2000. Written notices of intent to submit proposals should be received by the department by Monday, September 11, 2000. A prospective respondent's conference will be held on Monday, September 18, 2000, 2:00 p.m. (EDT) in Room 2002 of the Children and Family Services, District 13, Headquarters Office, 1601 W. Gulf Atlantic Hwy., Wildwood, Florida. All applications for In-Home Services must be received by the department no later than Monday, October 30, 2000, 5:00 p.m. (EST). Applications received after that time will not be considered. The department will post a list of the qualified applicants with whom it may seek to negotiate on Tuesday, November 6, 2000, 12:00 p.m. (EST). Certified minority business enterprises are encouraged to participate in any respondents conferences, presolicitation or prebid meetings

which are scheduled. The department reserves the right to reject any and all applicants or accept minor irregularities in the best interest of the state.

All invitations for negotiation, inquiries, notices of intent to respond to the Invitation to Negotiate, and submission of the applications for In-Home Services are to be directed in writing to the following: Phillip C. Love, Contract Manager, In-Home Services ITN, Department of Children and Family Services, District 13, 1601 W. Gulf Atlantic Hwy., Wildwood, FL 34785.

DUVAL COUNTY PUBLIC SCHOOLS

**NOTICE TO PROFESSIONAL CONSULTANTS
OFFICE OF FACILITIES PLANNING AND
CONSTRUCTION
FOR PROFESSIONAL SERVICES
FOR
Professional Services**

Facilities Planning and Construction announces that Architect/Engineer services are required for the projects listed below. Please follow instructions for each separate project for which your firm is making application. Applications are to be sent to:

Facilities Planning and Construction
1701 Prudential Drive – 5th Floor
Jacksonville, FL 32207-8182

PROJECT NO.: C-90780
PROJECT NAME: Additions, Renovations and Site Work at Woodland Acres Elementary School No. 89
PROJECT LOCATION: 328 Bowlan Street, Jacksonville, FL 32211-9605

Services include Architectural and Engineering for new construction of sixteen (16) classrooms to replace relocatables, enlarge cafeteria and renovate twelve (12) classrooms in Building No. 1. This project includes major maintenance to replace wastelines, water, remodel restrooms; provide new water service to school with backflow device, repipe domestic water lines inside of school, (new building o.k.), replace cafeteria boys restroom urinals and wastelines, replace cabinetry, enlarge bus circle and staff/visitor parking, construct sidewalk on east side of building.

PROJECT BUDGET: \$5,249,000
CONSTRUCTION BUDGET: \$4,424,500
OFPC PROJECT MANAGER: FRANK SPENCER
PHONE NO.: (904)390-2484
MBE GOALS: 5% AA 7% HANA 7% WBE

=====
PROJECT NO.: C-90800
PROJECT NAME: Additions, Remodeling, Renovations and Site

Improvements at Douglas
Anderson School of The Arts
No. 107
PROJECT LOCATION: 2445 San Diego Road
Jacksonville, FL 32207-3699

Services include Architectural and Engineering for new construction of four (4) Art labs, theater classroom, science labs, expand cafeteria, expand media, remodel administration and renovation of classrooms, enhance exterior. This project includes major maintenance to replace 30 ton air cooled chiller in music suite, reduct, recontrol, replace all wall hung units, rewiring of electrical system in old buildings to accommodate new technologies and update for the entire campus, replace windows, replace A/C and Heat in music suite and various wallhung units and renovate music suite HVAC.

PROJECT BUDGET: \$12,937,100
CONSTRUCTION BUDGET: \$10,215,000
OFPC PROJECT MANAGER: FRANK SPENCER
PHONE NO.: (904)390-2484
MBE GOALS: 6% AA 9% HANA 7% WBE

PROJECT NO.: C-90810
PROJECT NAME: Additions, Remodeling and SiteImprovements at Stanton College Preparatory School No. 153

PROJECT LOCATION: 1149 West 13th Street
Jacksonville, FL 32209-5699

Services include Architectural and Engineering for new construction of four (4) science labs, remodel existing science labs and media center, renovation to upgrade auditorium lighting. Project includes major maintenance to replace vinyl asbestos tile floors and ceilings, upgrade main service and subfeed panels.

