

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

**DEPARTMENT OF BANKING AND FINANCE**

**Board of Funeral and Cemetery Services**

RULE TITLE: Minor Violations; Notice of Non-Compliance  
 RULE NO.: 3F-11.002

PURPOSE AND EFFECT: The Board proposes to revise this rule to update the list of minor violations for which the Department may issue a notice of noncompliance in keeping with the statutes.

SUBJECT AREA TO BE ADDRESSED: Minor Violations; Notice of Noncompliance.

SPECIFIC AUTHORITY: 497.103, 497.131(3) FS.

LAW IMPLEMENTED: 497.131(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-11.002 Minor Violations; Notice of Non-Compliance.

(1) Pursuant to section 497.131(3), F.S., the Department may issue notice of noncompliance to a certificateholder, licensee, or registrant for an initial offense of a minor violation. Failure of the person, to whom a notice of noncompliance is issued, to take corrective action which is set forth in the notice of violation, within 15 days of the receipt of the notice may result in further disciplinary action.

(2) The following violations are minor violations for which the Department may issue a notice of noncompliance:

~~(a) Failure to display a license, in violation of section 497.301, F.S.~~

~~(a)(b)~~ Unintentional failure to remit <1% of the amounts required to be deposited to a trust fund for an examination period, in violation of section 497.233(1)(d), F.S.

~~(b)(e)~~ Failure to provide any person, upon request, with a copy of the cemetery bylaws, in violation of section 497.233(1)(s)(e), F.S.

~~(c)(e)~~ Unintentionally failing Failure to make timely deposits to any trust fund, in violation of Section 497.245(2), F.S.

~~(d)(e)~~ Failure to register a branch name for a common business enterprise, in violation of Section 497.407(4), F.S.

~~(e)(f)~~ Failure to have records available at all reasonable times for examination by the Department, in violation of section 497.309, F.S.

~~(f)(g)~~ Establishing a condition for entry or access to a cemetery, in violation of section 497.317(3), F.S.

(3) The Department shall not issue a notice of noncompliance for a violation of the same provision of the law to the same licensee, registrant or certificateholder, within a six ~~three~~-year period.

Specific Authority 497.103, 497.131(3) FS. Law Implemented 497.131(3) FS. History—New 8-9-94, Amended 10-25-94, 8-4-97, \_\_\_\_\_.

**DEPARTMENT OF INSURANCE**

RULE TITLE: Effect of Law Enforcement Records on  
 RULE NO.: 4-211.031

Applications for Licensure  
 PURPOSE AND EFFECT: The purpose of the amendment is to delete references to crimes of breach of trust or dishonesty to be addressed in new rule chapter 4-212, to be workshopped concurrently.

SUBJECT AREA TO BE ADDRESSED: The effect of certain law enforcement records on insurance agent licensure.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.211, 626.291, 626.601, 626.611(7),(14), 626.621(8), 626.631, 626.641 FS.

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

TIME AND DATE: 9:30 a.m., December 20, 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: Shirley Kerns, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5405

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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF INSURANCE**

RULE TITLE: Effect of Law Enforcement Records Relating to  
 RULE NO.: 4-212.001

Crimes of Breach of Trust or Dishonesty

PURPOSE AND EFFECT: To discuss the development of a rule to address the effect of law enforcement records relating to crimes of breach of trust or dishonesty on insurance agent licensure.

SUBJECT AREA TO BE ADDRESSED: The effect of law enforcement records relating to crimes of breach of trust or dishonesty on insurance agent licensure.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 112.011, 624.307(1), 626.161, 626.171, 626.201, 626.211, 626.291, 626.601, 626.611(7),(14), 626.621(8), 626.631, 626.641 FS.

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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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE TITLE: Insurance, Safety Requirements and Standards RULE NO.: 41-2.006

PURPOSE AND EFFECT: The Commission proposes to update this rule to remove obsolete language.

SUBJECT AREA TO BE ADDRESSED: Insurance, Safety Requirements and Standards.

SPECIFIC AUTHORITY: 427.013(9) FS.

LAW IMPLEMENTED: 427.011(11), 427.013, 427.0155, 427.0157, 768.28 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: Jo Ann Hutchinson,

Executive Director, Commission for the Transportation Disadvantaged, Mail Station 49, 605 Suwannee Street, Tallahassee, Florida 32399-0450

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

41-2.006 Insurance, Safety Requirements and Standards.

(1) through (4)(h) No change.

(i) Billing requirements of the Community Transportation Coordinator to subcontractors shall be determined locally by the local Coordinating Board and provided in the local Transportation Disadvantaged Service Plan. All bills shall be paid within 7 45 calendar days to subcontractors, after receipt of said payment by the Community Transportation Coordinator, in accordance with Chapter 287.0585, F.S.;

(j) though (o) No change.

~~(p) All vehicles ordered or put into service after adoption of this section of the Rule, and providing service within the coordinated system, shall be equipped with two-way communications in good working order and audible to the driver at all times to the base. All vehicles that are not equipped with two-way communications shall have two years to be in compliance after May 1, 1996;~~

~~(q) All vehicles ordered or put into service after the adoption of this section of the Rule, and providing service within the coordinated system, shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible. All vehicles that are not equipped with an air conditioner and/or heater shall have two years to be in compliance after May 1, 1996;~~

(r) through (s) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.011(11), 427.013, 427.0155, 427.0157, 768.28 FS. History--New 5-2-90, Amended 6-17-92, 5-1-96, 10-1-96, 3-10-98,\_\_\_\_\_.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE TITLE: Selection of Community Transportation Coordinator RULE NO.: 41-2.010

PURPOSE AND EFFECT: The Commission is updating this rule to change the wording from handicapped to disabled, and to add the Metropolitan Planning Organization or Designated Official Planning Agency as a resource to work with in the event of termination of the transportation coordinator or any unforeseen emergency to coordinate the continuation of services.

SUBJECT AREA TO BE ADDRESSED: Selection of Community Transportation Coordinator.

SPECIFIC AUTHORITY: 427.013(9) FS.

LAW IMPLEMENTED: 427.013(1),(15), 427.015(2) 427.0155(7), 427.0157 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP DATE, TIME AND PLACE WILL BE PUBLISHED 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: Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

41-2.010 Selection of Community Transportation Coordinator.

(1) through (4)(d) No change.

(e) A request that the proposer identify specific means by which it plans to comply with the provisions of the Americans with Disabilities Act, P.L. 101-336, Chapter 760, Florida Statutes, and any applicable local regulations governing ~~disabled~~ ~~handicapped~~ accessibility requirements, access to transportation, and discrimination.

(f) through (7) No change.

(8) In cases of termination of the Community Transportation Coordinator, or in unforeseen emergencies, the Commission shall work with the Metropolitan Planning Organization or Designated Official Planning Agency and the Coordinating Board in an expeditious manner to provide for the continuation of services to the transportation disadvantaged in the designated service area, by providing or arranging the necessary technical assistance.

(9) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.013(10),(15), 427.015(2), 427.0155(7), 427.0157 FS. History--New 5-2-90, Amended 6-17-92, 7-11-95, 10-1-96, 3-10-98,\_\_\_\_\_.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE TITLE: Coordinating Board Structure and Duties

RULE NO.: 41-2.012

PURPOSE AND EFFECT: This rule is being revised to changed the term handicapped to the term disabled.

SUBJECT AREA TO BE ADDRESSED: Coordinating Board Structure and Duties.

SPECIFIC AUTHORITY: 427.013(9) FS.

LAW IMPLEMENTED: 427.0157 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: Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, Mail Station 49, 605 Suwannee Street, Tallahassee, Florida 32399-0450

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

41-2.012 Coordinating Board Structure and Duties.

The purpose of the Coordinating Board is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordinator on the coordination of services to be provided to the transportation disadvantaged through the Florida Coordinated Transportation System (FCTS). Each Coordinating Board is recognized as an advisory body to the Commission in its service area. The members of the Coordinating Board shall be appointed by the Metropolitan Planning Organization or the Designated Official Planning Agency. A Coordinating Board shall be appointed in each county. However, when agreed upon in writing, by all Boards of County Commissions in each county to be covered in the service area, multi-county Coordinating Boards may be appointed. The structure and duties of the Coordinating Board shall be as follows:

(1) through (3)(g) No change.

(h) A ~~disabled~~ ~~handicapped~~ person representing the ~~disabled~~ ~~handicapped~~ in the county;

(i) through (5)(c) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.0157 FS. History--New 5-2-90, Amended 6-17-92, 11-16-93, 1-4-94, 7-11-95, 5-1-96, 10-1-96, 3-10-98,\_\_\_\_\_.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE TITLE: Grants Program

RULE NO.: 41-2.014

PURPOSE AND EFFECT: The Commission proposes to update this rule to more accurately reflect the statute.

SUBJECT AREA TO BE ADDRESSED: Grants Program.

SPECIFIC AUTHORITY: 427.013(9) FS.

LAW IMPLEMENTED: 427.013, 427.0159, 427.016 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: Jo Ann Hutchinson, Executive Director, Commission for the Transportation Disadvantaged, Mail Station 49, 605 Suwannee Street, Tallahassee, Florida 32399-0450

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

41-2.014 Grants Program.

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

(b) Planning Related. Planning related grant funds may be used by an eligible Metropolitan Planning Organization or Designated Official Planning Agency to assist the Commission in their responsibilities at the local level as identified in Chapter 427, Florida Statutes, including support to the local Coordinating Board and capital equipment limited to no more than 15% of the Commission participation.

(3) through (4) No change.

(a) An annual amount of ~~\$1,372,060~~ ~~\$1,331,060~~ of the Grants Program shall be designated for planning grants to assist the Commission with implementation and maintenance of the program at the local level.

(b) through (5) No change.

(a) In order to maintain system and service stability, the Commission's Fiscal Year 93/94 Allocation of Trip and Equipment Grant Funds, dated 02/00 ~~12/93~~, incorporated herein by reference, shall be the base allocation for each subsequent year's distribution for trip and equipment related grant funds. No county shall receive less than the base allocation unless the Commission's five year cash-flow forecast falls below the Fiscal Year 93/94 levels allocated to the trip and equipment grant related program.

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

(b) 75% of the planning allocation shall be divided into shares equal to the number of counties ~~coordinating boards~~ throughout the state, with each planning agency receiving no more than one share for each county ~~coordinating board~~ within its jurisdiction. Eligible applicants not requiring the total amount of funding available may recommend to the Coordinating Board that any excess funds be allocated to the Community Transportation Coordinator for additional non-sponsored trip needs. The Commission shall reallocate any eligible excess funds to that particular county or service area's normal allocation. A local cash match of at least 10% shall be required to obtain this additional allocation.

(7) through (8) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.013, 427.0159, 427.016 FS. History--New 5-2-90, Amended 6-17-92, 7-21-93, 6-26-94, 10-1-96, 3-10-98, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Medicaid Contracts for Prepaid Health Plans  
 RULE NO.: 59G-8.100  
 PURPOSE AND EFFECT: The purpose of this rule amendment workshop is to discuss the amendment to rule 59G-8.100, Medicaid Contracts for Prepaid Health Plans.

SUBJECT AREA TO BE ADDRESSED: Capitation Payment Rate Methodology for Medicaid HMO Contracts.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.9124(1) 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., December 15, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela Thomas, Chief, Bureau of Managed Health Care, Building 1, 2727 Mahan Drive, Mailstop 26, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-8.100 Medicaid Contracts for Prepaid Health Plans.

(1) through (16) No change.

(17) Payment Methodology for Covered Services. Capitation payment rates are developed by the agency ~~department~~ based on historical fee-for-service expenditures adjusted forward to the contract period. The agency shall not pay more for a defined scope of services to a defined number of enrollees under a capitation arrangement than the projected cost of providing those same services on a fee-for-service basis. The revised payment methodology, entitled "State of Florida, Agency for Health Care Administration, July 1, 2000-June 20, 2001, Upper Payment Limit and Capitation Rate Development," prepared by Milliman & Robinson, Actuaries, dated July 19, 2000, is incorporated herein by reference. A copy of the payment methodology may be obtained by writing to the Chief of the Bureau of Managed Health Care, 2727 Mahan Drive, Building 3, Mailstop 26, Tallahassee, Florida 32308.

(18) through (24) No change.

Specific Authority ~~409.919~~ ~~409.026(1),(2),(6)~~ FS. Law Implemented 409.9124(1) ~~409.266~~ FS. History--New 3-9-81, Amended 7-9-84, Formerly 10C-7.524, Amended 4-5-89, Formerly 10C-7.0524, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE CHAPTER TITLE: Continuing Education  
 RULE CHAPTER NO.: 61G4-18  
 PURPOSE AND EFFECT: The Board proposes to review this chapter to determine if amendments are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Certificate holders and Registrants, Definitions, Registration of Course Sponsors,

Approval of Continuing Education Courses, Qualifications of Course Instructors, Course Syllabus, Required Records Maintained by Course Sponsors, Audit of Certifications of Completion, Advertising of Continuing Education Courses, Continuing Education Courses Required by Disciplinary Action, Fees, Exam Development, Continuing Education Seminars.

SPECIFIC AUTHORITY: 455.2123, 455.213(7), 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.219(3), 455.271(10), 489.109, 489.115, 489.116, 489.129(1)(c),(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, IF AVAILABLE, IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Spiny Lobster (Crawfish) and Slipper Lobster

RULE TITLE: Trap Reduction Schedule

RULE NO.: 68B-24.009

PURPOSE AND EFFECT: The spiny lobster trap reduction program was begun in 1992 with the object of reducing the number of lobster traps used in the commercial fishery to the lowest number that will maintain or increase overall catch levels, while simultaneously promoting economic efficiency and conserving natural resources. Management concerns addressed by the program include overcapitalization, the mortality of sublegal lobsters used as attractants, the impact of lost traps, and environmental damage caused by traps. The purpose of this rule development effort is to arrive at a way to reduce the present number of trap certificates from 542,704 to an interim level of 400,000, a level at which total catch is predicted to be unaffected by the reductions, according to current data and science. Until now, trap reduction has been active, i.e., reduction in traps and certificates is applied proportionally across the board to all trap fishers. The Commission must decide whether to continue with active reductions – a 10% reduction is scheduled before the 2001-2002 season – or implement a hybrid reduction schedule based on a combination of active and passive trap reduction, to achieve the interim 400,000 trap level. Passive reduction

employs reductions upon the transfer of trap tags and certificates. The effect of continued trap reductions in the spiny lobster fishery is to further reduce mortality on sublegal lobsters and environmental damage caused by traps.

SUBJECT AREA TO BE ADDRESSED: Spiny Lobster Trap Reduction Program.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A RULE DEVELOPMENT WORKSHOP DURING ITS REGULAR MEETING, AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. – 5:00 p.m. each day, January 24-26, 2001

PLACE: Radisson Mart Plaza Hotel, 711 N. W. 72nd Avenue, Miami, Florida

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

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

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

**Section II  
Proposed Rules**

**DEPARTMENT OF CORRECTIONS**

RULE TITLES:	RULE NOS.:
Visiting – Authority of the Secretary	33-601.701
Posting of Visiting Policies	33-601.702
Visiting Records	33-601.703
Visiting – Inmates in Special Status	33-601.704
Refusal of Visit by Inmate	33-601.705
Inmate’s Visitors List	33-601.706
Visiting Denial	33-601.707
Visiting Procedures and Conditions	33-601.708
Non-contact Visiting	33-601.709
Special Visits	33-601.710
Inmate Visiting – Definitions	33-601.713
Inmate Visiting – General	33-601.714
Visiting Application Initiation Process	33-601.715
Visiting Record Management	33-601.716
Visiting Denial	33-601.717

Review of Request for Visiting Privileges 33-601.718  
 Visiting by Former and Current Department  
 and Contractor Employees 33-601.719  
 Sex Offender Visiting Restrictions 33-601.720  
 Visiting Operations 33-601.721  
 Visiting Schedule 33-601.722  
 Visiting Check-In Procedures 33-601.723  
 Visiting Attire 33-601.724  
 Permissible Items for Visitors 33-601.725  
 Visitor Searches 33-601.726  
 Visitor Conduct 33-601.727  
 Inmate Visiting Appearance, Search,  
 and Conduct 33-601.728  
 Termination of Visits 33-601.729  
 Visiting Check-Out Procedures 33-601.730  
 Suspension of Visiting Privileges 33-601.731  
 Reinstatement of Suspended Visiting Privileges 33-601.732  
 Visiting – Special Status Inmates 33-601.733  
 Visiting – Close Management Inmates 33-601.734  
 Visiting – Disciplinary Confinement, Protective  
 Management, and Administrative  
 Confinement Inmates 33-601.735  
 Non-contact Visiting 33-601.736  
 Special Visits 33-601.737  
 Visiting – Forms 33-601.738

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rules is to provide definitions for terms and forms applicable to visiting, and to establish procedures relating to visiting.

**SUMMARY:** The proposed rules define applicable terms; provide applicable forms; establish the duties of Department staff with regard to visiting, visiting procedures, visitors and visiting records; to establish procedures for visiting applications, entry and exit into facilities, and visiting schedules; establish criteria for denial of visiting; and to establish guidelines for eligibility of visitors and inmates with regard to status, attire, conduct and permissible items.

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

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

**SPECIFIC AUTHORITY:** 20.315, 944.09, 944.115, 944.23 FS.

**LAW IMPLEMENTED:** 944.09, 944.115, 944.23, 944.8031 FS.

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

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

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

**33-601.701 Visiting – Authority of the Secretary.**

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.01, Amended 6-20-85, 5-13-87, 3-8-98, Formerly 33-5.001, Repealed.

**33-601.702 Posting of Visiting Policies.**

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.02, Amended 6-20-85, 3-8-98, Formerly 33-5.002, Repealed.

**33-601.703 Visiting Records.**

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.03, Formerly 33-5.003, Repealed.

**33-601.704 Visiting – Inmates in Special Status.**

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.04, Amended 6-20-85, 3-8-98, 10-7-98, Formerly 33-5.004, Repealed.

**33-601.705 Refusal of Visit by Inmate.**

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-5.05, Amended 6-20-85, 3-8-98, Formerly 33-5.005, Repealed.

**33-601.706 Inmate's Visitors List.**

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.06, Amended 10-6-83, 6-20-85, 3-12-86, 9-6-93, 3-8-98, Formerly 33-5.006, Repealed.

**33-601.707 Visiting Denial.**

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 10-8-76, Formerly 33-5.07, Amended 10-6-83, 6-20-85, 3-12-86, 1-28-98, 3-8-98, Formerly 33-5.007, Repealed.

**33-601.708 Visiting Procedures and Conditions.**

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 386.204, 386.205, 944.09, 944.23 FS. History–New 10-8-76, Amended 10-6-83, 6-20-85, Formerly 33-5.08, Amended 3-12-86, 4-16-95, 3-8-98, 6-29-98, Formerly 33-5.008, Repealed.

**33-601.709 Non-contact Visiting.**

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 6-15-98, Formerly 33-5.0081, Repealed.

**33-601.710 Special Visits.**

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-6-83, Formerly 33-5.10, Amended 6-20-85, 3-12-86, 3-8-98, Formerly 33-5.010, Repealed.

33-601.713 Inmate Visiting – Definitions.

(1) “Authorized Adult” refers to an approved visitor eighteen years or older who has notarized authorization to escort a minor and represent the minor’s parent or legal guardian should the minor need to be questioned or searched for visiting purposes.

(2) “Automated Visiting Record (AVR)” refers to a computer subsystem of the Offender Based Information System (OBIS) that automates visitor facility entry and exit.

(3) “Central Visiting Authority (CVA)” refers to the section within the Bureau of Classification and Central Records responsible for the management of inmate visiting procedures, visiting records, and fact-based decisions on visiting requests.

(4) “Emancipated Minor” refers to a visitor seventeen years of age or younger who furnishes written proof of emancipation and attaches a copy to the Request for Visiting Privileges, Form DC6-111A. Form DC6-111A is incorporated by reference in Rule 33-601.738.

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

(6) “Immediate Family” refers to an inmate’s spouse, children, parents, brothers, sisters, grandparents, great grandparents, grandchildren, stepbrothers, stepsisters, stepparents, foster parents, stepchildren, half brothers, half sisters, brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, and sons and daughters-in-law.

(7) “Minor” refers to any visitor seventeen years of age or younger who must visit in the company of a parent, legal guardian, or authorized adult who is an approved visitor.

(8) “Non-Contact Visiting” at authorized institutions refers to visual visiting where a structural barrier is used to prevent the inmate and visitor from any form of physical contact, but allows verbal communication.

(9) “Suspension” refers to the suspension of visiting privileges for an inmate or visitor, to include the current and any future incarcerations.

(10) “Regular Visit” refers to any approved visit between an inmate and any persons on the inmate’s visiting record that occurs on scheduled visiting days and hours.

(11) “Approved Visitor” refers to any person who is approved by the CVA to visit an inmate and whose approval is documented in the inmate visiting record.

(12) “Request for Visiting Privileges” refers to Form DC6-111A, which must be fully completed by all prospective visitors twelve years of age and older and forwarded to the CVA for resolution.

(13) “Scheduled Visiting Days” refers to the specific days and times an inmate is authorized to visit. This is normally Saturday and Sunday, from 9:00 AM until 3:00 PM. Eastern Standard Time (8:00 AM – 2:00 PM Central Standard Time).

(14) “Special Status Inmate” refers to an inmate who is not in the general population but is in a special classification status as outlined in 33-601.733 that shall prohibit or restrict visiting based upon the status.

(15) “Special Visit” refers to an authorized visit on a day, at a time or for a duration of time other than an inmate’s regularly scheduled visiting days, or with a person not listed in the inmate’s approved visiting record.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

33-601.714 Inmate Visiting – General.

(1) Inmate visiting is a privilege, not a guaranteed right of either the inmate or the visitor. Inmates are not assigned to specific institutions solely for the convenience of visiting privileges.

(2) All visitors are subject to Department rules, procedures, technical instructions and restrictions imposed as a condition of admittance and the directions of institutional staff while on institutional grounds.

(3) The warden, assistant warden, or duty warden is authorized to deny or terminate a visit if any of its aspects are disruptive or violate rules, procedures, instructions, restrictions, orders, or directions. Any violation shall subject the visitor to suspension of visiting privileges by the CVA and the inmate to disciplinary action.

(4) Positioning of Policies.

(a) To ensure that all visitors are aware of s. 944.47, F.S., governing contraband, the warden shall post the statute in a conspicuous place at the entrance to the institution or facility.

(b) The warden shall display the visiting rule, procedures, and any technical instructions in a manner that allows visitors to read them before they begin the institutional visiting entry process.

(5) The CVA shall publish a departmental visitor’s information handbook that shall include statutes, rules, procedures, and instructions relating to visiting. The warden shall ensure that a new visitor receives a copy of the handbook. These handbooks are not authorized in the visiting area.

(6) Inmates shall be allowed to file grievances concerning visiting privileges in accordance with the provisions of Rule 33-103.005.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

33-601.715 Visiting Application Initiation Process.

(1) During the reception process, classification staff shall develop and maintain a computerized list of the inmate's immediate family members for placement on the automated visiting record. Placement of a name on the automated visiting record in and of itself is not approval to visit.

(2) The inmate shall be given up to fifteen copies of the Request for Visiting Privileges, Form DC6-111A, and Visitor Information Summary, Form DC6-111B, within 24 hours after arrival. Forms DC6-111A and DC6-111B are incorporated by reference in Rule 33-601.738. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older, whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit a Request for Visiting Privileges, Form DC6-111B.

(a) Only visitors approved pursuant to Rule 33-601.718 shall be allowed to visit.

(b) The prospective visitor shall be required to complete a Form DC6-111A, Request for Visiting Privileges, by filling in each line or inserting "NA" (not applicable) where appropriate.

(c) The applicant shall provide a social security number for identification purposes for obtaining the visitor's criminal history and to be used as the identification number for the automated visiting record.

1. Failure to provide a social security number shall result in denial of the visiting request.

2. As part of the automated visiting record, the social security number may become public record.

(3) The CVA shall conduct criminal history background checks on all applicants 18 years of age or older requesting visiting privileges. A criminal history background check shall be conducted on an applicant 17 years old or younger if information on the application indicates that it is prudent to do so.

(4) Upon transfer to a permanent institution or facility, each inmate shall be provided with a visitor information letter containing visiting information specific to that institution or facility to be mailed, at the inmate's expense, to each approved visitor.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.716 Visiting Record Management.

(1) The CVA shall develop and maintain computerized inmate-visiting records.

(2) Department staff shall document all requests for visits, recommendations of the warden or the ICT, decisions made with regard to visiting and pertinent comments on the automated visiting record.

(3) No more than fifteen people, twelve years of age or older, including family and non-family members, are allowed on an inmate's visiting record.

(4) Inmates shall be permitted to remove or request to add visitors to their inmate visiting records by completing a Remove/Add Visitor Request, Form DC6-111C, provided by institutional classification staff. Form DC6-111C is incorporated by reference in Rule 33-601.738. Additions to the visiting record shall be allowed at any time, up to the limit of fifteen approved visitors. Deletions shall only be permitted every six months.

(5) A person who requests placement on an inmate's visiting record shall be referred to the inmate concerned.

(6) A visitor shall not be permitted to be on more than one inmate's visiting record unless they are immediate family members.

(7) A visitor shall be on only one non-immediate family member inmate's visiting record. The visitor who is already approved on a non-immediate family inmate's visiting list will be allowed to remain on the approved list should an immediate family member be incarcerated. However, should the visitor already be on an immediate family member's visiting list the visitor shall not be considered for approval on a non-immediate family member's visiting list until such time as the immediate family member has been released from incarceration.

(8) An approved visitor who is on the visiting list of two or more immediate family member inmates or an immediate family member inmate and a non-immediate family member inmate, may visit only one inmate on the same day at the same institution.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.717 Visiting Denial.

(1) Visitors shall not be denied visiting because of disability, race, creed, color, or national origin of the inmate or visitor. Visits shall not be denied based on the ideas or opinions held or expressed by the inmate or visitor or for any reason unrelated to security, good order, or rehabilitative objectives of the institution.

(2) The CVA shall have authority to refuse to approve visiting for applicants with prior negative visiting behavior based on the security threat to the institution, nature of the behavior, and the elapsed time since the incident. Denial of visiting shall be permanent if the prospective visitor was involved in, or assisted in, an escape or attempted escape from any correctional facility.

(3) Visiting shall be denied if the visitor advocates or has advocated violence or the violation of any law or rule or is a danger to the security and good order of the institution.

(4) Visiting shall be denied during a declared emergency.

(5) Any person shall be subject to denial of permission to visit based upon the following criteria:

(a) The possession, introduction or attempted introduction of contraband into any facility;



(b) Assisting or attempting to assist an escape or escape attempt from any facility;

(c) The nature and extent of the individual's criminal record, consideration of which includes:

1. Felony convictions, withholds of adjudication and criminal history dispositions in any jurisdiction. If the disposition of a felony arrest is not reflected, the disposition shall not be ascertained prior to completion of the review of the visiting request unless circumstances suggest additional clarification is prudent;

2. Community supervision and prior incarceration in any jurisdiction.

(d) Former department employment, contract employment or volunteer work with a documented history that raises security concerns;

(e) Commission of serious or repeated violations of departmental rules or procedures during a previous visit within the past five years;

(f) Either the inmate or potential visitor gave false or misleading information to obtain visiting privileges within the past five years;

(g) The individual is a victim of an inmate's current or prior offense with consideration of the nature of the inmate's offense, the extent of the victimization and the relationship of the victim to the inmate;

(h) The individual is a co-defendant of the inmate in a current or prior offense;

(i) Other factors related to the security, order or effective management of the institution.

(6) The inmate's immediate family members shall be subject to denial of visiting based on the following:

(a) The potential visitor's criminal conviction or rule violation history or a reasonable suspicion supported by specific, objective facts that suggest the visit would further criminal activity or rule violations,

(b) The family member is a victim of the inmate's current or prior offense, or

(c) The family member is a co-defendant in the inmate's current or prior offense.

(7) A department volunteer or intern shall not be approved for visiting at an institution or facility to which he or she is assigned. Following termination or assignment to another facility, visitation at the former institution or facility shall not occur until twelve months have elapsed.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New \_\_\_\_\_.

### 33-601.718 Review of Request for Visiting Privileges.

In approving or disapproving visiting privileges, CVA staff shall review the Request for Visiting Privileges, Form DC6-111A, and shall consider all factors related to the security, order or effective management of the institution.

(1) Prior criminal records shall not automatically result in disapproval of visiting. The nature, extent, and recentness of the criminal convictions combined with the person's relationship to the inmate shall affect approval or disapproval.

(2) CVA staff shall evaluate a person's criminal history and visiting background using the CVA Visitor Screening Matrix, Form DC6-111D, to consider whether the applicant:

(a) Has prior felony convictions;

(b) Has prior incarcerations, probation, parole, community control, or other forms of community supervision;

(c) Has been convicted of any new felony convictions within five years of release from incarceration.

(d) Is under community supervision for minimum of one year and additionally:

1. Complies with all conditions of supervision, and

2. Submits a written authorization of the supervising correctional probation officer with the Request for Visiting Privileges;

(e) Has a history of past negative department visiting behavior; and

(f) Other factors such as security threat group involvement or ex-employee status.

(3) Form DC6-111D is incorporated by reference in Rule 33-601.738.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New \_\_\_\_\_.

33-601.719 Visiting By Former and Current Department and Contractor Employees.

(1) Former Department and Contractor Employees. The CVA shall consider approving former department employees and former employees of a contractor who was under contract with the department for visiting privileges under the following circumstances:

(a) Employment termination is more than twelve months;

(b) During employment the applicant did not have a documented incident of any of the following:

1. Revealing or discussing security plans or procedures with inmates,

2. Security breaches or rule violations,

3. A personal relationship with an offender,

4. Problems which affected the security, order or effective management of the institution or

5. Leaving employment under adverse conditions.

(c) Visiting shall not occur in the facility where the visitor was employed, unless five years have elapsed since the applicant left employment.

(2) Current Department and Contract Employees. The CVA shall consider approving current department employees and employees of a contractor currently under contract with the department for visiting privileges under the following conditions:

(a) The employee is a member of the inmate's immediate family;

(b) The employee has not violated the conditions stipulated in Rule 33-601.719(1);

(c) The employing warden, warden of the institution housing the inmate to be visited, circuit administrator (community corrections Staff), regional director (regional office staff), and Director of Institutions (central office staff), have approved the visit in writing.

(d) The inmate shall not be housed in the same facility as the immediate family member employee. Visiting shall not occur in the facility where the employee is employed.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.720 Sex Offender Visiting Restrictions.

(1) An inmate shall not be authorized to visit with any person seventeen years of age or younger:

(a) If the inmate has a current or prior conviction under:

1. Chapter 794, F.S. – sexual battery,
2. Chapter 800, F.S. – lewdness; indecent exposure,
3. Chapter 827, F.S. – abuse of children,
4. Chapter 847, F.S. – obscene literature; profanity, or

(b) The offense reveals that the inmate committed or attempted to commit aggravated child abuse or attempted to commit a sex act on or in the presence of, or against a person fifteen years old or younger.

(c) A plea of nolo contendere followed by a withhold of adjudication does not constitute a conviction under s. 944.09(1)(n) F.S.

(d) Current and prior convictions from other jurisdictions comparable to the offenses listed above, also serve as a basis for imposing visiting restrictions.

(e) Only the judge who issued an order imposing visitation restrictions may modify those restrictions.

(2) A warden, with a recommendation from the CVA supervisor, is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in Rule 33-601.720(1) above if visiting is not restricted by court order and the warden determines the visit to be in the minor's best interest. Factors to be considered are:

(a) A request for consideration from a professional certified or licensed counselor, from the community, acting in the interest of the minor, or an evaluation by the counselor of the impact on the minor of such visits or the lack of visits,

(b) The duration and frequency of prior visits without adverse incidents,

(c) A psychological evaluation of the inmate as to the danger presented to the minor and any continuing issues regarding visits with the minor,

(d) The availability of non-contact visiting facilities at the institution, and

(e) Other factors related to the safety and best interest of the minor.

(3) The warden shall provide documentation required in 33-601.720(2) above to the CVA supervisor who shall recommend approval or denial to the warden.

(4) The warden, with a recommendation from the CVA supervisor, is authorized to modify the visiting status if factors materially affecting the visiting privilege decision change. Modification of privileges and court modifications of previously imposed visiting restrictions shall be documented in the AVR by institutional staff.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.721 Visiting Operations.

(1) Each institution shall provide a visiting area that facilitates both indoor and outside visiting and is adequately staffed to maintain security and safety.

(2) Staff shall conduct a comprehensive contraband search of the visiting area and the visitor parking lot before and after visiting.

(3) Inmates shall be required to conduct visits in a separately designated visiting area as determined by the warden, assistant warden, or duty warden when visiting in the regular visiting area poses a threat to security, safety, or good order of the institution or any person.

(4) Wardens shall require non-contact visits when a contact visit poses a threat to security or good order of the institution.

(5) Smoking shall be permitted only in an outdoor smoking area designated by the warden.

(6) Staff shall minimize interaction with the inmate or their visitors unless the inmates or visitors are violating rules or procedures or are being disruptive.

(7) All visiting area staff shall participate in a minimum of four hours of annual training specific to operations of the visiting park and visiting in general.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.722 Visiting Schedule.

(1) Regular visitors shall be allowed to visit between 9:00 AM and 3:00 PM Eastern Standard Time (EST) – 8:00 AM and 2:00 PM Central Standard Time CST each Saturday and Sunday.

(a) Institutions shall initiate the visiting registration process at 8:15 AM EST and 7:15 AM CST.

(b) Visitors shall not be processed after 2:00 PM EST and 1:00 PM CST.

(c) Regular visiting shall occur when the holidays of July Fourth, Thanksgiving Day, and Christmas Day fall on a weekday.

(2) Where unusual circumstances occur, the warden shall be authorized to allow an inmate additional visiting hours for a regular or special visitor. The exception will be based on such factors as great travel distance or infrequency of visits.

(3) The warden shall request exceptions to regular visiting days, hours, and numbers of visitors when facilities are limited based on fire safety standards for capacity. The secretary shall approve or disapprove the request for exception.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

### 33-601.723 Visiting Check-In Procedures.

(1) Only five approved visitors, 12 years of age or older, at any time may visit an inmate in the visiting area. Children 11 years old and younger do not count against the five approved visitors.

(2) A visitor's initial check-in shall take place in a location that minimizes weather exposure and provides restrooms.

(3) Visitors shall be required to register for visiting through the automated visiting record. The failure to do so or providing false information shall result in denial or termination of the visit and suspension of visiting privileges.

(4) All visitors twelve years of age or older must present a valid form of picture identification for visiting registration. Acceptable forms of identification are identification cards that contain a photograph, current address, and date of birth and physical characteristics of the individual.

(5) A visitor seventeen years old or younger who cannot furnish proof of emancipation must be accompanied during a visit by an approved parent, legal guardian, or authorized adult and must remain under the supervision of that adult at all times. An authorized non-parental adult accompanying a visiting minor must provide a notarized document of guardianship.

(6) Upon completion of visitor registration, the approved visitors shall exchange his or her valid identification for a numbered visitor's badge.

(a) Visitors shall not exchange the issued numbered badge with any non-Department of Corrections personnel.

(b) An ultra-violet hand stamp will be used as a secondary method of visitor verification. The stamp will be applied and viewed at registration.

(7) Should a visitor find it necessary to leave the visiting park prior to completion of the visit, the visitor shall not depart until institutional staff have verified the identity of the visitor and the presence and location of the inmate being visited. The visitor will not be allowed reentry unless approved by the shift supervisor or the duty warden. If reentry is approved, the visitor will proceed through the check-in procedure as required in this rule.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

### 33-601.724 Visitor Attire.

Persons desiring to visit shall be fully clothed including shoes. Small hats such as baseball caps, religious coverings, or surgical caps are permissible attire. Visitors shall not be admitted to the visiting area if they are dressed in inappropriate attire. The warden, assistant warden or duty warden shall be the final decision authority and shall assist in resolving inappropriate attire situations. Inappropriate attire includes:

(1) Halter tops or other bra-less attire.

(2) Underwear type tee shirts.

(3) Tank tops.

(4) Fish net shirts.

(5) Skin tight clothing or spandex clothing.

(6) Clothes made with see-through fabric unless a non-see-through garment is worn underneath.

(7) Dresses, skirts, or Bermuda-length shorts more than three inches above the knee, or

(8) Any article of clothing with a picture or language which presents a potential threat to the security or order of the institution.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

### 33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items include:

(a) One unopened pack of cigarettes and one lighter (bic-type lighters and matches are prohibited); however, smoking materials are not permitted if a designated outside smoking area is not available.

(b) A vehicle key.

(c) Up to \$25.00, in \$1.00 and \$5.00 denominations only, per visitor, regardless of age, to purchase snacks and beverages from visiting park canteens or vending machines. All snacks and beverages shall be purchased and consumed in the visiting area. A small wallet or pouch may be used for containing the bills and any change received from the canteen or vending purchases.