PROJECT BUDGET: \$7,443,900
CONSTRUCTION BUDGET: \$5,629,832
OFPC PROJECT MANAGER: RUSSELL GUSTAFSON
PHONE NO.: (904)390-2266
MBE GOALS: 6% AA 9% HANA 7% WBE

PROJECT NO.: C-90750
PROJECT NAME: Additions, Remodeling, Renovations and Site Improvements at Garden City Elementary School No. 59

PROJECT LOCATION: 2814 Dunn Avenue
Jacksonville, FL 32218-4600

Services include Architectural and Engineering for a new media center, remodel food service, stage, multipurpose, administration, convert media to administration and teacher's lounge, restrooms, renovate classrooms.

PROJECT BUDGET: \$4,245,500
CONSTRUCTION BUDGET: \$2,693,705
OFPC PROJECT MANAGER: JAMES SCOTT
PHONE NO.: (904)390-2979
MBE GOALS: 6% AA 9% HANA 7% WBE

INSTRUCTIONS:
RESPONSE DUE DATE IS: October 12, 2000, 4:30 p.m., local time

A SEPARATE COMPLETE SUBMITTAL REQUIRED FOR EACH PROJECT LISTED

Submit an original, and (4) copies of the following:

1. Letter of interest, which indicates the firm's qualifications, related experience, ability to do the work and other pertinent data.
2. Current edition of the Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
3. Firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida corporate Charter.
5. Completed SF-254.
6. Completed SF-255.
7. Completed MBE FORM 1, MBE FORM 4 and joint Venture form as appropriate.
8. Firm's are required to demonstrate evidence of or the ability to secure Professional Liability Insurance including errors and omissions coverage in the minimum amounts of \$500,000 annual aggregate for projects less than \$2,000,000 construction budgets and \$1,000,000 annual aggregate for projects greater than \$2,000,000 construction cost.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 6A-2, Florida Administrative Code. Applicants are advised that plans and specifications for A/E projects may be reused.

NOTICE TO PROFESSIONAL CONSULTANTS
OFFICE OF FACILITIES PLANNING AND
CONSTRUCTION

FOR

Professional Services

(for exclusive competition by qualified Minority Business
Enterprises (MBEs) only)

Facilities Planning and Construction announces that
Architect/Engineer services are required for the projects listed
below. Please follow instructions for each separate project for
which your firm is making application. Applications are to be
sent to:

Facilities Planning and Construction
1701 Prudential Drive – 5th Floor
Jacksonville, FL 32207-8182

Under provisions of Board rule on the Minority Business
Development and Assistance Programs, these selections are
reserved for exclusive competition by qualified Minority
Business Enterprises (MBEs) only, all parties responding to
these selections must be certified as a Minority Business
Enterprise with one of the following certification agencies, the
Duval County School Board, The City of Jacksonville, The
State of Florida, or MBAAO. Any party desiring additional
information concerning participation on these projects should
contact: Minority Business Affairs Office

1701 Prudential Drive, 4th Floor
Jacksonville, Florida 32207-8182

PROJECT NO.: C-90660
PROJECT NAME: Additions, Remodeling and
Renovations at Biltmore
Elementary School No. 78

PROJECT LOCATION: 2101 Palm Avenue,
Jacksonville, FL 32254-1792

Services include Architectural and Engineering for a new
media center, remodel media into Administration,
Administration into teacher’s workroom, restrooms, and two
(2) intermediate to primary classrooms. This project includes
major maintenance to replace plumbing in Buildings 2 and 3.

PROJECT BUDGET: \$2,648,700
CONSTRUCTION BUDGET: \$1,643,660
OFPC PROJECT MANAGER: RUSSELL GUSTAFSON
PHONE NO.: (904)390-2266

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PROJECT NO.: C-90790
PROJECT NAME: Additions, Remodeling,
Renovations and Site
Improvements at Highlands
Elementary School No. 99
PROJECT LOCATION: 1000 DePaul Drive
Jacksonville, FL 32218-5499

Services include Architectural and Engineering for new
construction of media center, art, music, and multipurpose,
remodel Administration, guidance into old media.