(d) One numbered visitor's badge;

(e) Prescription medications. The department reserves the right to prohibit individuals from bringing any medication into the facility that may pose a threat to the inmate population or institutional security. Visitor requiring medical injections must leave such items secured in their vehicles and will be allowed to depart the visiting area if an injection is required. Reentry into the visiting area shall be allowed in accordance with 33-601.723(7). The visitor shall not be allowed to bring needles or syringes into any department facility or dispose of them on the grounds of any department institution or facility under any circumstances.

1. Visitors taking prescription medications are allowed only the dosage necessary for the visiting period.

2. Each prescription medication brought into any institution or facility must be in its original prescribed container. The use of one container for different types of medication will not be allowed.

3. Each container must have a clearly readable prescription label that shows:

- a. The type of medication,
- b. The dosage requirements, and
- c. The individual's name for whom the medication was prescribed.

(f) Feminine hygiene items enclosed in the original individual wrapping may be carried into the visiting park in a small pouch or bag.

(g) Hairbrush and comb.

(h) Visitors with authorized infants and small children shall be allowed to bring in:

1. Five diapers, three clear plastic baby bottles or two sipper cups for toddlers, and three clear jars of baby food with the original seal intact;

2. Baby wipes or towelettes, provided they are in a clear plastic bag;

3. An infant or baby carrier for each infant. Baby carriers are subject to search before entry into the institution and visitors shall be required to remove the infant from each carrier during the search.

4. One set of infant clothing.

(2) A visitor who brings any item not listed above that is not considered contraband or illegal, or who brings more than the permissible amounts of authorized items, shall be required to find a secure location to store the items for the duration of their visit.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.726 Visitor Searches.

(1) Visitors shall be subject to search upon entering and exiting the institution. Refusal of either search shall result in denial of the current visits.

(2) Authorized visitor searches include:

(a) Search of the interior and exterior of any hand carried item.

1. Staff shall accomplish this search in a manner that does not damage or destroy the item or impair its use.

2. If the item would be damaged, destroyed or impaired by the search, the visitor shall not be allowed to bring the item into the institution.

(b) Careful search by touching of the visitor's hair and scalp;

(c) Visual inspections of the ears, nose, and mouth without the insertion of any instruments or the officer's fingers;

(d) Removal of and searching inside the visitor's hat, shoes and gloves;

(e) Removal of any clothing such as scarves, overcoats, or sweaters worn over a visitor's first layer of exterior clothing, and a search by visual inspection and touching of the interior and exterior and pockets of such clothing;

(f) After removal of outer clothing, careful search by visual inspection and by touching of the visitor's first layer of clothing generally worn over one's underwear;

(g) Careful search by touching of clothing worn next to the body such as stockings or socks, using sufficient pressure to detect contraband items;

(h) Searches with metal detection devices;

(i) K-9 searches; and

(j) Drug ion scanner searches.

(3) The visitor shall be instructed to sign an Unclothed Body Search Consent, Form DC1-803, if specific factual reasons support the suspicion that contraband is concealed on a visitor's person, and this suspicion is not resolved by a less intrusive search. Form DC1-803 is incorporated by reference in 33-601.738 of this rule.

(a) The warden, assistant warden, or duty warden must approve strip searches. Approval shall be given only after careful evaluation of the asserted factual grounds that justify the search. The visit shall be denied if the visitor refuses to give written consent to the strip search.

(b) The visitor shall also be asked to sign a Consent to or Notification of Search, Form DC1-804, if reasons exist to search the visitor's vehicle. Form DC1-804 is incorporated by reference in Rule 33-601.738. Visiting shall be denied if the visitor refuses to give written consent to search the vehicle.

(4) Security staff of the same sex as the visitor must conduct strip searches.

(5) Visitor body cavity searches are not authorized. If less intrusive searches do not resolve the suspicions, visiting will be denied.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.727 Visitor Conduct.

(1) Visitors must conduct themselves in accordance with the following requirements while on department property.

(a) There shall be no loitering;

(b) Visitors shall not take any article whatsoever from the visiting area or the grounds of the institution (e.g., gifts from inmates or inmates' excess personal property items) without prior authorization from the warden, assistant warden, or duty warden.

(c) Visitors are prohibited from using cameras on department property without the express consent of the warden. The warden is authorized to approve camera use on a case-by-case basis when the warden determines that it would not be detrimental to the security and order of the institution.

1. Visitors shall not photograph any part of the institution's physical structure, buildings, fences, staff, visitors, or inmates.

2. Areas in which the general public is prohibited from taking photographs shall be clearly posted and identified in the institution's visitor information.

(d) Visitors shall not possess, introduce, or attempt to introduce contraband or illegal items into or onto the grounds of any department institution or facility. Violations shall result in the suspension of visiting privileges by the CVA. Contraband items not of an illegal nature shall be seized by staff when found and shall be returned only on the approval of the duty warden.

(e) Under no circumstances shall any department employee offer or be allowed to keep any item for the visitor.

(f) Visitors shall not walk or drive along the perimeter road or on the grounds of the institution except in those areas designated for inmate visitor parking;

(g) Visitors shall not play vehicle radios loudly while on department property;

(h) Visitors shall not yell or exhibit loud, boisterous, threatening language or disorderly behavior while on department property;

(i) Visitors shall keep accompanying children orderly during their visit so as not to disturb other inmates and visitors. If the visitor is unable to control his or her children, the visit shall be terminated and the visitor and children shall be escorted out of the institution or facility.

(j) Visitors shall not visit with any inmate except the inmate the visitor was admitted to visit or with any other visitor.

(k) A visitor shall not under any circumstances leave an unattended child or animal in any vehicle or elsewhere on department property while visiting.

(l) Visitors shall not give to or receive from the inmate any item of any description unless authorization is first obtained from the warden, assistant warden, or duty warden. The only exceptions are food and beverage items purchased by visitors from vending machines or canteens and photographs purchased through the inmate photo project. The visitor may pass the food or beverage only to the inmate he or she is visiting. The visitor shall not give cash or currency directly to an inmate.

(m) Visitors may briefly (five seconds) embrace and kiss the inmate to be visited once at the beginning and end of visit.

1. A visitor and inmate may hold hands if visiting park staff can observe the holding of hands.

2. Small children of the inmate or of the visitor may be held by the inmate.

3. No other forms of affection or physical contact between visitors and inmates is authorized.

(2) Visitors shall be allowed to attend institutional church services and other special programs if consistent with security considerations.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New

33-601.728 Inmate Visiting Appearance, Search, and Conduct.

(1) During visiting, inmates shall wear a clean uniform consisting of the following department issued items:

(a) Blue shirt.

(b) Tee shirt worn beneath the blue shirt. A sweatshirt may be worn instead during cold weather.

(c) Blue trousers.

(d) Belt.

(e) Socks and underwear.

(f) Brogans or state issued tennis shoes unless authorization (medical pass) carried on the inmate's person allows an exception to the footwear.

(g) ID card in accordance with 33-602.101(9)(h).

(h) Permanent inmates assigned to reception centers may wear a white shirt and white trousers during visitation.

(2) Inmates shall be strip-searched before and after visiting. Staff will conduct searches in accordance with Rule 33-602.204.

(3) Inmates shall not visit with anyone other than their authorized visitors.

(4) The inmate shall not pass items to another inmate or to a visitor or accept items from another inmate or a visitor except as specified in 33-601.727(1)(l).

(5) Inmates shall not be loud, boisterous, threatening, or disorderly during a visit or while in the visiting area.

(6) Inmates may briefly (five seconds) embrace and kiss each visitor once at the beginning and end of each visit.

(a) Inmates may hold their small children or the children of their visitors.

(b) Inmates and their visitors may hold hands if the holding of hands can be observed by visiting park staff.

(c) No other forms of affection or physical contact between inmates and visitors are authorized.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New

33-601.729 Termination of Visits.

(1) A warden, assistant warden, or duty warden shall be authorized to deny or terminate a visit for the following reasons:

(a) The visitor is or appears to be under the influence of drugs or alcohol;

(b) The visitor refuses or fails to produce a valid photographic identification or falsifies identifying information;

(c) Visiting space is limited;

(d) The inmate has already received his or her authorized visits and has departed the visiting area;

(e) The visitor is disruptive or the children accompanying the visitor are disruptive;

(f) The visitor is not on the inmate's approved visiting list;

(g) The visitor, having been admitted to visit one inmate, attempts to visit another inmate that he or she is not authorized to visit;

(h) The inmate refuses to visit with the visitor;

(i) The visitor does not and can not meet dress requirements for visitors;

(j) Emergency situations as declared by the warden or duty warden;

(k) A determination that the visit may jeopardize the security or safety of staff, inmates, others, or the institution;

(l) After completing a visit with one inmate, the visitor leaves the institution and attempt to re-enter to visit with a different inmate; or

(m) The visitor violates visitor's conduct standards in Rule 33-601.727.

(2) Before considering termination of a visit in progress due to violation of or failure to comply with any establish rule or procedure, the warden, assistant warden or duty warden shall first attempt less severe alternatives when applicable, including verbal warnings to the inmate and visitor about improper conduct.

(3) Reconsideration for Visitation.

(a) A visitor denied visiting by the warden, assistant warden, or duty warden shall be permitted to ask the CVA to mediate the matter, using local or institutional telephone access for this purpose. The CVA employee will either inform the visitor of his or her agreement with the decision of the duty warden or shall contact the facility on behalf of the visitor. The final decision shall rest with the warden, assistant warden, or duty warden.

(b) A visitor initially denied permission to visit for reasons other than for possession or attempted introduction of contraband and who corrects the problem causing the denial shall be granted visiting if not otherwise precluded by rule and if the inmate is not in the process of visiting with others.

(4) The warden, assistant warden or duty warden shall ensure that the inmate is notified of the denial of his or her visitor's admission and the reasons as soon as possible.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.730 Visiting Check-Out Procedures.

(1) When an inmate ends the visit, all of the inmate's visitors shall be required to depart the visiting park immediately.

(2) Upon completion of the visit the visitors shall not be cleared to leave the visiting park until the inmate with whom they visited is accounted for by institutional staff.

(3) Upon departure from the visiting park, each visitor shall be verified by visitor badge number and shall then proceed to the visitor registration area.

(4) At the registration area, each visitor shall turn in his or her numbered badge to the officer. The officer shall verify the identity of the visitor by physically comparing the picture identification. The picture identification will be returned to the visitor.

(5) Additional verification shall be obtained by viewing the ultra-violent stamp on the visitor's hand.

(6) Each visitor shall be logged out on the automated visiting record.

(7) No more than five adult visitors shall be allowed in the registration area at any time during checkout.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool independent of any disciplinary action taken pursuant to Rules 33-601.301 through 33-601.314.

(2) Indefinite suspension of an inmate's visiting privileges as a management tool by the ICT is available as a management tool by the ICT when an inmate is found guilty of the following offenses:

(a) Possessing any firearms, dangerous weapons, explosives or explosive devices;

(b) Criminal activity, serious rule violations, repeated visiting rule or procedure infractions or security breach.

(3) Suspension of an inmate's visiting privileges as a management tool by the ICT for the following disciplinary offenses are limited to a two-year period when inmate is found guilty of:

(a) Committing or engaging in sexual misconduct (i.e. nudity, sexual acts with or without others, willful exposure of private body parts, or soliciting sexual acts from others).

(b) Possessing drugs or money.

(c) Possession of any article or instrument that aids in escape or attempted escape.

(4) Suspension of an inmate's visiting privileges as a management tool by the ICT for the following disciplinary offenses are limited to three months for a first offense, six months for a second offense and two years for a third or subsequent offense when an inmate is found guilty of possession of any of the following contraband or illegal items:

(a) Any intoxicating beverages,

(b) Any cellular phone or recording devices, or

(c) Any pager.

(5) Suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool when an inmate is rated "unsatisfactory" for the work or program performance rating, including part-time assignment or security assessment

and shall be considered for suspension of visits privileges for three months beginning with the month the rating was entered and running consecutively for each unsatisfactory rating.

(6) Refusing to participate or is removed from a mandatory program due to negative behavior. The inmate shall be suspended from receiving visits for three months beginning with the next visiting period following the removal or refusal.

(7) The ICT shall consider suspending the inmate's visiting privileges for each subsequent offense described in 33-601.731(1) through (5).

(8) Suspension of Visitor's Visiting Privileges.

(a) A visitor's visiting privileges shall be suspended by the CVA when the visitor:

1. Is found in possession of an illegal drug (controlled substances) when entering or exiting any department facility, or is found passing, attempting to pass, accepting, or attempting to accept such items to or from an inmate.

2. Is found in possession of a firearm or explosive device, articles, or instrument, or is found attempting to pass or passing such items to an inmate. Staff will secure the weapons for the law enforcement officers.

3. Assists, facilitates, aids or abets an inmate to escape or attempt to escape or is found passing or attempting to pass to an inmate any item or instrument that is capable of being used to aid in effecting or attempting an escape. Local law enforcement shall be called in this instance.

a. All visiting privileges of the escapee shall be suspended upon his or her return to department's custody.

b. Visiting privileges shall be suspended pending completion of the Inspector General's investigation if an attempted escape is alleged.

4. For criminal activity, serious rule violations repeated visiting rule or procedure infractions or any security breach.

(b) Visiting privileges shall be suspended by the CVA for a mandatory period of two years when the visitor:

1. Attempts to pass or passes money to an inmate;

2. Is found in possession of intoxicating beverages on the grounds of any department facility, or found passing or attempting to pass such items to an inmate;

3. Is found in possession of any article or instrument capable of being used to aid in effecting or attempting an escape. Local law enforcement shall be called in these instances.

4. Violates visitor conduct standards in Rule 33-601.727(1)(k) through (m).

(c) Visitors found in violation of Rule 33-601.727(3) or visitor conduct standards as outlined in Rule 33-601.727(1)(a)-(j) shall have visiting privileges suspended by the CVA for a mandatory period of one year.

(9) The warden shall have the discretion to recommend to the CVA a period of suspension for less than the mandatory period of suspension by considering the type of violation and

the impact of the violation on the overall security or safety of the institution. The warden shall set forth the justification for less than the mandatory period of suspension in the recommendation to the CVA.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New

33-601.732 Reinstatement of Suspended Visiting Privileges.

(1) The warden shall approve or deny requests for reinstatement of an inmate's suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC6-236, Inmate Request.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The warden shall review the request, render a final decision and notify the inmate concerned.

2. Should the inmate be denied reinstatement, the inmate may not make another request for one year from the last decision requesting reinstatement.

(b) Reinstatement of privileges suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the inmate be denied, the inmate may not make another request for six months from the last decision requesting reinstatement.

(c) Early reinstatement of suspensions of one year or less shall not be considered for reinstatement until at least six months from the date of suspension. Should the inmate be denied reinstatement, the inmate may not make another request.

(2) The CVA shall approve or deny requests for reinstatement of a visitor's suspended visiting privilege. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the CVA supervisor. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The CVA supervisor shall review the request, render a final decision and notify the visitor concerned.

2. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for one year from the last decision requesting reinstatement.

(b) Reinstatement of privileges suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the visitor be denied reinstatement the inmate or suspended visitor may not make another request for six months from the last decision requesting reinstatement.

(c) Early reinstatement of suspensions of one year and under shall not be considered for reinstatement until at least six months from the date of suspension. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.733 Visiting – Special Status Inmates.

(1) Inmates in special statuses are not considered inmates with regular visiting privileges and must have special approval to visit. Inmates in special statuses shall be prohibited or restricted from regular visiting due to adverse impacts on security and orderly institutional operation.

(a) During initial reception periods, inmates awaiting transfer to their initial permanent facility shall not be permitted visits. The warden, assistant warden or duty warden has authority to grant exceptions if the inmate remains at the reception center more than 45 days and the CVA has approved the visitors.

(b) In maximum management, close management, disciplinary confinement, administrative confinement, or protective management status, inmates shall have visiting privileges as outlined in Rules 33-601.734 through 33-601.736.

(c) Inmates hospitalized in a DC infirmary or non-correctional medical facility shall not have visiting privileges except as described in (3) and (4) below.

(d) Inmates in the youthful offender basic training program shall be allowed visiting in accordance with Rule 33-506.207.

(2) Upon placement in a special classification status where visiting privileges are prohibited or restricted, the warden shall ensure:

(a) That inmates are provided the opportunity, at the inmates' expense, to notify at least three approved visitors of the prohibition or restriction before the next scheduled visiting day if the situation permits the inmate to do so, or

(b) That staff makes visitor notifications by phone if the inmate is unable to make them.

(3) Requests for visiting exceptions in special situations such as prolonged hospitalization, serious medical conditions or terminal illnesses shall be reviewed by the warden and chief health officer who shall render a decision on a case-by-case basis. The regional director shall be informed in high risk or high profile cases before allowing visiting.

(4) An inmate housed in a community hospital shall not be permitted visits except as authorized by the warden and chief health officer on a case by case basis.

(5) A maximum management inmate shall be allowed to receive non-contact visits from approved visitors in accordance with Rule 33-601.820.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.734 Visiting – Close Management Inmates.

(1) Visits for CM I and CM II inmates shall be non-contact visits. The warden shall determine the level of supervision and restraint for visits with inmates in CM III status on a case-by-case basis.

#### (2) CM I.

(a) Inmates are eligible to receive a non-contact visit after completing ninety days of satisfactory adjustment in CM I status and maintaining a clear disciplinary record since assignment to CM I.

(b) CM I inmates are eligible for another visit after each subsequent 90-day period in which a clear disciplinary record is maintained, providing security or safety concerns do not preclude a visit. CM I inmates are eligible for a maximum of four visits per year.

(c) CM I inmates placed into disciplinary confinement are not eligible for visiting until ninety days following release from disciplinary status or the conclusion of the disciplinary hearing, if a penalty other than disciplinary confinement was imposed.

#### (3) CM II.

(a) Inmates are eligible to receive a non-contact visit after completing sixty days of satisfactory adjustment in CM II status and maintaining a clear disciplinary record since assignment to CM II status.

(b) CM II inmates are eligible for another visit after each subsequent 60-day period in which a clear disciplinary record and satisfactory adjustment are maintained, provided security or safety concerns do not preclude a visit. CM II inmates are eligible for a maximum of six visits per year.

(c) CM II inmates placed in disciplinary confinement are not eligible for visiting until sixty days following release from disciplinary status or the disciplinary action, if a penalty other than disciplinary confinement was imposed.

(d) Inmates moved from CM I to CM II shall receive credit toward visiting for clear disciplinary record and time served in CM I.

#### (4) CM III.

(a) CM III inmates are eligible to receive a visit after completing sixty days of satisfactory adjustment in CM III and maintaining a clear disciplinary record since assignment to CM III.

(b) CM III inmates are eligible for another visit after each subsequent 30 day period in which a clear disciplinary record and satisfactory adjustment is maintained if security or safety concerns do not preclude a visit. A CM III inmate is eligible for a maximum of eleven visits per year.

(c) CM III inmates placed in disciplinary confinement are not eligible for visiting until thirty days following release from disciplinary status or the disciplinary action, if a penalty other than disciplinary confinement was imposed.



(5) Time spent in any status other than close management status shall not count towards completion of the period required prior to visiting. For example, if a CM I inmate serves thirty days and then enters a medical status for thirty days, he must complete another sixty days in CM I status prior to consideration for a visit.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.735 Visiting – Disciplinary Confinement, Protective Management, and Administrative Confinement Inmates.

(1) Disciplinary confinement inmates shall not be permitted visits other than legal visits unless exceptions are made by the warden, assistant warden or duty warden for emergencies.

(2) Protective Management. Inmates shall have a minimum of two hours a week for visiting under the following conditions:

(a) Visiting shall take place in a separate facility from the general population if a separate facility is available;

(b) If a separate facility is not available, the warden, assistant warden or duty warden shall schedule visiting at a time or day different than that for general population inmates.

(c) The warden, assistant warden or duty warden is authorized to limit or deny the visit based upon the degree of threat to the inmate. The warden, assistant warden or duty warden shall determine whether the visit shall be contact or non-contact.

(d) The warden is authorized to approve special visits as provided in 33-601.737.

#### (3) Administrative Confinement.

(a) Inmates in administrative confinement shall be permitted visits with the approval of the warden, assistant warden or duty warden based on the best interest of all concerned.

(b) Visits shall be denied for inmates who are a threat to institutional security.

(c) The warden, assistant warden or duty warden shall determine if non-contact visits are appropriate for inmates in administrative confinement status.

(d) The warden, assistant warden, or duty warden shall notify the control room in writing when approval is given in advance of the visitor arriving at the institution.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.736 Non-contact Visiting.

(1) When the ICT determines that non-contact visiting is necessary in order to maintain the security and good order of the institution, the ICT shall make a recommendation to the warden who shall approve or disapprove the recommendation.

(2) The ICT shall consider the following factors in determining whether to place an inmate in non-contact status:

(a) Whether the inmate is a threat to the security of the institution.

(b) The inmate's and his or her visitors' past behavior during visiting.

(c) The inmate's disciplinary history within the last five years involving drugs, contraband, violence, or visiting policy violations occurring during visiting.

(d) Evidence or criminal intelligence reports that an inmate has possessed, sold, or transferred drugs or alcohol.

(e) Whether the inmate has a confirmed membership in a security threat group, and

(f) A positive drug or alcohol urine test.

(3) The ICT shall review non-contact visiting status a minimum of every 6 months to evaluate whether changes are necessary based upon the following:

(a) The seriousness of the incident or circumstances resulting in placement in non-contact status.

(b) The inmate's history of repeated placement on non-contact status.

(c) The inmate's overall adjustment history since placement in non-contact status, and

(d) The inmate's disciplinary pattern within the last year related to drugs, contraband involvement, violence, or visiting rule violations.

(4) The warden shall ensure that there is sufficient space for non-contact visiting based on space available and allowable visitors.

(a) Non-contact visits shall be scheduled for one two-hour visit per week unless an emergency exists or security concerns dictate otherwise.

(b) Non-contact visits shall be limited to a maximum of four adult visitors and as many children as can be accommodated at a time.

(c) More than four visitors can be allowed to visit on a given day, but visiting will be on a rotating basis during the two-hour period.

(d) Inmates are responsible for notifying visitors of their placement on non-contact visiting status.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New \_\_\_\_\_.

### 33-601.737 Special Visits.

(1) The warden, assistant warden, or duty warden is authorized to approve special visits, impose special conditions for visiting outside of the regular visiting schedule, and to make exceptions to the number of visitors allowed.

(2) Before approving a special visit for any person who is not in the inmate's approved visiting record, institutional staff shall obtain a criminal history on the prospective visitor.

(3) The CVA Visitor Screening Matrix, Form DC6-111D shall be used to evaluate the proposed visitor's criminal record and visiting background in determining approval or disapproval of the special visiting request. Form DC6-111D is incorporated by reference in Rule 33-601.738.

(4) Requests for a special visit shall be made by the inmate on the Inmate Request, Form DC6-236 and shall be submitted no less than five workdays in advance of the requested visit. Individuals requesting special visits shall be referred to the inmate who they wish to visit. The warden, assistant warden or duty warden shall approve or deny the request by the next working day after receipt. If it can be conclusively established that circumstances prevented the visitor from requesting a special visit within the five-day period, the warden, assistant warden, or duty warden shall consider the request for a special visit. The inmate shall be responsible for notifying individuals approved for a special visit.

(5) A visitor who has been denied a special visit by the warden, assistant warden or duty warden may request that the CVA mediate on his or her behalf. A local or institution telephone shall be used for this purpose if the visitor is on institutional property. The CVA shall either advise the visitor that the warden's, assistant warden's or duty warden's decision is appropriate or speak to the denying authority on behalf of the visitor. However, the final decision will rest with the approving authority.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New \_\_\_\_\_.

33-601.738 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (1) DC1-803, Unclothed Body Search Consent, effective \_\_\_\_\_.
- (2) DC1-804, Consent to or Notification of Search, effective \_\_\_\_\_.
- (3) DC6-111A, Request for Visiting Privileges, effective \_\_\_\_\_.
- (4) DC6-111B, Visitor Information Summary, effective \_\_\_\_\_.
- (5) DC6-111C, Remove/Add Visitor Request, effective \_\_\_\_\_.
- (6) DC6-111D, CVA Visitor Screening Matrix, effective \_\_\_\_\_.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History—New \_\_\_\_\_.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2000

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Percentage of Gross Pilotage Assessed  
RULE NO.: 61G14-19.001

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to decrease the pilotage assessment fee.

SUMMARY: The Board proposes to amend this rule to decrease the pilotage assessment fee from 1% percent to 0.6 percent of the gross amount of pilotage earned by pilots during each year.

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: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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: Anthony Spivey, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) Effective January 1, 2001, ~~1999~~, the Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state six tenths of one percent (0.6%) (~~1%~~) of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the

fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 3, 2000

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Reactivation of Inactive License

RULE NO.: 64B10-13.300

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

SUMMARY: Update rule text.

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 lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.017(2), 460.405, 460.406(1) FS.

LAW IMPLEMENTED: 456.017(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: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-13.300 Reactivation of Inactive License.

(1) through (5) No change.

~~(6) An inactive licensee who elects to change to active status shall not be permitted to return to inactive status until the next biennial renewal period.~~

~~(7) The Department shall not reactivate the license of any licensee who has failed to comply with the provisions of § 455.604, F.S., and Rule 64B10-15.001(8), F.A.C.~~

Specific Authority ~~455.711~~ 456.036, 468.1685(1), 468.1725(2) FS. Law Implemented ~~455.711~~ 456.036, 468.1725 FS. History—New 3-5-96, Formerly 59T-13.300, Amended 5-15-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 8, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2000

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Disciplinary Guideline; Range of Penalties; Aggravating and Mitigating Circumstances

RULE NO.: 64B10-14.004

PURPOSE AND EFFECT: The Board decided that this rule was necessary to update the rule text.

SUMMARY: Update the rule text.

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 lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.017(2), 460.405, 460.406(1) FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.1685(4),(5),(6), 468.1755(1)(a),(j) 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: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapters ~~456~~ 455 and 468, Part II, F.S. The purpose of the disciplinary guidelines is

to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapters 456 ~~455~~ and 468. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapters 456 ~~455~~ and 468, Part II, or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, reprimand, or probation which may be included in the final penalty at the Board's discretion.

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

	Minimum	Maximum
(a) Violation of 468.1745(1)(a),(b),(c) or (e), 468.1755(1)(a), F.S., unlicensed practice by an applicant for licensure. First Offense: Second Offense:	reprimand and \$500 fine probation and \$1000 fine	probation and \$500 fine denial/revocation and \$1000 fine
(b) Giving false or forged evidence to obtain a license. (468.1745(1)(d), 468.1755(1)(a), F.S.) First Offense: Second Offense:	probation and \$500 fine 6 months suspension followed by probation and \$1000 fine	denial/revocation \$500 fine denial/revocation and \$1000 fine
(c) Knowingly employ unlicensed persons. (456.072(1)(j) <del>455.624(1)(j)</del> , 468.1745(1)(f), 468.1755(1)(a), F.S.) First Offense: Second Offense: Third Offense:	reprimand and \$500 fine probation and \$500 fine 6 months suspension followed by probation and \$1000 fine	probation and \$500 fine 6 month suspension followed by probation and \$1000 fine revocation and \$1000 fine
(d) Knowingly conceal violations of this act. (468.1745(1)(g), 468.1755(1)(a), F.S.) First Offense: Second Offense: Third Offense:	\$500 fine \$1000 fine probation and \$1000 fine	\$1000 fine probation and \$1000 fine 1 year suspension followed by probation and \$1000 fine
(e) Attempting to procure license by bribery, fraudulent misrepresentation or error of the Department or Board. (456.072(1)(h) <del>455.624(1)(h)</del> , 468.1755(1)(b), F.S.) First Offense: Second Offense:	probation and \$500 fine 6 months suspension followed by probation and \$1000 fine	denial/revocation \$500 fine denial/revocation and \$1000 fine

(f) <u>Nursing Home Administrator License</u> License disciplined by another jurisdiction. License <u>D</u> isciplined by another jurisdiction (456.072(1)(d), <del>455.624(1)(f)</del> 468.1755(1)(c), F.S.) Same penalty as imposed by other jurisdiction, if consistent with Florida law and these guidelines for similar cases		
(g) Criminal conviction relating to practice or ability to practice nursing home administration. (456.072(1)(c) <del>455.624(1)(e)</del> , 468.1755(1)(d), F.S.) First Offense: Second Offense:	reprimand and \$1000 fine 1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine \$1000 fine
(h) Knowingly making or filing false report. (456.072(1)(d), <del>455.624(1)(l)</del> 468.1755(1)(e), F.S.) First Offense: Second Offense:	reprimand and \$1000 fine 1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine \$1000 fine
(i) Fraudulent, false, deceptive or misleading advertising. (468.1755(1)(f), F.S.) First Offense: Second Offense: Third Offense:	reprimand \$500 fine reprimand and \$1000 fine	\$500 fine \$1000 fine probation and \$1000 fine
(j) Fraud or deceit in the practice of nursing home administration. (468.1755(1)(g), F.S.) First Offense: Second Offense:	reprimand and \$1000 fine 1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine \$1000 fine
(k) Negligence or incompetence in the practice of nursing home administration. (468.1755(1)(g), F.S.) First Offense: Second Offense:	reprimand and \$1000 fine 1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine \$1000 fine
(l) Misconduct in the practice of nursing home administration including but not limited to: trust fund violations, Medicaid/insurance fraud, exploitation of a patient, and undue influence of a patient.(468.1755(1)(g), F.S.) First Offense: Second Offense:	reprimand and \$1000 fine 1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine \$1000 fine

(m) Violation of previous disciplinary order or subpoena issued by the Board or Department. (456.072(1)(q) 455-624(1)(q), 468.1755(1)(i), F.S.)	First Offense:	\$1000 fine	6 months suspension followed by probation and \$1000 fine revocation and \$1000 fine	Third Offense:	suspension until licensee can demonstrate to the Board that he/she is able to practice with reasonable skill and safety and \$1000 fine	revocation and \$1000 fine
	Second Offense:	6 months suspension followed by probation and \$1000 fine		(s) Willful or repeated violation of laws and rules governing nursing homes. (468.1755(1)(m), F.S.)		
(n) Practice on a revoked license. (468.1755(1)(j), F.S.)	First Offense:	\$500 fine	\$1000 fine	First Offense:	reprimand and \$1000 fine	1 year suspension followed by probation and \$1000 fine
	Second Offense:	\$500 and denial of future applications	denial of future applications	Second Offense:	1 year suspension followed by probation and \$1000 fine	revocation and \$1000 fine
(o) Practice on a suspended license. (468.1755(1)(j), F.S.)	First Offense:	\$1000 fine	6 months suspension followed by probation and \$1000 fine revocation and \$1000 fine	(t) Payment for solicitation or procurement of nursing home usage. (468.1755(1)(n), F.S.)	First Offense:	reprimand and \$1000 fine
	Second Offense:	6 months suspension followed by probation and \$1000 fine		Second Offense:	1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine revocation and \$1000 fine
(p) Practice on an inactive license. (468.1755(1)(j), F.S.)	First Offense:	\$1000 fine	6 months suspension followed by probation and \$1000 fine revocation and \$1000 fine	(u) Willfully permitting unauthorized disclosure of patient information. (468.1755(1)(o), F.S.)	First Offense:	reprimand and \$1000 fine
	Second Offense:	6 months suspension followed by probation and \$1000 fine		Second Offense:	1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine revocation and \$1000 fine
(q) Repeatedly acting inconsistently with health, safety and welfare of patients. (468.1755(1)(k), F.S.)	First Offense:	reprimand and \$1000 fine	1 year suspension followed by probation and \$1000 fine revocation and \$1000 fine	(v) Discrimination to staff or patients. (468.1755(1)(p), F.S.)	First Offense:	reprimand and \$1000 fine
	Second Offense:	1 year suspension followed by probation and \$1000 fine		Second Offense:	1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine revocation and \$1000 fine
(r) Inability to practice with skill and safety due to mental or physical impairment. (468.1755(1)(l), F.S.)	First Offense:	probation	suspension until the licensee can demonstrate to the Board that he/she is able to practice with reasonable skill and safety and \$500 fine	(w) Practice on a delinquent license. (468.1755(1)(j), F.S.)	First Offense:	\$1000 fine
	Second Offense:	probation and \$1000 fine	suspension until the licensee can demonstrate to the Board that he/she is able to practice with reasonable skill and safety and \$1000 fine.	Second Offense:	6 months suspension followed by probation and \$1000 fine	6 months suspension followed by probation and \$1000 fine revocation and \$1000 fine
				(x) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee's profession. (456.072(1)(a) 455-624(1)(a), F.S.)	First Offense:	reprimand and \$1000 fine
				Second Offense:	1 year suspension followed by probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine revocation and \$1000 fine

(y) Intentionally violating any rule adopted by the Board or the Department, as appropriate. (456.072(1)(b) 455.624(1)(b), F.S.)

First Offense:	\$1000 fine	6 months suspension followed by probation and \$1000 fine
Second Offense:	6 months suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(z) Failing to comply with the educational course requirements for human immunodeficiency virus, acquired immune deficiency syndrome, or end of life and palliative health care. (456.072(1)(e) 455.624(1)(e), F.S.)

First Offense:	\$750 fine	\$1000 fine
Second Offense:	probation and \$750 fine	probation and \$1000 fine
Third Offense:	probation and \$1000 fine	6 months suspension followed by probation and \$1000 fine

(aa) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the Department against another licensee. (456.072(1)(g) 455.624(1)(g), F.S.)

First Offense:	reprimand and \$1000 fine	1 year suspension followed by probation and \$1000 fine/denial
Second Offense:	1 year suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(bb) Failing to report to the Department any person who the licensee knows is in violation of Chapter 456 455, F.S., the chapter regulating the alleged violator, or the rules of the Department or the Board. (456.072(1)(d) 455.624(1)(d), F.S.)

First Offense:	reprimand	\$500 fine
Second Offense:	\$500 fine	\$750 fine
Third Offense:	\$1000 fine	probation and \$1000 fine

(cc) Aiding, assisting, procuring, or advising any unlicensed person or entity to practice a profession contrary to Chapter 456 455, F.S., the chapter regulating the profession, or the rules of the Department or the Board. (456.072(1)(j) 455.624(1)(j), F.S.)

First Offense:	reprimand and \$500 fine	probation and \$500 fine
Second Offense:	probation and \$500 fine	6 months suspension followed by probation and \$1000 fine
Third Offense:	6 months suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(dd) Failing to perform any statutory or legal obligation placed upon the licensee. (456.072(1)(k) 455.624(1)(k), F.S.)

First Offense:	reprimand and \$1000 fine	1 year suspension followed by probation and \$1000 fine/denial
Second Offense:	1 year suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(ee) 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. (456.072(1)(m) 455.624(1)(m), F.S.)

First Offense:	reprimand and \$1000 fine	1 year suspension followed by probation and \$1000 fine
Second Offense:	1 year suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(ff) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform. (456.072(1)(o) 455.624(1)(o), F.S.)

First Offense:	reprimand and \$500 fine	probation and \$500 fine
Second Offense:	probation and \$1000 fine	revocation and \$1000 fine

(gg) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them. (456.072(1)(p) 455.624(1)(p), F.S.)

First Offense:	reprimand and \$500 fine	probation and \$500 fine
Second Offense:	probation and \$1000 fine	revocation and \$1000 fine

(hh) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (456.072(1)(r) 455.624(1)(r), F.S.)

First Offense:	reprimand and \$1000 fine	6 months suspension followed by probation and \$1000 fine
Second Offense:	6 months suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(ii) Engaging or attempting to engage a patient in verbal or physical sexual activity. (456.072(1)(u) 455.624(1)(u), F.S.)

First Offense:	probation and \$1000 fine	1 year suspension followed by probation and \$1000 fine
Second Offense:	1 year suspension followed by probation and \$1000 fine	revocation and \$1000 fine

(jj) 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. (456.072(1)(w) 455.624(1)(w), F.S.)

First Offense:	reprimand and \$500 fine	\$750 fine
Second Offense:	\$750 fine	\$1000 fine
Third Offense:	\$1000 fine	probation and \$1000 fine

(kk) 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. (456.072(1)(x) 455.624(1)(x), F.S.)

First Offense:	reprimand	\$500 fine
Second Offense:	\$500 fine	\$1000 fine
Third Offense:	reprimand and \$1000 fine	probation and \$1000 fine

(ll) Any license disciplined by another jurisdiction (456.072(2)(f), F.S.)

Same penalty as imposed by other jurisdiction, if consistent with Florida law and these guidelines for similar cases.

(mm) Testing positive for preemployment or employer ordered drug screen (456.072(2)(z), F.S.)