PROJECT BUDGET: \$4,660,346
CONSTRUCTION BUDGET: \$3,204,107
OFPC PROJECT MANAGER: JAMES SCOTT
PHONE NO.: (904)390-2979

INSTRUCTIONS:
RESPONSE DUE DATE IS: October 12, 2000, 4:30 p.m.,
local time

ONLY ONE (1) SUBMITTAL IS REQUIRED TO BE
ELIGIBLE FOR BOTH PROJECTS LISTED.

Submit an original, and (4) copies of the following:

1. Letter of interest, which indicates the firm’s qualifications,
related experience, ability to do the work and other pertinent
data. Applicant may indicate a priority of interest for one of
the two projects.
2. Current edition of the Professional Qualifications
Supplement (PQS) OFPC FORM 105-E.
3. Firm’s current Florida Professional Registration License
Renewal.
4. For Corporations only: If the firm offering services is a
corporation, it must be properly chartered with the
Department of State to operate in Florida and must provide
a copy of the firm’s current Florida corporate Charter.
5. Completed SF-254.
6. Completed SF-255.
7. Completed MBE FORM 1, MBE FORM 4 and joint
Venture form as appropriate.
8. Firm’s are required to demonstrate evidence of or the ability
to secure Professional Liability Insurance including errors
and omissions coverage in the minimum amounts of
\$500,000 annual aggregate for projects less than \$2,000,000
construction budgets and \$1,000,000 annual aggregate for
projects greater than \$2,000,000 construction cost.

Firms must be properly registered at the time of application to
practice their profession in the State of Florida. Representative
samples of related work may be submitted in a separate binder.
Applications that do not comply with these instructions or
those that do not include the requested data may not be
considered. All information received will be maintained with
the project file and will not be returned. Selections will be
made in accordance with Chapter 6A-2, Florida Administrative
Code. Applicants are advised that plans and specifications for
A/E projects may be reused.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO PROFESSIONAL CONSULTANTS

Pursuant to the Consultants Competitive Negotiation Act,
Florida Statutes 287.055, the Hillsborough County Aviation
Authority is requesting Letters of Interests from Airport Noise

and Flight Track Monitoring System firms desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

FLIGHT INFORMATION MONITORING SYSTEM

Services to be provided will include, but not be limited to, the development, installation, testing, maintenance of and training on software and acoustical equipment that will provide the HCAA with the ability to monitor, record and analyze actual flight operations and aircraft noise levels for Tampa International Airport. A more detailed scope of services will be included in the formal Request for Proposals.

Consultants desiring consideration for this Project must notify the HCAA in writing. Please submit a letter expressing interest in this Project to:

William J. Connors, Jr.
 Senior Director of Planning and Design
 Hillsborough County Aviation Authority
 P. O. Office Box 22287
 Tampa, FL 33622

Interested parties may inquire about the details and required data submissions, to Nadine S. Jones, Director of Planning and Environmental Services, telephone number (813)870-8773. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME.** After receiving letters of interest, a Request for Proposal will be sent to all respondents with a specific schedule for responding.

A MANDATORY Pre-proposal Conference will be held on Monday, October 30, 2000, 2:00 p.m., Local Time, at the Landside Building, Third Floor, Blue Side at Tampa International Airport.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Monday October 2, 2000.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller

Louis E. Miller, Executive Director

PUBLIC NOTICE

The NORTHWEST FLORIDA AREA AGENCY ON AGING, INC. (NWFAAA) announces a REQUEST FOR PROPOSAL for Lead Agencies for the COMMUNITY CARE FOR THE ELDERLY (CCE) Program within the PLANNING AND SERVICE AREA 1 (PSA1). Lead Agencies are being sought for each of ESCAMBIA, OKALOOSA and WALTON Counties. The Lead Agency is responsible for providing case management services to clients of the NWFAAA and the DEPARTMENT OF ELDER AFFAIRS, STATE OF FLORIDA (DOEA).

The REQUEST FOR PROPOSAL packet can be picked up at the NWFAAA at 6500-B Pensacola Blvd., Pensacola, FL 32505 between 9:00 a.m. and 4:00 p.m. Monday through Friday starting September 20, 2000. The submission deadline

for consideration will be October 20, 2000 4:00 p.m. CDT. A bidder's conference will be held at the NWFAAA at 6500-B Pensacola Blvd., Pensacola, FL 32505 on October 3, 2000 at 9:00 a.m.