First Offense:	probation and \$500 fine	suspension to be followed by probation and \$750 fine
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(3)(a) The Board shall be entitled to deviate from the foregoing guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence, presented to the Board prior to the imposition of a final penalty at informal hearing. If a formal hearing is held, any aggravating or mitigating factors must be submitted to the hearing officer at formal hearing. At the final hearing, the Board will not hear additional aggravating or mitigating evidence.

(b) Circumstances which shall be considered for purposes of mitigation or aggravation of penalty shall include the following:

1. The danger to the public.
2. The number of repetitions of offenses.
3. Previous disciplinary action against the licensee in this or any other jurisdiction.
4. The length of time the licensee has practiced.
5. The actual damage, physical or otherwise, caused by the violation.
6. The deterrent effect of the penalty imposed.
7. The effect of the penalty upon the licensee's livelihood.
8. Any efforts at rehabilitation.
9. Attempts by the licensee to correct or stop violations, or refusal by the licensee to correct or stop violations.
10. Any other mitigating or aggravating circumstances.

(4) The Board shall impose one or more of the following penalties, listed in increasing order of severity:

- (a) Fine not to exceed \$1000 for each separate count or offense.
- (b) Reprimand.
- (c) Probation, with terms including but not limited to: reports from the licensee, and his employer, supervision of practice by the Board or another licensee, continuing education courses, personal appearances before the Board, and counseling or treatment.
- (d) Suspension.
- (e) Revocation.

Specific Authority ~~456.079, 455.627(4)~~ 468.1685(1) FS. Law Implemented ~~456.072, 456.079, 455.624, 455.627~~ 468.1685(4),(5),(6), 468.1755(1)(a),(j) FS. History--New 11-23-86, Amended 4-22-87, Formerly 21Z-14.004, 61G12-14.004, 59T-14.004, Amended 10-12-97, 10-16-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 8, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2000

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Standard of Practice for Licensed Optometrists  
RULE NO.: 64B13-3.010

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify non-performance of a dilated fundus examination.

SUMMARY: The proposed rule amendment clarifies the non-performance criteria in cases where the optometrist determines that a dilated fundus examination should not be performed on a particular patient.

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

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

SPECIFIC AUTHORITY: 463.005(1) FS.

LAW IMPLEMENTED: 463.005(1), 463.0135(1), 463.016(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., December 28, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-3.010 Standard of Practice for Licensed Optometrists.

(1) through (6) No change.

(7)(a) To be in compliance with rule 64B13-3.007(2)(f), certified optometrists shall perform a dilated fundus examination during the patient's initial presentation, and thereafter, whenever medically indicated. If, in the certified optometrist's sound professional judgment, dilation is not

~~should not or cannot~~ be performed because of the patient's age, ~~or~~ physical limitations, or conditions, the reason(s) shall be noted in the patient's medical record.

- (b) No change.
- (8) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135(1), 463.016(1) FS. History—New 9-16-80, Amended 12-20-82, Formerly 21Q-3.10, Amended 7-11-88, 6-18-92, 1-28-93, Formerly 21Q-3.010, Amended 3-16-94, Formerly 61F8-3.010, Amended 8-24-94, 9-21-94, 2-13-95, 12-31-95, Formerly 59V-3.010, Amended 6-15-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: October 10, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: November 9, 2000

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Criteria for Selection of Examiners  
RULE NO.: 64B13-4.005

PURPOSE AND EFFECT: The proposed rule amendment is intended to address the qualifications for examiners.

SUMMARY: The proposed rule amendment requires examiners to be licensed as a practitioner in this State for at least three years preceding the date of the examination at which they will serve as an examiner.

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: 456.017(1)(b) FS.

LAW IMPLEMENTED: 456.017(1)(b) FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-4.005 Criteria for Selection of Examiners.

The following criteria are hereby established for the selection of examiners:

- (1) No change.
- (2) In order to receive approval of the Board, a prospective examiner must comply with the following minimum requirements:

(a) Licensure as a licensed practitioner in this State for at least ~~three years~~ ~~one year~~ preceding the date of the examination at which they will serve as an examiner, and

(b) The absence of any finding by the Board that the prospective examiner has violated Chapter ~~456~~ ~~455~~, ~~Part II~~, Chapter 463, Florida Statutes, or the rules promulgated thereunder.

- (3) No change.

Specific Authority ~~456.017(1)(b)~~ ~~455.574(1)(b)~~ FS. Law Implemented ~~456.017(1)(b)~~ ~~455.574(1)(b)~~ FS. History—New 10-6-81, Formerly 21Q-4.05, Amended 7-21-86, 11-20-86, Formerly 21Q-4.005, 61F8-4.005, 59V-4.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2000

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

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

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the passing score for the certification examination.

SUMMARY: The proposed rule amendment clarifies the rule to require a score of 70 percent to pass the certification examination.

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

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

SPECIFIC AUTHORITY: 463.005(1), 456.017(1),(2) FS.

LAW IMPLEMENTED: 463.0055, 456.017(1),(2) FS.

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

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



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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-10.0015 Certified Optometrist Examination.

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

(1) The examination shall consist of 80 questions which test the applicant's knowledge of general and ocular pharmacology with particular emphasis on the topical application and side effects of pharmaceutical agents. Each question on the examination shall be given equal weight. A raw score of 70 percent correct answers shall be required to pass the certification examination.

(2) through (4) No change.

Specific Authority 463.005(1), 456.017(1),(2) 455.574(1),(2) FS. Law Implemented 463.0055, 456.017(1),(2) 455.574(1),(2) FS. History-New 3-16-89, Amended 5-29-90, 7-10-91, Formerly 21Q-10.0015, 61F8-10.0015, Amended 10-4-94, Formerly 59V-10.0015, Amended 3-21-00, 7-12-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2000

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Range of Penalties for Administrative Violations

RULE NO.: 64B13-15.003

PURPOSE AND EFFECT: The proposed rule amendment is intended to address multiple counts or offenses with regard to administrative fines.

SUMMARY: The proposed rule amendment clarifies fines for multiple counts or offenses.

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: 456.079 FS.

LAW IMPLEMENTED: 456.079 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., December 28, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-15.003 Range of Penalties for Administrative Violations.

(1) No change.

(2) For Major Administrative Violations the range of penalties are as follows:

(a) First violation – administrative fine of not less than \$1,000.00 nor more than \$2,000.00 per count or offense and, if appropriate, a period of probation or suspension of not less than 6 months nor longer than 12 months.

(b) through (c) No change.

Specific Authority 456.079 455.627 FS. Law Implemented 456.079 455.627 FS. History-New 2-24-87, Formerly 21Q-15.003, 61F8-15.003, 59V-15.003, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2000

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Fees

RULE CHAPTER NO.: 64B14-2

RULE TITLE: Application, Examination and Initial Licensure Fees

RULE NO.: 64B14-2.0015

PURPOSE AND EFFECT: The Department proposes amendments to Rule 64B14-2.0015, F.A.C., to revise existing fees. Additionally, statutory references in the Rule's history are updated.

SUMMARY: Proposed Rule 64B14-2.0015 is amended to propose revised fees for application, examination, and initial licensure of individuals applying to the Board of Orthotists, and Prosthetists.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.

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: 456.004(5), 456.013(2), 468.803(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 468.803(2)(a) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL ANNOUNCED AT A LATER DATE IN THIS PUBLICATION.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop meeting, is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Ms. Sherra W. Causey, Professional Regulation Specialist II, at (850)245-4444, ext. 3617. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8770 (Voice, and 1(800)955-8771 (TDD).

All written material received by the Department within 21 days of the date of publication of this notice shall be made a part of the official record.

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE DEPARTMENT WITH RESPECT TO ANY MATTER CONSIDERED AT THIS HEARING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B14-2.0015 Application, Examination and Initial Licensure Fees.

The following fees are established by the Department:

(1) An applicant for licensure by state examination shall remit an application fee of ~~\$300~~ ~~\$100~~, an examination fee of ~~\$175~~ ~~\$100~~, and an initial licensure fee of ~~\$200~~ ~~\$100~~ at the time the application is submitted.

(2) An applicant for licensure without state examination shall remit an application fee of ~~\$300~~ ~~\$200~~ and an initial licensure fee of ~~\$200~~ ~~\$100~~ at the time the application is submitted.

(3) No change.

Specific Authority ~~456.004(5), 456.013(2), 455.524(5), 455.564(2), 468.803(2)(a) FS. Law Implemented 456.013(2), 456.025(1), 455.564(2), 468.803(2)(a) FS. History--New 9-22-98, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: November 22, 2000

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

#### DEPARTMENT OF HEALTH

##### Board of Acupuncture

RULE NO.:  
64B1-4.010

RULE TITLE:  
Traditional Chinese Medical  
Concepts, Modern Oriental  
Medical Techniques

#### 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. 39, September 29, 2000, issue of the Florida Administrative Weekly.

The rule shall now read as follows:

64B1-4.010 Traditional Chinese Medical Concepts, Modern Oriental Medical Techniques.

Traditional Chinese medical concepts and modern oriental medical techniques shall include diagnosis and treatment to prevent or correct malady, illness, injury, pain, addictions, other conditions, disorders, and dysfunction of the human body; to harmonize the flow of Qi or vital force; to balance the energy and functions of a patient; and to promote, maintain and restore health and to prevent disease by the use or administration of: stimulation to acupuncture points, ah-shi points, auricular points, channels, collaterals, meridians, and microsystems which shall include the use of: akabane; allergy elimination techniques; breathing; cold; color; correspondence; cupping; dietary guidelines; electricity; electroacupuncture;

electrodermal screening (EDS); exercise; eight principles; five elements; four levels; hara; heat; herbal therapy consisting of plant, animal, and/or mineral substances; infrared and other forms of light; inquiring of history; jing-luo; listening; moxibustion; needles; NAET; observation; oriental message - manual and mechanical methods; palpation; physiognomy; point micro-bleeding therapy; pulses; qi; xue and jin-ye; ryodoraku; san-jiao; six stages; smelling; tongue; tai qi; qi gong; wulun-baguo; yin-yang; zang-fu; Ayurvedic, Chinese, Japanese, Korean, Manchurian, Mongolian, Tibetan, Uighurian, Vietnamese, and other east Asian acupuncture and oriental medical concepts and treatment techniques; French acupuncture; German acupuncture including electroacupuncture diagnosis, and the use of laboratory test and imaging findings.

Specific Authority 457.102, 457.104 FS. Law Implemented 457.102 FS. History—New \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

### Section IV Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 329, NEW YEAR'S CASH

RULE NO.: 53ER00-50

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 329, "NEW YEAR'S CASH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-50 Instant Game Number 329, NEW YEAR'S CASH.

(1) Name of Game. Instant Game Number 329, "NEW YEAR'S CASH."

(2) Price. NEW YEAR'S CASH tickets sell for \$1.00 per ticket.

(3) NEW YEAR'S CASH lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning NEW YEAR'S CASH lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any NEW YEAR'S CASH lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(5) Determination of Prize Winners.

(a) The holder of a ticket having three like amounts in the play area shall be entitled to a prize of that amount. The holder of a ticket having two like amounts and a "\$\$" (double dollar) symbol in the prize area shall be entitled to a prize of double that amount. Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$30.00, \$250, \$500.

(b) The holder of a ticket having three "TICKET" symbols in the play area shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a NEW YEAR'S CASH lottery ticket which entitles the holder to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(6) The value, number of prizes, and odds of winning in Instant Game Number 329 are as follows:

GET:	WIN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL	ODDS
3-TICKETS	\$1 TICKET	907,200	1 in 8.33
3-\$1's	\$1	302,400	1 in 25.00
2-\$1's + D	\$2	176,400	1 in 42.86
3-\$2's	\$2	176,400	1 in 42.86
2-\$2's + D	\$4	50,400	1 in 150.00
3-\$4's	\$4	50,400	1 in 150.00
3-\$5's	\$5	100,800	1 in 75.00
2-\$5's + D	\$10	50,400	1 in 150.00
3-\$10's	\$10	50,400	1 in 150.00
2-\$15's + D	\$30	12,390	1 in 610.17
3-\$30's	\$30	11,130	1 in 679.25
3-\$250's	\$250	42	1 in 180,000.00
3-\$500's	\$500	21	1 in 360,000.00
2-\$250's + D	\$500	21	1 in 360,000.00

(7) The over-all odds of winning any prize in Instant Game Number 329 are 1 in 4.00.

(8) For reorders of Instant Game Number 329, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(9) By purchasing a NEW YEAR'S CASH lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c) FS. History--New 11-17-00.

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

EFFECTIVE DATE: November 17, 2000

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 322, "NIFTY 50" RULE NO.: 53ER00-51

SUMMARY OF THE RULE: This emergency rule relates to Instant Game Number 322, "NIFTY 50" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, procedures to be followed on how to play the game, and the number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-51 Instant Game Number 322, "NIFTY 50".

(1) Name of Game. Instant Game Number 322 "NIFTY 50."

(2) Price. NIFTY 50 tickets sell for \$2.00 per ticket.

(3) NIFTY 50 lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning NIFTY 50 lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any NIFTY 50 lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "LUCKY NUMBERS" play symbols and play symbol captions are as follows:

INSERTY SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

(8) Determination of Prize Winners.

(a) The holder of a ticket having a number exposed in the "YOUR NUMBERS" play area that matches any number in the "LUCKY NUMBERS" play area shall be entitled to the corresponding prize amount shown for that number. Prize amounts which may appear in the play area are: \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00 DAY-1YR, \$100, \$200, \$1,000.

(b) The holder of a ticket having a number exposed in the "YOUR NUMBERS" play area that matches any number in the "LUCKY NUMBERS" play area and "TICKET" is shown as the corresponding prize shall be entitled to a prize of one \$2.00 instant ticket, or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a NIFTY 50 lottery ticket which entitles the holder to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(c) The holder of a ticket having a "dollar bill" symbol exposed in the play area of a game shall be entitled to a prize of double the corresponding prize amount shown.

(9) Number and Size of Prizes. The value, number of prizes, and odds of winning in Instant Game Number 322 are as follows:

MATCH ANY OF THE LUCKY NUMBERS TO ANY OF YOUR NUMBERS, OR GET A DOLLAR BILL TO DOUBLE WITH PRIZES OF:		NUMBER OF WINNERS IN 84 POOLS OF 120,000 TICKETS PER POOL		ODDS
TICKET	WIN			
\$2	\$2	1,344,000		1 in 7.50
\$2 (D)	\$4	470,400		1 in 21.43
\$2 + \$3	\$5	268,800		1 in 37.50
\$5	\$5	268,800		1 in 37.50
\$2 + \$2 + \$2 + (\$2 (D))	\$10	100,800		1 in 100.00
\$5 + \$5	\$10	100,800		1 in 100.00
\$10	\$10	67,200		1 in 150.00
\$2 x 5 + \$5 + (\$5 (D))	\$25	16,800		1 in 600.00
\$5 x 3 + (\$5 (D))	\$25	33,600		1 in 300.00
\$25	\$25	16,800		1 in 600.00
\$5 x 10	\$50	7,476		1 in 1,348.31
\$10 x 5	\$50	7,140		1 in 1,411.76
\$25 + \$25	\$50	7,140		1 in 1,411.76
\$10 x 10	\$100	420		1 in 24,000.00
\$20 x 3 + (\$20 (D))	\$100	420		1 in 24,000.00
\$100	\$100	420		1 in 24,000.00
\$200	\$200	168		1 in 60,000.00
\$100 x 10	\$1,000	10		1 in 1,008,000.00
\$1,000	\$1,000	10		1 in 1,008,000.00
\$50 a day for one year	\$18,250	8		1 in 1,260,000.00

(10) The over-all odds of winning any prize in Instant Game Number 322 are 1 in 3.38.

(11) For reorders of Instant Game Number 322, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(12) By purchasing a NIFTY 50 lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) The Florida Lottery will pay the winners of “\$50 A DAY FOR ONE YEAR” prizes in a single cash payment of \$18,250.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c) FS. History—New 11-17-00.

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

EFFECTIVE DATE: November 17, 2000

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

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on November 17, 2000, from the City of St. Petersburg. The petitioner seeks a waiver of application of a portion of Rule 9K-4.002, Fla. Admin. Code, for the Florida Communities Trust Project No. 00-042-P10, Clam Bayou Expansion Project.

A copy of the Petition, which has been assigned the number DCA00-DEC-385, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

### WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on October 30, 2000, the South Florida Water Management District (SFWMD) received a petition for waiver from Lykins Signtek on behalf of the Olde Cypress Development Corporation, for utilization of works or land of the SFWMD known as the Cocohatchee Canal, Collier County. On November 3, 2000, the SFWMD received a request from Charlie Lykins of Lykins Signtek, to withdraw the petition for waiver.

A copy of the petition or withdrawal may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sfwmd.gov, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on August 15, 2000, a petition from ExxonMobil Refining & Supply Company for 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 was assigned OGC case #00-1624. On November 9, 2000, the petition was granted for certain documentation that was required from Hughes Supply, Inc. and GTEL Environmental Laboratories. Copies may be received from the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Rebecca Grace.

The Department of Environmental Protection gives notice to grant the Town of Jupiter Water System’s petition requesting a variance from the requirement as specified by of rules 62-302.500(1)(a)4. and 62-4.244(3)(a), Florida Administrative Code (F.A.C). The facility is located in Palm Beach County. The petition was made under section 403.201(1)(a), Florida Statutes (F.S.).

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Wastewater Compliance Evaluation Section, 2600 Blair Stone Road, Room 202, Tallahassee, Florida.

The Department will issue the variance unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

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

Petitions by the applicant or any of the parties listed below must be filed within twenty-one days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within twenty-one days of publication of the notice or within twenty-one days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within twenty-one days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the following address: Town of Jupiter, P. O. Box 8900, Jupiter, Florida 33468-8900 Attention: Mr. David L. Brown. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department's case identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department's action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action; and

(g) A statement of the relief sought by petitioner, stating precisely the action the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301 of the Florida Administrative Code.

Because the administrative hearing process is designed to formulate agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573 of the Florida Statutes is not available for this proceeding.

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## DEPARTMENT OF HEALTH

The Board of Speech Language-Pathology and Audiology hereby gives notice that it has received a petition filed on 11/6/00 from Danielle M. Sevier seeking a waiver of Rule 64B20-2.005(3), Florida Administrative Code, as it applies to Petitioner. The Board will address this matter at its regularly scheduled board meeting which will be held December 14, 2000, 9:00 a.m., Ramada Inn North, 2900 North Monroe Street, Tallahassee, Florida 32303, telephone (850)386-1027.

Comments on this petition should be filed with Board of Speech Language-Pathology and Audiology/MQA, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Speech Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255.

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NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received a Petition for Variance November 14, 2000 Variety Children's Hospital, dba Miami Children's Hospital, Miami, Florida.

Applicable Rule: Section 64E-2.023(1),(4), F.A.C.

Requested Action: To grant a permanent variance to satisfy the requirements of DH Pamphlet 150-9, Standard IVA with a second year resident in the evenings on occasion noting that a qualified anesthesiologist meeting the criteria in Standard IVA would be available in-house promptly after the call.

Any interested person or agency may submit written comments on this petition until close of business December 15, 2000. Comments on or requests for copies of the petition must be

addressed to Ms. Pam Lesley, Sr. Management Analyst,  
Bureau of Emergency Medical Services, 4052 Bald Cypress  
Way, Bin #C18, Tallahassee, Florida 32399-1738.  
P.O. F00396

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

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration  
Department of Veterans' Affairs  
Department of Highway Safety and Motor Vehicles  
Department of Law Enforcement  
Department of Revenue  
Department of Education  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Board of Trustees of the Internal Improvement Trust Fund  
Department of Environmental Protection

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

PLACE: Council Chambers, Second Floor, City Hall, 900 East Strawbridge Avenue, Melbourne, Florida 32901

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval

of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and

matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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#### DEPARTMENT OF STATE

The **Department of State**, African-American Heritage Advisory Committee announces a meeting to which all interested persons are invited.

**DATE AND TIME:** Thursday, December 7, 2000, 10:00 a.m.

**PLACE:** R. A. Gray Building, 500 South Bronough Street, Third Floor, South, Room 307, Tallahassee, Florida

**PURPOSE:** To provide guidance and leadership in the development of cooperative projects by the Black Archives Research Center, the Museum and the Division of Historical resources to promote a greater knowledge and appreciation of African-American heritage of Florida.

A copy of the agenda may be obtained by writing: Florida African-American Heritage Advisory Committee, Division of Historical Resources, Department of State, The Capitol, Tallahassee, Florida 32300-0250.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Chapter 286.26, Florida Statutes, and person with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

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The Board of Directors of the **Central West Florida Preservation, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, December 8, 2000, 2:00 p.m.

**PLACE:** Historic Spanish Pointe, 337 N. Tamiami Trail, Osprey, FL 34229

**PURPOSE:** General Business Meeting.

A copy of the agenda may be obtained by writing: Tampa Regional Office, 1802 East 9th Avenue, Tampa, Florida 33605. Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request special assistance.

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The **Department of State, Division of Historical Resources**, Florida Historic Marker Council announces a meeting to which all interested persons are invited.

**DATE AND TIME:** Tuesday, December 12, 2000, 11:00 a.m.

**PLACE:** Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

**PURPOSE:** To review applications for Florida State Historic Markers.

A copy of the agenda may be obtained by writing: Florida State Historic Marker Program, Bureau of Historic Preservation, Division of Historical Resources, 500 S. Bronough Street, Tallahassee, FL 32399-0250.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

"Pursuant to Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance."

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#### DEPARTMENT OF BANKING AND FINANCE

The State of Florida, **Department of Banking and Finance**, Long Term Disability Committee announces a public meeting to which all persons are invited to attend.

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

**PLACE:** Suite 252A, The Fletcher Building, 101 East Gaines Street, Tallahassee, FL

**PURPOSE:** To review the proposals submitted for long term disability insurance and determine the responsiveness of the proposals.



A copy of the agenda may be obtained by writing: Paul C. Stadler, Jr., Assistant General Counsel, The Fletcher Building, Suite 526, 101 East Gaines St., Tallahassee, FL 32399-0350 or by calling Paul Stadler, (850)410-9896.

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 Paul Stadler, (850)410-9896. If you are hearing or speech impaired, contact the agency via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

The **Department of Banking and Finance, Board of Funeral and Cemetery Services** hereby gives notice that a public workshop for the purposes of rule development on Rule 3F-7.012, will be held at the time, date and place listed below:  
 TIME AND DATE: December 15, 2000, 9:00 a.m. – 2:30 p.m.  
 PLACE: Department of Banking and Finance, Fletcher Building Room 547, 101 East Gaines Street, Tallahassee, FL 32399-0350

A notice of rule development was published in Vol 26, No. 21, of the August 4, 2000, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF EDUCATION

The **Board of Regents** of the State University System of Florida announces a meeting to which the public is invited.

DATE AND TIME: December 12, 2000, 9:00 a.m. – 3:00 p.m.  
 PLACE: Florida Education Center, Room 1724, 325 West Gaines Street, Tallahassee, Florida

PURPOSE: This meeting will be held to negotiate the 2001-2002 Reopener Agreement between the Board of Regents and the Florida Police Benevolent Association (PBA). The Board welcomes participation from any interested members of the public.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equal Opportunity Programs, (850)201-7160 (Voice), (850)201-7164 (TDD), at least 7 days in advance, so that their needs can be accommodated.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

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

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind including a public hearing on Rules 6D-5.003, FAC., Other Personnel and 6D-6.003, FAC., Use of School Facilities and Equipment.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 or by calling (904)827-4000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance from the aforementioned address.

The Ad Hoc Funding Committee of the **Postsecondary Education Planning Commission** announces a telephone conference call in which all interested persons are invited to participate.

DATE AND TIME: Friday, December 8, 2000, 10:00 a.m. – 11:30 a.m.

PLACE: Room 224, Collins Bldg., 107 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will discuss funding and planning issues. For further information contact Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400 (850)488-7894.

The Program Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, December 14, 2000, 9:00 a.m. – 11:00 a.m.

PLACE: West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will discuss and take action on its study of workforce development funding issues. For further information contact Dr. Patrick Dallet, Assistant Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400 (850)488-7894.

The Access Committee of the **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, December 14, 2000, 9:00 a.m. - 11:00 a.m.

PLACE: West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address its study assignments related to student financial assistance and student progression. For further information contact: Mr. David Wright, Educational Policy Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, December 14, 2000, 11:00 a.m. – 3:00 p.m. (or upon completion of committee meetings)

PLACE: West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will take action on several studies related to workforce development funding and the responsiveness of postsecondary education to Florida's workforce needs and will also take action on recommendations related to state funding for independent historically black colleges and universities. For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

**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**

DATE AND TIME: December 6, 2000, 8:30 a.m. – 5:00 p.m.

PLACE: Department of Community Affairs, Kelley Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Status of Policy Report
- 2) Briefing – Energy 2020 Commission: Status Report
- 3) Update on inventory and Resource Manual

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 Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Highway, Kissimmee, Florida, (407)396-1234

DATE AND TIME: December 10, 2000, 10:00 a.m.

- Joint Building Fire Technical Advisory Committee
- Mechanical Technical Advisory Committee
- Plumbing Technical Advisory Committee
- Meeting of the Manufactured/Prototype Buildings Ad Hoc Committee

- Lawn Storage Buildings

- Prototype Buildings

DATE AND TIME: December 11, 2000, 8:00 a.m.

- Education Training System Ad Hoc Committee
- Accessibility Technical Advisory Committee Code Review Subcommittee

- Accessibility Technical Advisory Committee

DATE AND TIME: December 11, 2000, 8:00 a.m.

- Accessibility Advisory Council

PURPOSE: to consider applications for waiver from accessibility requirements: Kiddie U., Orlando, FL; Miami Seaquarium Replacement Marine Stadium, Miami, FL; Seminole Community College, Oviedo, FL; Chevron Products USA, Lake Mary, FL; Trading Corporation, Miami, FL; Marriott Vacation Club International, Lakeland, FL; BellSouth Telecommunications – Melbourne E.S.S. 3rd Floor Interior, Melbourne, FL; BellSouth Telecommunications – Daytona E.S.S. 2nd Floor Interior, Daytona Beach, FL; BellSouth West Dade C. O. (Equipment Building), Miami, FL; Renovations to Existing Theaters Atlantic Plaza Shopping Center, Satellite Beach, FL; Toro Engineering & Construction Co., Ft. Lauderdale, FL.

DATES AND TIMES: Convening December 11, 2000, 12:00 p.m. continuing December 12, 2000, 8:00 a.m.

Meeting of the Florida Building Commission.

PURPOSE: to review and approve the November 2000 Commission meeting minutes, the December 2000 Commission agenda and the Commission's workplan; consideration of accessibility waiver applications: Kiddie U.,

Orlando, FL; Miami Seaquarium Replacement Marine Stadium, Miami, FL; Seminole Community College, Oviedo, FL; Chevron Products USA, Lake Mary, FL; Trading Corporation, Miami, FL; Marriott Vacation Club International, Lakeland, FL; BellSouth Telecommunications – Melbourne E.S.S. 3rd Floor Interior, Melbourne, FL; BellSouth Telecommunications – Daytona E.S.S. 2nd Floor Interior, Daytona Beach, FL; BellSouth West Dade C. O. (Equipment Building), Miami, FL; Renovations to Existing Theaters Atlantic Plaza Shopping Center, Satellite Beach, FL; Toro Engineering & Construction Co., Ft. Lauderdale, FL; and review proposed amendments to Product Approval Ad Hoc recommendations; to receive public comment; review and if appropriate, issue Declaratory Statements in the following matters: D. F. Zimmer, AIA, DCA00-DEC-383; and Miami-Dade County (Roy Van Wyk), DCA00-DEC-285; discuss proposed amendatory text of product approval system recommendations; review Commission amendments; discuss code challenge from the Florida Air Conditioning Contractors Association, Inc.; Code Dissemination report and recommendations; Education Ad Hoc Committee report and recommendations; Manufactured Buildings/Prototype Buildings Ad Hoc report and recommendations and Lawn Storage Building’s report and recommendations; Plumbing Technical Advisory Committee report and recommendations; Accessibility Technical Advisory Committee report and recommendations; Joint Building Fire Technical Advisory Committee report and recommendations; Mechanical Technical Advisory Committee report and recommendations; review of Report to the Legislature and legal staff reports and recommendations.

A copy of the Committee and Commission meeting agendas may be obtained by sending a request in writing to Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, FAX (850) 414-8436, or looking on the web site at [www.dca.state.fl.us/fhcd/fbc](http://www.dca.state.fl.us/fhcd/fbc).

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact: Ms. Betty Stevens at the Department of Community Affairs, (850)487-1824 at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN that the **Florida Building Commission** shall meet in private with its legal counsel pursuant to Section 286.011, Florida Statutes (1999), at 8:00 a.m. on Tuesday, December 12th, at the Hyatt Orlando, 6375 West Irlo Bronson Highway, Kissimmee, Florida. The names of persons attending who will be attending the meeting are as follows:

- |                              |                         |                       |
|------------------------------|-------------------------|-----------------------|
| Raul L. Rodriguez, AIA       |                         |                       |
| Chairman                     |                         |                       |
| Nick D'Andrea                | Karl S. Thorne          | Medard Kopczynski     |
| Leonard N. Lipka             | Daniel C. Shaw          | Richard "Dick" Browdy |
| Dr. Diana B. Richardson      | Steven C. Bassett, P.E. | John Robert Calpini   |
| James R. Mehlretter          | Peggy P. Harris         | Sam Walthour          |
| Suzanne Marshall             | George J. Wiggins       | Harold D. Covey       |
| Stephen H. Corn              | Bob R. Leonard          | Craig Parrino         |
| Christ T. Sanidas            | Francisco J. Quintana   | Michael C. McCombs    |
| Commissioners                |                         |                       |
| Richard Dixon                |                         |                       |
| Executive Director           |                         |                       |
| Suzanne Schmith              |                         |                       |
| Jim Richmond                 |                         |                       |
| Attorneys for the Commission |                         |                       |

**STATE BOARD OF ADMINISTRATION**

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, December 12, 2000, 11:00 a.m. or soon thereafter

PLACE: The McDonnell Douglas Conference Room, Second Floor, Tallahassee Regional Airport, Tallahassee, Florida

PURPOSE: To conduct the regular business of the Florida Prepaid College Program Board to which all persons are invited.

A copy of the agenda may be obtained by writing to: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the meeting.

The Board of Directors of the **Florida Prepaid College Foundation** announce a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, December 12, 2000, 1:00 p.m. or soon thereafter

PLACE: The McDonnell Douglas Conference Room, Second Floor, Tallahassee Regional Airport, Tallahassee, Florida

PURPOSE: To conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by writing to: Thomas J. Wallace, Florida Prepaid College Foundation, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)922-6740.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Florida Prepaid College Foundation, at (850)922-6740, no later than five (5) days prior to the meeting.

The Investment Committee of the **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, December 12, 2000, 9:30 a.m. or soon thereafter

PLACE: The McDonnell Douglas Conference Room, Second Floor, Tallahassee Regional Airport, Tallahassee, Florida

PURPOSE: To conduct the regular business of the Investment Committee of the Florida Prepaid College Program Board to which all persons are invited.

A copy of the agenda may be obtained by writing to: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the meeting.

**DEPARTMENT OF CITRUS**

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission Audit Review Committee to which all persons are invited.

DATE AND TIME: Wednesday, November 29, 2000, 10:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive and review Inspector General report.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission Search Committee to which all persons are invited.

DATE AND TIME: Wednesday, November 29, 2000, 1:00 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To appoint an interim Executive Director of the Florida Department of Citrus and to review criteria and possible candidates to fill vacancy of Executive Director position.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

The Florida Citrus Commission provides the following reasonable notice that as a result of court ordered mediation between Tampa Juice Service, Inc. and the Florida **Department of Citrus** it may be necessary for the Commissioners and the Interim Executive Director to meet in private with its attorneys to discuss the possibility of a settlement.

DATE AND TIME: Tuesday, December 5, 2000, 9:00 a.m. or as soon thereafter

PLACE: Department of Citrus Building, 1115 E. Memorial Boulevard, Lakeland, Florida 33801

NAMES OF PERSONS ATTENDING: John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Joe L. Davis, Sr., Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, John M. Luther, Rex V. McPherson, II, Daniel R. Richey, Nancy J. Schafer, Andrew R. Taylor, Interim Executive Director, Hank B. Campbell, Mia L. McKown, court reporter.

PURPOSE: Pursuant to the provisions of Section 286.011(8), F.S. the Florida Citrus Commission will convene for a closed session for purposes of discussing with its attorneys the lawsuit filed against the Florida Department of Citrus by Tampa Juice Service, Inc.

Pursuant to state law the Commission shall ensure a verbatim record of the proceeding shall be made by a certified court reporter. The transcript shall include the entire closed session. The transcript will be made available to the public in accordance with state law upon completion of above referenced litigation. Once the transcript is made public, a copy of the same may be obtained by writing: Mia McKown, General Counsel, Florida Department of Citrus, P. O. Box 148,

Lakeland, Florida 33802-0148 or you may call (863)499-2500. You will be charged fifteen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability of physical impairment should contact Dennis Boulnois, (863)499-2505.

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### DEPARTMENT OF CORRECTIONS

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 13, 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.

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### PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a staff workshop in the following docket, to which all parties and interested persons are invited.

DOCKET NO. 000604-TL – Request for review of proposed numbering plan relief for the 941 area code.

DATE AND TIME: Tuesday, December 12, 2000, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

PURPOSE: The purpose of this workshop is to identify issues and discuss alternatives for the proposed numbering plan relief in the 941 area code.

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, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD). For additional information, contact

Lee Fordham, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, or telephone (850)413-6226.

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The Florida **Public Service Commission** announces a staff workshop in the following docket, to which all parties and interested persons are invited.

DOCKET NO. 001503-TP – Cost Recovery and Allocation Issues for Number Pooling Trials in Florida.

DATE AND TIME: Tuesday, December 12, 2000, 1:30 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To identify issues for and discuss cost recovery and allocation for number pooling trials in Florida.

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, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

For additional information, contact Diana Caldwell, Division of Legal Services, at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, or telephone (850)413-6175.

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: December 19, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the Division of Records and Reporting at (850)413-6770 or writing to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 000761-TP – Petition by Sprint Spectrum L.P., d/b/a Sprint PCS for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc. pursuant to Section 252 of the Communications Act.

DATE AND TIME: December 18, 2000, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting at (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, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: \*December 18, 2000, 9:30 a.m.

PLACE: Room 140, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To discuss and make decisions on matters which affect the operation of the Commission

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting the Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting at (850)413-6770 at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (VOICE) or 1 (800)955-8771 (TDD).

\* In the event of a scheduling conflict, this meeting may be moved to December 19, 2000, immediately following the Commission Conference, in Room 140.

\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\*

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 990884-TP – Request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint-Florida, Incorporated regarding enforcement of interconnection agreement.

DATE AND TIME: December 20, 2000, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To permit parties to present testimony and exhibits relative to the request by Orlando Telephone Company for approval of arbitration concerning complaint against Sprint-Florida, Incorporated regarding enforcement of interconnection agreement, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on February 28, 2000. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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 Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

## REGIONAL PLANNING COUNCILS

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: December 21, 2000, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

PURPOSE: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

An Executive Committee meeting will be held at 9:00 a.m., before the Council meeting. The Nominations Committee will hold a meeting immediately following the Council Meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. Wayne Daltry, (941)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The District XI, **Local Emergency Planning Committee**, Training Technical Advisory Committee announces a public meeting to which all interested persons are invited.

DATE AND TIME: December 20, 2000, 9:00 a.m. – 10:00 a.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 Northwest 21st Street, Miami, Florida 33122-1605

PURPOSE: To implement FY 2000-01 USDOT HMEP Training Grant by reviewing training courses conducted and requested, and the FY 2000-01 planning project.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021 or by calling (954)985-4416 (Broward), Suncom 473-4416 and 1(800)985-4416 for area codes 305, 561 and 407.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, December 20, 2000, 10:00 a.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 Northwest 21st Street, Miami, Florida 33122-1605

PURPOSE: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2000/01.

A copy of the agenda may be obtained by writing: South Florida Water Management District, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021 or by calling (954)985-4416 (Broward), Suncom 473-4416 and 1(800)985-4416 for area codes 305, 561 and 407.

**COMMISSION ON ETHICS**

The **Commission on Ethics** announces public meetings to which all interested persons are invited.

DATES AND TIME: Monday, December 11, 2000; Tuesday, December 12, 2000, 3:00 p.m. each day

PLACE: 2822 Remington Green Circle, Suite 101, Tallahassee, FL

PURPOSE: Evaluation Team meetings to evaluate proposals submitted in response to JLMC Request for Proposals (RFP) #793, "To Plan, Convert and Implement an Integrated Financial Disclosure management System for the Florida Commission on Ethics."

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 2822 Remington Green Circle, Suite 101, 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 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).

**DEPARTMENT OF LABOR AND EMPLOYMENT SERVICES**

The **Workers' Compensation Task Force**, promulgated under Senate Bill 2532, announces the following meeting of the Workers' Compensation Task Force to which the public is invited. The task force has been formed for review of the workers' compensation system.