If you have any further questions, you may contact: Dottie Peoples, Executive Director, NWFAAA or her representative, Pat Husted, NWFAAA, (850)484-5150.

**Section XII
 Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other 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., October 13, 2000):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: United Heritage Bank, 3378 Edgewater Drive, Orlando, Florida 32804

Correspondent: David G. Powers, 104 Green Leaf Lane, Altamonte Springs, Florida 32714

Received: September 11, 2000

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, DaimlerChrysler Motors Corporation, intends to allow the establishment of CarMax Auto Superstores, Inc. d/b/a CarMax Chrysler Jeep of Orlando, as a dealership for the sale of Chrysler and Jeep vehicles, at 6375 Semoran Boulevard, Orlando (Orange County), Florida 32822, on or after November 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of CarMax Auto Superstores, Inc. d/b/a CarMax Chrysler Jeep of Orlando are: dealer operator: Jack Hightower, CarMax Auto Superstores, Inc. d/b/a CarMax Chrysler Plymouth Jeep of Orlando, 7530 South Orange

Blossom Trail, Orlando, Florida 32809; principal investor(s): CarMax Inc., Dugald Yska, Dealer Principal, 7530 South Orange Blossom Trail, Orlando, Florida 32809.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. S. Hannan, Jr., Zone Manager, DaimlerChrysler Motors Corporation, 8000 South Orange Blossom Trail, Orlando, Florida 32809.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that Daewoo Motor America, Inc., intends to allow the establishment of South Orlando Imports, Inc., as a dealership for the sale of Daewoo motor vehicles at 6245 S. Orange Blossom Trail, Orlando (Orange County), Florida 32809.

Daewoo Motor America, Inc., intends to engage in business with South Orlando Imports, Inc., d/b/a Classic Daewoo as a dealership on or after September 22, 2000.

The name and address of the dealer operator(s) and principal investor(s) of South Orlando Imports, Inc. are: dealer operator: Christopher S. Holler, 6245 A. Orange Blossom Trail, Orlando, Florida 32809; principal investor(s): S. Orlando Imports, Inc. is owned 100% by Classic Holding Company, Roger W. Holler, Jr., Roger W. Holler III, Christopher A. Holler and Juliette E. Holler, 6245 S. Orange Blossom Trail, Orlando, Florida 32809.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Donald Betz, General Manager, Dealer Development, Daewoo Motor America, Inc., 1055 W. Victoria St., Compton, CA 90220.

If no petitions or complaint are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Saturn Corporation, intends to allow the establishment of Saturn of South Miami/Dade, as a dealership for the sale of Saturn SL, SL1, SL2, SC1, SC2, SW2, LS, LS1, LS2, LW1 and LW2, at 19250 South Dixie Highway, Miami (Dade County), Florida 33157, on or after October 14, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Saturn of South Miami/Dade are: dealer operator: George W. Williamson, II, Williamson Cadillac, Inc., 7250 N. Kendall Drive, Miami, Florida 33156; principal investor(s): George E. Williamson, II, Williamson Cadillac, Inc., 7250 N. Kendall Drive, Miami, Florida 33156, and Thomas W. Williamson, Williamson Cadillac, Inc., 7250 N. Kendall Drive, Miami, Florida 33156.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Jerry Bryant, Franchise Administration, Saturn Corporation, 100 Saturn Parkway, P. O. Box 1500, Spring Hill, TN 37174-1500.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
NOTICE OF WITHDRAWAL**

The Agency For Health Care Administration hereby notices withdrawal from review the following Certificate of Need applications:

County: Duval Service District: 4
CON #: 9357 Decision Date: 8/22/2000 Decision: W
Facility/Project: Life Care of Duval County
Applicant: Life Care Health Resources, Inc.
Project Description: Transfer of CON #8943 from National Healthcare, L.P.