DATE AND TIME: Friday, December 15, 2000, 10:00 a.m. – 5:00 p.m.

PLACE: Marriott, Duval Room, Tampa International Airport, Tampa, FL 33607

PURPOSE: Fourth meeting of the Workers' Compensation Task Force for review of the Workers' Compensation System. Persons with a disability or handicap requiring reasonable accommodations should contact Jacki Lawhon in writing: 2728 Centerview Drive, Suite 302, Forrest Building, Tallahassee, Florida 32399-0682, or by phone [(850)922-8062] at least three business days in advance to make appropriate arrangements.

If you are hearing or speech impaired, please contact Jacki Lawhon using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

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**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces the following public meeting and public hearings to which all interested persons are invited.

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

PLACE: Santa Fe Community College, Jones-Rosenberg Building, 201 East Call Street, Starke, Florida

PURPOSE: Board Meeting – to consider District business and conduct public hearings on regulatory and land acquisition matters.

PURPOSE: Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the NPC, Inc. Tract, 1,200 Acres +/-, Columbia County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the of The University of Florida Foundation Tract, 44 Acres +/-, Alachua County, with funds from the Water Management Lands Trust Fund; also the proposed purchase of the Rayonier Timberlands/Falling Creek Sink, 55 Acres +/-, Columbia County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the Edward Saunders/Camp Branch Addition, 119 Acres +/-, Hamilton County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the Brooks-Carter/Sugar Creek Tract, 202 Acres +/-, Hamilton County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the Brooks-Carter/Big Shoals Addition, 237 Acres +/-, Hamilton County, with funds from the Preservation 2000 Trust Fund; also the proposed purchase of the Montechoa Creek Conservation Easement, 938 acres in Alachua County, with funds from the Preservation 2000 Trust Fund.

DATE AND TIME: December 12, 2000, 1:00 p.m.

PLACE: Chamber of Commerce Board Room, 202 South Walnut Street, Starke, Florida

PURPOSE: Board Workshop – Sterling Navigator Session.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, December 11, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Lorida Civic Center, 1909 Oak Avenue, Lorida, Florida

PURPOSE: To discuss current water conditions and implementation of the Kissimmee Basin Water Supply Plan recommendations.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact John Morgan, Director, Okeechobee Service Center, (863)462-5260.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, December 5, 2000, 1:00 p.m. – 3:30 p.m.

PLACE: Orange County Public Works Building, 4200 South John Young Parkway, Orlando, Florida

PURPOSE: To discuss implementation of the Kissimmee Basin Water Supply Plan recommendations.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, at least two business days in advance to make appropriate arrangements.

For more information, contact Chris Sweazy, (407)858-6100.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.



DATES AND TIME: December 5, 2000; December 12, 2000; December 19, 2000; December 26, 2000, 1:00 p.m.

PLACE: B-1 Building, Egret Conference Room, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Kenneth Daw, Chief Appraiser, (561)682-6737.

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The **South Florida Water Management District** announces a public workshop/meeting which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference to which all interested parties are invited.

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

PLACE: U.S. Department of Agriculture/ARSI/US Horticulture Research Laboratory, 2001 South Rock Road, Ft. Pierce, Florida

PURPOSE: A. Regular Governor Board Workshop/Meeting to discuss and consider District business including regulatory and non-regulatory matter; B. Conduct meeting of the Human Resources Committee; C. Conduct meeting of the Audit Committee.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. In the event of emergency conditions due to any imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, December 14, 2000, meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: December 13, 2000, time to be determined

PLACE: To be determined

PURPOSE: Possible off-site dinner with Governing Board members after workshop/meeting. No discussion of the Governing Board's business or activities shall occur between or among Board members at this dinner site.

DATE AND TIME: December 14, 2000, 7:00 a.m.

PLACE: To be determined

PURPOSE: Breakfast workshop with Governing Board member and senior management.

DATE AND TIME: December 14, 2000, 8:30 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Regular Governing Board meeting for consideration of regulatory and non-regulatory matters, including public meetings. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-2468 or may be acquired via the SFWMD Web Site at <http://www.sfwmd.gov/agenda/html>.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Darryl Bell, Governing Board Operations Director, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

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#### DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Meeting: Friday, December 8, 2000, 10:00 a.m.

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

PURPOSE: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jan Stearns, Florida Department of Veterans' Affairs, Koger Center, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, (850)487-1533, at least 48 hours prior to the workshop.

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#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

Alzheimer's Disease Advisory Committee

DATE AND TIME: December 11, 2000, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa, FL

**PURPOSE:** To discuss Alzheimer's Disease Issues.  
A copy of the agenda may be attained by contacting: Michele Smith, (850)414-2076.

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a meeting of the District 10, Managed Care Ombudsman Committee to which all interested parties are invited.

**DATE AND TIME:** Wednesday, December 13, 2000, 9:30 a.m. – 11:30 a.m.

**PLACE:** AHCA Building, Room 195, 1400 West Commercial Boulevard, Fort Lauderdale, FL 33309, (954)202-3200

**PURPOSE:** Regular monthly meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact us, (850)921-7200, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Attention: Rosalind J. Knight, Agency for Health Care Administration, Bureau of Consumer Protection, 2727 Mahan Drive, Ft. Knox, Building 1, 2nd Floor, Tallahassee, FL 32308.

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The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

**DATE AND TIME:** December 13, 2000, 10:30 a.m.

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

**PURPOSE:** In accordance with House Bill 2145, General Appropriations Act for FY 2000-2001, Specific Appropriation 196, the task force for the regular Disproportionate Share Program will be conducting a public meeting. The purpose of the task force is to study and make recommendations regarding the formula for the regular Disproportionate Share Program and alternative financing options.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The agenda has not been set.

Contact Marilyn Reavis, (850)488-9354 or Suncom 278-9354, with any questions or to obtain an agenda when it is set.

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**DEPARTMENT OF MANAGEMENT SERVICES**

The **Governor's Mansion Commission** announces a meeting to which all interested persons are invited.

**DATE AND TIME:** Tuesday, December 12, 2000, 10:30 a.m.

**PLACE:** The Governor's Mansion, Tallahassee, FL

**PURPOSE:** Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Department of Management Services, Facilities Management, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

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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:** December 13, 2000, 10:00 a.m.

**PLACE:** Florida ARF Conference Room, 2475 Apalachee Parkway, Suite 205, Tallahassee, FL

**PURPOSE:** Fair Market Price Determination and assignment of the following service contracts to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes: Department of Transportation, District Two Asset Management; Department of Transportation, District Three Asset Management; Suncom Directory Service, Call Center Operations; Miami-Dade Fire Department Headquarters Janitorial Services Contract; Miami-Dade Justice Center Janitorial Services Contract; Miami International Airport, Wilcox Field Café and Employee Cafeteria East Satellite Food Services Contract.

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 ACCOMMODATION:** Any person requiring a special accommodation at the meeting because of a disability should call RESPECT of Florida, (850)942-0905, at least five (5) work days 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).

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The **Correctional Privatization Commission** announces a meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 14, 2000, 10:00 a.m.

**PLACE:** Pepper Building, 111 West Madison Street, Room G-01, Tallahassee, Florida 32399

**PURPOSE:** Discussion of pertinent Commission business relating to the current and upcoming fiscal years. Any person who decides to appeal a decision of the Correctional Privatization Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Section 286.0105, Florida Statutes.

A copy of the Agenda may be obtained by writing to the Correctional Privatization Commission, Office of the Executive Director, 4050 Esplanade Way/Pepper Building, Suite 680, Tallahassee, Florida 32399-0950.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Correctional Privatization Commission, Office of the Executive Director, at (850)921-4034 at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please contact the Correctional Privatization Commission, Office of the Executive Director, by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The State of Florida **Retirement Commission** announces public hearings to which all persons are invited.

**DATES AND TIME:** December 11-12, 2000, 8:30 a.m.

**PLACE:** Fort Lauderdale Airport Hilton, 1870 Griffin Road, Dania, Florida

**PURPOSE:** To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing to the State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410. A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based. Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing.

If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

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, December 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)921-2470 or Suncom 291-2470

**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, December 6, 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:** Thursday, December 7, 2000, 9:00 a.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)921-2591 or Suncom 291-2591

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will be held to deliberate cases that have come before the Commission for determination.

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 accommodation because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1036, at least five calendar days prior to the meeting.

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**NOTICE IS HEREBY GIVEN** that the **Information Service Technology Development Task Force** will hold a two-day meeting. The public is invited to attend.

Task Force Workday Meeting

**DATE AND TIME:** Thursday, January 11, 2001, 8:00 a.m. – 4:30 p.m.

**PLACE:** Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida 32207

IT Town Hall Meeting

**DATE AND TIME:** Friday, January 12, 2001, 9:00 a.m. – 2:00 p.m.

**PLACE:** Main Ballroom, Radisson Riverwalk Hotel, Jacksonville, Florida

**PURPOSE:** The purpose of the meeting is to carry out the legislative mandate of the Task Force and further develop, promote and enhance Information Technology in Florida. The Task Force will be working on the further development of policy recommendations for the annual legislative report. (Governor Jeb Bush will be in attendance to deliver his IT address to all Floridians and to outline his vision for Florida's digital future.)

For additional information, contact: Stacey McMillian, itflorida.com, 501 S. Calhoun Street, Room 318, Carlton Building, Tallahassee, Florida 32399-6548, (850)410-0850.

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## **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers** hereby gives notice that a public workshop for the purposes of rule development on Rule Chapter 61G17-5, Continuing Education, will be held at the time, date and place listed below:

**DATE AND TIME:** January 10, 2001, 9:00 a.m.

**PLACE:** 1940 N. Monroe Street, Northwood Centre, Tallahassee, Florida 32399

A notice of rule development was published in Vol. 26, No. 37, of the September 15, 2000, Florida Administrative Weekly.

**THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS:** Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Probable Cause Panel of the **Florida Real Estate Commission** will meet on:

**DATE AND TIME:** December 12, 2000, 1:30 p.m. or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

**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).

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The **Florida Real Estate Commission (FREC)** announces a meeting to which all persons are invited.

**DATE AND TIME:** December 13, 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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 13, 2000, 6:00 p.m.

PLACE: St. Johns County Auditorium, 4020 Lewis Speedway, St. Augustine, Florida 32095

PURPOSE: The eighteen member Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Wednesday of the third month of each quarter. The MAG is composed of ten citizens, appointed by the three state legislators with overlapping jurisdictions with the reserve boundaries, and ten representatives of the local, state and federal government entities with authority and responsibility in the reserve. They are the St. Johns River Water Management District; the Flagler County Board of County Commission; the St. Johns County Board of County Commission; the National Park Service; the Florida Park Service; the Florida Fish and Wildlife Conservation Commission; the Florida Inland Navigation District; the St. Augustine Port, Waterway and Beach Authority; the City of St. Augustine; and the Town of Marineland. The MAG will work with the Florida Department of Environmental Protection (DEP) to implement the management plan adopted by the Governor and Cabinet for the GTMNERR.

The meeting agenda will include announcement of new appointments, acceptance of the updated MAG Charter and progress reports on a variety of GTMNERR activities including NOAA grants, facilities development, advertisement of Education Coordinator position, Graduate Research Fellowships and the System Wide Monitoring Program.

A copy of the agenda may be obtained by contacting: Mr. Kenneth Berk, GTMNERR, Post Office Box 840069, St. Augustine, Florida 32080-0069, (904)461-4054.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

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The **Department of Environmental Protection**, Office of Greenways and Trails announces a public meeting, to which all interested parties are invited.

DATE AND TIME: Wednesday, December 13, 2000, 6:00 p.m. – 7:30 p.m.

PLACE: Office of Greenways and Trails, South Multi-District Sheriff's Substation, 3260 S. E. 80th Street (U.S. 441/80th Street), Ocala, FL 34470, (352)620-7810

PURPOSE: To discuss alternative uses for funds previously allocated for development of recreational facilities at Butterbutt Landing and Gores Landing.

For additional information contact: Samantha Browne, Department of Environmental Protection, Office of Greenways and Trails, DEP MS 795, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)488-3701 or 1(800)955-8871 (TDD), email address: samantha.browne@dep.state.fl.us.

NOTE: If you need special accommodation in order to attend this meeting because of a disability, please contact Samantha Browne at the address or telephone number above prior to December 13, 2000.

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#### DEPARTMENT OF HEALTH

Pursuant to Section 381.90, F.S., the **Florida Health Information Systems Council** will hold a meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local, and private entities.

DATE AND TIME: December 6, 2000, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Health, 4025 Esplanade Way, Room 301, Tallahassee, FL 32399

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The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 15, 2000, 10:00 a.m.

PLACE: Department of Health, 4025 Esplanade Way, 3rd Floor, Room 103, Tallahassee, Florida

PURPOSE: To provide recommendations to the Children's Medical Services Program office on the implementation of the Children's Medical Services Network.

A copy of the agenda may be obtained by writing: Florida Department of Health, Children's Medical Services, 4052 Bald Cypress Way, BIN #A06, Tallahassee, Florida 32399-1707.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, telephone (850)245-4200.

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The **Department of Health, Board of Nursing** announces the following meeting to which all persons are invited.

South Probable Cause Panel

DATE AND TIME: December 14, 2000, 9:30 a.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building 3, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board of Nursing** announces the following meeting to which all persons are invited.

Central Probable Cause Panel

DATE AND TIME: December 20, 2000, 6:30 p.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building 3, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board Speech-Language Pathology and Audiology** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: December 14, 2000, 9:00 a.m.

PLACE: Tallahassee Ramada Inn, 2900 North Monroe Street, Tallahassee, FL 32303, (850)386-1027

PURPOSE: Board Business

A copy of the agenda may be obtained by writing to: Sue Foster, Executive Director, Department of Health, Board of Speech-Language Pathology and Audiology, 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 at 1(800)955-8771.

Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 by December 6, 2000.

The **Correctional Medical Authority** announces a Budget and personnel Committee conference call, to which all persons are invited to participate.

DATE AND TIME: December 14, 2000, 10:00 a.m. – 12:00 Noon

PLACE: Number (850)921-6433, Suncom 291-6433

PURPOSE: Continued discussion or correctional health care budget and personnel issues.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District Ten in conjunction with the community will conduct the following meetings. The Community Alliance announces public meetings to which you are invited to attend.

DATE AND TIME: December 6, 2000, 4:00 p.m. – 6:00 p.m.

PLACE: Broward County Human Services Department, Governmental Center, 115 S. Andrews Avenue, Room 430, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the community alliance.

A copy of the agenda may be obtained by writing: Eva Coblenz, Community-Based Care Liaison/Public Information Officer, Regional Office, 201 W. Broward Blvd., Suite 403, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration, Scott Silverman, at least 5 working days before the meeting, (954)759-5446 or (954)467-4509 (TDD).

The **Department of Children and Family Services**, SunCoast Region announces the following public meetings to which all persons are invited.

Community Alliance Implementation Meeting

DATE AND TIME: December 13, 2000, 2:00 p.m.

PLACE: New Port Richey Public Library, 5939 Main Street, 2nd Floor, Room 1, New Port Richey, FL

PURPOSE: To discuss implementation of community alliances in the Suncoast Region.

Community Alliance Implementation Meeting

DATE AND TIME: December 14, 2000, 2:00 p.m.

PLACE: The Hospice of the Florida Suncoast, 300 East Bay Drive, Conference Room 4, Largo, FL

**PURPOSE:** To discuss implementation of community alliances in the SunCoast Region.

Agendas can be obtained seven days in advance of each meeting at: Mary Grizzle State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7071 or (727)588-6662 (TDD) to arrange accommodations.

**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 Annual meeting/luncheon. Immediately after lunch the Annual Advisory Council meeting will take place, all persons are invited to attend both meetings.

**DATE AND TIMES:** November 29, 2000, Budget and Finance Committee, 10:30 a.m.; Board of Directors Meeting, 11:00 a.m.; Lunch, 12:00 Noon; Advisory Council Meeting, 1:30 p.m.

**PLACE:** First Coast Technical Institute of Culinary Arts, 2980 Collins Avenue, St. Augustine, Florida

**PURPOSE:** General Board business and voting on committee recommendations.

A copy of each 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'S COMMISSION ON RESPONSIBLE FATHERHOOD**

**Florida's Commission on Responsible Fatherhood** announces the following meeting to which all interested parties are invited to attend.

**DATES AND TIMES:** December 4, 2000, 9:00 a.m. – 5:00 p.m.; December 5, 2000, 8:00 a.m. – 3:00 p.m.

**PLACE:** Holiday Inn Capital, 1355 Apalachee Parkway, Ballroom, Tallahassee, Florida 32301, (850)877-3171

**PURPOSE:** Florida's Commission on Responsible Fatherhood will be having a public meeting and will take testimony on all issues concerning responsible fatherhood. Public Testimony will begin at 6:00 p.m. and will conclude at 7:00 p.m. on December 4, 2000.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Anne Carpenter at Florida's Commission on Responsible Fatherhood at (850)488-4952 at least five calendar days prior to the meeting.

**DEPARTMENT OF MILITARY AFFAIRS**

The **Department of Military Affairs** announces a meeting to which all interested person are invited.

**DATE AND TIME:** December 10, 2000, 8:00 a.m.

**PLACE:** Adjutant General's Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, Florida

**PURPOSE:** Armory Board Meeting.

In accordance with Florida Statute 286.0105.

**FLORIDA HEALTH REINSURANCE PROGRAM**

The **Florida Health Reinsurance Program** announces a meeting to which all persons are invited.

**DATE AND TIME:** December 11, 2000, 9:00 a.m.

**PLACE:** Hyatt Regency, Orlando International Airport, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A meeting of the Florida Small Employers Health Reinsurance Program Board.

A copy of the agenda may be obtained by contacting: Minnie Green, Florida Health Reinsurance Program, P. O. Box 14645, Tallahassee, FL 32317, (850)422-7766, 1(800)469-3522.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE IS HEREBY GIVEN** that the Florida Building Commission received a Petition for Declaratory Statement on November 14, 2000, and a revised Petition on November 15, 2000, from D. F. Zimmer, AIA, with regards to whether section 304.8 of the Standard Mechanical Code requires a secondary drain system for air conditioning units in a self storage building connected to a primary condensate drain system. The Petition has been assigned the number DCA00-DEC-383.

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.

**DEPARTMENT OF CORRECTIONS**

**NOTICE IS HEREBY GIVEN** that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on November 16, 2000 from Cliff Washburn. Petitioner is seeking amendment of Rule 33-401.401, Florida Administrative Code, to ban the use of tobacco products in all Department of Corrections facilities.