County: Escambia Service District: 1
CON #: 9358 Decision Date: 8/23/2000 Decision: W
Facility/Project: Life Care Center of Escambia County
Applicant: Life Care Health Resources, Inc.
Project Description: Transfer CON #8797 from National HealthCare, L.P.

County: Brevard Service District: 7
CON #: 9359 Decision Date: 8/23/2000 Decision: W

Facility/Project: Life Care Center of Brevard County
Applicant: Life Care Health Resources, Inc.
Project Description: Transfer of CON #8837 from National HealthCare, LP

County: Duval Service District: 4
CON #: 9360 Decision Date: 8/23/2000 Decision: W
Facility/Project: Life Care Center at St. Luke's
Applicant: Life Care Health Resources, Inc.
Project Description: Transfer CON #8950 from Vantage Healthcare Corporation

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

AHCA Purchase Order Number S5900H0396.

**CERTIFICATE OF NEED
DECISIONS ON EXPEDITED APPLICATIONS**

The Agency for Health Care Administration made the following decisions Certificate of Need applications for expedited review:

County: Dade Service District: 11
CON #: 9361 Decision Date: 8/31/2000 Decision: A
Facility/Project: Classic Residence by Hyatt in Aventura
Applicant: CC Aventura, Inc.
Project Description: Establish 40 sheltered nursing home beds
Project Costs: \$4,684,195
AHCA Purchase Order Number S5900H0396.

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency for Health Care Administration received the following Certificate of Need applications for expedited review:

- County: Escambia Service District: 1
 Facility/Project: Life Care Center of Escambia County
 Applicant: Life Care Health Resources, Inc.
 Project Description: Transfer CON #8797 from National HealthCare, L.P., 120 community NH beds
- County: Brevard Service District: 7
 Facility/Project: Life Care Center of Brevard County
 Applicant: Life Care Health Resources, Inc.
 Project Description: Transfer CON #8837 from National HealthCare, L.P., 60 community NH beds
- County: Duval Service District: 4
 Facility/Project: Life Care Center at St. Luke's
 Applicant: Life Care Health Resources, Inc.
 Project Description: Transfer CON #8950 from Vantage Healthcare, Corp., 60 community NH beds
 AHCA Purchase Order Number S5900H0396.

significant adverse impact on the environment. The total project cost is estimated at \$1,612,700. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT TREATMENT FACILITIES (UPGRADE WWTP TO AWT)

The Florida Department of Environmental Protection has determined that the City of Key West proposed upgrade of the Wastewater Treatment Plant to Advanced Wastewater Treatment Plant project will not have a significant adverse affect on the environment. The potential amount of the loan is estimated at \$8,424,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Troy Mullis, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION MAJOR SEWER REHABILITATION AND REPLACEMENT

The Florida Department of Environmental Protection has determined that proposed Major Sewer Rehabilitation and Replacement project for Bay Harbor Islands will not have a

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN September 5, 2000
 and September 8, 2000

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BANKING AND FINANCE

Division of Finance

3D-45.005	9/7/00	10/1/00	26/29	
3D-45.015	9/7/00	10/1/00	26/29	
3D-45.020	9/7/00	10/1/00	26/29	

DEPARTMENT OF EDUCATION

Florida State University

6C2-5.0021	9/5/00	9/25/00	Newspaper	
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PUBLIC SERVICE COMMISSION

25-6.0426	9/5/00	9/25/00	26/30	
25-7.042	9/5/00	9/25/00	26/30	

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

59B-12.001	9/6/00	9/26/00	26/24	
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Medicaid Program Office

59G-4.080	9/6/00	9/26/00	26/29	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-5.005	9/8/00	10/1/00	26/30	
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Florida Building Code Administrators and Inspector

61G19-11.001	9/8/00	9/28/00	26/25	26/30
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-2.002	9/7/00	9/27/00	26/30	
64B3-5.004	9/7/00	9/27/00	26/30	
64B3-13.004	9/7/00	9/27/00	26/30	

Board of Medicine

64B8-44.003	9/8/00	9/28/00	26/5	26/30
64B8-55.001	9/8/00	9/28/00	26/29	

Board of Osteopathic Medicine

64B15-12.003	9/6/00	9/26/00	26/12	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.205	9/7/00	9/27/00	26/23	
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