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 the Petition to Initiate Rulemaking from Douglas Jackson. The Petitioner requested that the Department of Corrections amend or repeal Rule 33-602.405, Florida Administrative Code. In essence, he contends that no statutory authority to justify charging inmates for photocopies exists and the charges are properly covered by the Inmate Welfare Trust Fund as a legal expense.

The Department denied Inmate Jackson's Petition to Initiate Rulemaking. The charge imposed by the rule is supported by a variety of statutes. Furthermore, copying services is included as a library service and is not a legal service covered by the Inmate Welfare Trust Fund.

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.

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#### **LAND AND WATER ADJUDICATORY COMMISSION**

NOTICE OF RESCHEDULING – On September 7, 2000, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to adopt an administrative rule to amend the boundaries of the Lakewood Ranch Community Development District 2 (the "District") as reflected in Chapter 42W-1, Florida Administrative Code (F.A.C.). The Commission will follow the requirements of Rule Chapter 42-1, F.A.C., and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

**SUMMARY OF CONTENTS OF PETITION:** The petition was filed by Lakewood Ranch Community Development District (CDD) 2, 10300 N. W. Eleventh Manor, Coral Springs, Florida. The proposed area to be deleted from the existing District consists of approximately 706.62 acres located in Manatee County, Florida. The general location of the contraction parcel is depicted in Exhibit 2 of the petition. If the petition to contract is approved, the remaining land area of the District will consist of approximately 1,373.97 acres. (The contraction parcel is proposed for inclusion in the boundaries of the proposed Lakewood Ranch CDD 5. The Lakewood Ranch CDD 5 establishment petition is currently pending before the Commission.) As a result of the proposed contraction, 573 fewer single family units will be included within the District. Written consent and joinder to the Petition to Contract the District by the landowner of the contraction parcel is contained in Exhibit 4 of the petition. The filing of the petition for contraction by the District Board of Supervisors constitutes consent of the landowners within the District, other than the landowners whose land is proposed to be removed from the District.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** The statement of estimated regulatory costs (SERC) supports the petition to contract the District. The complete text of the SERC is contained as Exhibit 8 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory

cost consequences of approving the proposal to contract the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule and any anticipated affect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the remaining land owners in the District after contraction, the contraction parcel land owners to be included in the proposed Lakewood Ranch CDD 5, the State of Florida and Manatee County. In addition, future property owners will be affected by the contraction of the District. Under section (b), the Commission and State of Florida will incur minimal one-time administrative costs. Manatee County will also incur one-time administrative costs which are offset by the required filing fee paid to the County. Adoption of the proposed rule to approve the contraction of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Also, various financing reserves must be provided for, such as a Debt Service and capitalized interest in addition to estimated costs of bond issuance. The District may issue notes, bonds or other indebtedness to fund its improvement program. The District may also impose an annual special assessment levy for the operations and maintenance of the District. The cost per unit for operations and maintenance in the District, after contraction, is projected to decline. Additionally, the total capital improvement plan for the District, after contraction, is reduced because the community and the master infrastructure to serve the new and smaller District is proportionately reduced. Under section (d), approval of the petition to contract the District will have only incidental or a positive impact on small businesses and will not have any impact on small counties and cities. Manatee County is not a small county as defined. Under section (e), the analysis was based on an application of economic theory with input received from the petitioner's engineer and other professionals associated with the petitioner.

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



TIME AND DATE: 1:00 p.m., Wednesday, December 20, 2000  
PLACE: Manatee County Courthouse (Report to court administrator's office for room assignment), 1115 Manatee Avenue, West, Bradenton, Florida 34206

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Erin Larrinaga, (813)228-7411, at least 5 business days in advance to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Erin Larrinaga, Fowler, White, Gillen, Boggs, Villareal and Banker, P. A., Post Office Box 1438, Tampa, Florida 33601 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, (850)488-7793.

NOTICE OF RESCHEDULING – On September 7, 2000, the Florida Land and Water Adjudicatory Commission (“FLWAC” or “Commission”) received a petition to establish the Lakewood Ranch Community Development District 5 (the “District”). The Commission will follow the requirements of Rule Chapter 42-1, Florida Administrative Code (F.A.C.), and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by SMR Communities Joint Venture requests that the Commission establish a community development district located in Manatee County, Florida. The land area proposed to be served by the District comprises approximately 1,173.19 acres. Upon establishment, the proposed Lakewood Ranch CDD 5 will encompass land proposed to be contracted from the Lakewood Ranch CDD 2 and additional land. (The Lakewood Ranch CDD 2 contraction petition is currently pending before the Commission for approval to amend the boundaries to delete 706.62 acres.) The proposed District's general location is depicted in Exhibit 1 of the petition. There is no property located within the external boundaries of the proposed District that is to be excluded from the District. The proposed development within the District contemplates the construction of 908 single-family residential units, 208 condominium units, a golf course and country club facility and a sports/fitness complex. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, intends to participate in the construction of certain facilities and services such as roadways, lighting, utilities, drainage, landscaping/lakes/irrigation, security, fire and parks and recreation on the lands within the District.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 7 to the petition to establish the District. The scope of the SERC is limited to evaluating the

regulatory cost consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule and any anticipated affect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the land owners in the proposed District, land owners in the existing Lakewood Ranch CDD 2 after contraction, the State of Florida, and Manatee County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), the Commission and State of Florida will incur minimal one-time administrative costs. Manatee County will also incur one-time administrative costs which are offset by the required filing fee paid to the County. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Also, various financing reserves must be provided for, such as a Debt Service and capitalized interest in addition to estimated costs of bond issuance. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual special assessment levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a positive impact on small businesses and will not have any impact on small counties and cities. Manatee County is not a small county as defined. Under section (e), the analysis was based on an application of economic theory with input received from the petitioner's engineer and other professionals associated with the petitioner.

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

TIME AND DATE: 1:00 p.m., Wednesday, December 20, 2000

PLACE: Manatee County Courthouse (Report to court administrator's office for room assignment), 1115 Manatee Avenue, West, Bradenton, Florida 34206

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Erin Larrinaga, (813)228-7411, at least 5 business days in advance to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Erin Larrinaga, Fowler, White, Gillen, Boggs, Villareal and Banker, P. A., Post Office Box 1438, Tampa, Florida 33601 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, (850)488-7793.

**DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed on behalf of Frederick Hauber, M.D., has been withdrawn. The petition was on the Board's agenda for consideration at its meeting of October 6, 2000, in Orlando, Florida, at which time said petition was withdrawn.

The person to be contacted regarding this petition is: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-1753.

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed on behalf of Margaret DiGaetano, M.D., has been withdrawn. The petition was on the Board's agenda for consideration at its meeting of October 6, 2000, in Orlando, Florida, at which time said petition was withdrawn.

The person to be contacted regarding this petition is: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-1753.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida State University, State of Florida announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-299

Project and Location: Tibbals Learning Center  
Ringling Cultural Center  
Florida State University  
Sarasota, Florida

The Center will consist of a new 31,400 gross square foot expansion of the existing Circus Museum Building and minor renovations to existing areas affected by construction. The construction budget is currently established at \$5,424,000. The design professional will be responsible for program verification and all phases of design, beginning with schematic design through construction documents and construction administration. Construction of the project will be delivered by the construction management system.

The Ringling Cultural Center, including the existing portion of the Circus Museum, is expected to remain in full operation during construction. The architect will be required to work with the Ringling Cultural Center Administration and the construction manager to determine optimum phasing and coordination of the work.

Specific museum quality environmental controls will be required to house and display the Tibbals miniature circus, in addition to Ringling Circus Museum's photographs, posters and costumes. Specialized spaces for performances and classroom instruction will also be required and will incorporate distance learning capabilities to provide educational programs to schools geographically distant from the complex.

Blanket professional liability insurance will be required for this project in the amount of \$500,000, and will be provided as a part of Basic Services.

#### INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated either 2/99 or 9/99. Applications on any other form or on versions dated prior to 2/99, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit seven (7) copies of the above requested data bound in the order listed above. Applicants are reminded of the prohibition against naming specialty consultants in their proposals. 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 through our website, [www.vpfa.fsu.edu/fpc](http://www.vpfa.fsu.edu/fpc) or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, facsimile (850)644-8351

For further information on the project, contact: John Schanbacher, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on Tuesday, January 9, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

## STATE BOARD OF ADMINISTRATION

### REQUEST FOR PROPOSALS

The Florida Prepaid College Board is soliciting proposals from qualified firms to provide comprehensive services required to operate the Florida College Savings Program, including but not limited to, investment management services, records administration services, customer relations services, advertising and marketing services.

Copies of the Request for Proposals, RFP #00-02, are available on or after December 1, 2000, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, facsimile number (850)488-3555. All information received in regard to this RFP must be sent to the above named address.

There is no bidder's conference. Only written inquiries concerning the RFP will be accepted. No written inquiries will be accepted after 5:00 p.m. (Eastern Time), December 11, 2000. The original unbound copy and five (5) copies of each response to the RFP must be received by 12:00 Noon (Eastern Time), January 5, 2001, at the Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

The Board reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

**SPECIAL ACCOMMODATION:** Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the bid opening.

## DEPARTMENT OF ELDER AFFAIRS

### Requests for Proposals

In anticipation of funding, the Florida Department of Elder Affairs (DOEA) is soliciting responses to two (2) requests for proposals (RFP):

The purpose of RFP Number: 01-T5OAA-1 is to solicit proposals for serving Senior Community Service Employment Program (SCSEP) enrollees in designated Title V Older Americans Act (OAA) positions funded with the state's share of Florida's Title V allotment, consistent with Title V of the OAA, Public Law 89-73, and Amendment of 2000. This RFP seeks proposals for serving enrollees in designated positions in Florida's 67 counties, with services to include recruitment, eligibility determination, orientation, assessment, placement of enrollees in community service activities with host agencies, payment of enrollee work-experience wages and fringe benefits during the period of community service, job development, placement in unsubsidized employment, follow up, and other enrollee services as appropriate. Bidders may

propose SCSEP services to any or all Title V state-share positions. The program period will be from July 1, 2001 to June 30, 2003.

The purpose of RFP Number: 01-T5OAA-2 is to solicit proposals for serving enrollees in OAA 502(e) SCSEP projects, with services to include recruitment, eligibility determination, orientation, assessment, placement of enrollees in on-the-job training (OJT) with private-sector employers, payment of enrollee OJT wages, other training as appropriate, job development, placement in unsubsidized employment, follow up, and other enrollee services as appropriate. The program period will be from July 1, 2001 to June 30, 2002.

All proposals in response to the two (2) RFP documents referenced above must be received by DOEA, Contract Administration Unit, no later than 2:00 p.m. (EST), February 15, 2001. DOEA reserves the right to reject any and all proposals or accept minor irregularities in the best interest of the state. Both RFP documents will be available for distribution beginning Friday, December 1, 2000.

To obtain a copy of the RFP, you must submit a written request: DOEA, Division of Statewide Home and Community-Based Services, 4040 Esplanade Way, Bldg. B, Suite 335, Tallahassee, FL 32399-7000 or fax your request to (850)414-2005.

DOEA announces a RFP Bidders' Conference for the purpose of providing technical assistance for potential bidders responding to RFP Number 01-T5OAA-1 and/or RFP Number 01-T5OAA-2 referenced above. All persons are invited.

DATE AND TIME: January 16, 2001, 10:00 a.m. – 4:00 p.m. (EST)

PLACE: DOEA, 4040 Esplanade Way, Room 225F, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The bidders' conference will review bid conditions and information in the two RFP documents referenced above. The table of contents from the two RFP documents will serve as the conference agenda. Please register by January 9, 2001. Attendance is not required for purposes of submitting a proposal. To register, or to obtain further information about the bidders' conference, write: DOEA, Division of Statewide Home and Community-Based Services, 4040 Esplanade Way, Bldg. B, Suite 335, Tallahassee, FL 32399-7000 or send a fax transmission to (850)414-2005.

Any person requiring special accommodations to attend the conference should contact DOEA at the above address at least two days in advance.

## **POLK COUNTY WORKFORCE DEVELOPMENT BOARD**

### **Request for Qualification (RFQ) Announcement for Mentoring Services**

Lockheed Martin IMS, as the customer service provider to the Polk County Workforce Development Board, is soliciting qualifications for local community based agencies to provide recruitment, training and coordination of volunteer mentors for Welfare to Work participants. Services are requested for four geographic areas in Polk County: Lakeland, Bartow, Winter Haven and Lake Wales. Agencies may submit qualifications to serve one or multiple areas. Maximum grant award is \$33,500 for each area. Agencies are required match \$1.00 cash or in kind service contribution from non-federal sources for every \$1.00 of the grant award.

Copies of the response package can be obtained in person: 205 E. Main Street, Suite 101, Bartow, FL 33830 or requested by phone, (863)519-0332 or email at Steve\_Thompson@pwdb.org

A proposers conference is scheduled for December 8, 2000, 9:00 a.m. in the 2nd Floor Conference Room, One-Stop Career Center, 500 E. Lake Howard Drive, Winter Haven, FL 33881. Attendance is encouraged but not mandatory. Deadline for response is 5:00 p.m. (EST), January 5, 2001.

Lockheed Martin IMS an equal opportunity employer.

## **CANAVERAL PORT AUTHORITY**

### **PROFESSIONAL SERVICES NOTICE**

BY

### **CANAVERAL PORT AUTHORITY**

The CANAVERAL PORT AUTHORITY (CPA) is requesting technical proposals and qualifications from consulting firms interested in providing construction engineering and inspection services for an Overpass at S.R. 401 to accommodate West Turning Basin Cruise Terminal traffic at an estimated cost of approximately 3 to 4 million at Port Canaveral, located in Brevard County, Florida. These services will be acquired in compliance with the Consultants Competitive Negotiations Act, Florida Statutes 287.055.

### **SCOPE OF WORK**

The consultant shall be responsible for all construction engineering, inspection, documentation of construction activities, review of schedule and other services consistent with FDOT CEI. Material testing will be accomplished under other existing continuing contracts, however they will be coordinated by the CEI consultant.

### **MINIMUM CRITERIA**

As a minimum the firms proposing shall have at least 5 years experience on projects of similar nature.

**PROPOSAL CONTENT**

Each responding consulting firm shall provide (4) copies of their proposal giving detailed information on the following:

1. Firm history, location, capabilities, etc.
2. USGA Form 254 & 255.
3. Previous experience with providing similar services in the recent past. Include a brief description of the work and individuals to be contacted with telephone numbers.
4. A list of services which would not be performed in house and a list of consultants which would provide these services for the firm.
5. A schedule of current commitments and the degree of completion of each.
6. An organization chart and other information which will be useful in evaluating the proposal service.
7. Outline of methodology for implementation of the proposed scope of work.
8. Resumes' of key individuals to be involved in the various aspects of the project and an explanation of each individual's role in the project.
9. Evidence of coverage with at least one million dollars of professional liability insurance.

**SUBMITTAL SCHEDULE**

Firms desiring to provide such professional services to the CPA must furnish four copies of their expression of interest: Canaveral Port Authority, P. O. Box 267, 200 George King Boulevard, Cape Canaveral, FL 32920, Attn.: Richard Lombroia, Director of Construction, not later than 3:00 p.m., on January 8, 2001.

**PUBLIC MEETING**

A committee established by the Chairman, will meet on Friday, January 12, 2001, 3:00 p.m., in the Port Commission Meeting Room to review and recommend for Commission approval a ranking of qualified for presentation before the CPA Commission at a regularly scheduled meeting to be held at 2:00 p.m., Wednesday, January 17, 2001, at which time a ranking will be established.

**JACKSON COUNTY BOARD OF COUNTY COMMISSIONERS**

**REQUEST FOR PROPOSALS (RFP)**

Request for proposals for a county wide visioning project. Jackson County, Florida is requesting consultant assistance in the planning and implementation of a county wide visioning project.

To apply: To request an RFP packet, contact: Rick Pettis, Director, Department of Community Development, 4487 Lafayette Street, Marianna, Florida 32448, (850)482-9637 or email: cddir@digitalex.com. The submittal deadline is 4:30 p.m., January 30, 2001.

**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., December 22, 2000):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: BAC Florida Bank, Miami, Florida

Proposed Purchaser: Carlos F. Pellas, Managua, Nicaragua

Received: November 13, 2000

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that Harley-Davidson Motor Company, intends to allow the relocation of Steven Deli, of H-D American Road, LLC, as a dealership for the sale of Harley-Davidson motorcycles, from its present location at 46 North Orange Blossom Trail, Orlando, Florida 32805, to a proposed location at Rio Vista and 37th Street, Orlando (Orange County), Florida 32805, on or after August 31, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Steven Deli, of H-D American Road, LLC, are: dealer operator and principal investor(s): Steven Deli, 7300 Westpointe Blvd., Orlando, Florida 32835 and Michael Bozic, 734 South Bates, Birmingham, MI 48009. The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to Ms. Carolyn Mijokovic, Regional Dealer Relation Representative.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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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, Panzer Motorcycle Works, USA, Inc., intends to allow the establishment of Palm Beach Ducati, as a dealership for the sale of Panzer Motorcycles, at 12550 South Military Trail, Suite B, Boynton Beach (Palm Beach County), Florida 33436, on or after November 9, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Palm Beach Ducati are: dealer operator and principal investor(s): Patrick Cullen, 1170 N. E. 42nd Ct., Pompano Beach, Florida 33064 and Bob Keenan, 11880 N. W. 7th Street, Platron, Florida.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Christina M. Anastasia, President – Panzer Motorcycle Works, USA, Inc., P. O. Box 425, Canon City, CO 81215.

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.

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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 Airport Dodge, Inc., as a dealership for the sale of Dodge motor vehicles, at A portion of land in the Southwest 1/4 of Section 22, Township 23, South, Range 30 East, Orange County, Florida. Being more particularly described as follows: Begin at the Southwest corner of lot 1, as shown on the Plat of Leevista Center – 436 East phase 1, Plat 17, as recorded in Plat Book 45, Pages 49-51 of the Public Records of Orange County, Florida; thence run 589 58'54"E along the South line of said lot 1 and the South lime of lot 2, as shown on the aforesaid Plat of Leevista Center – 436 East Phase1, Plat 17, a distance of 468.01 feet to a point on the Westerly line of the 22.00 foot access, drainage and utility easement as shown in official records book, 6106. Page 4121 of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line; 500 01'06"W a distance of 522.32 feet to the point of curvature of a curve concave Northeasterly and having a radius of 310.00 feet; thence run Southeasterly along the arc of said curve 119.14 feet through a central angle of 20 33'37" to the point of tangency; thence run 520 32'31E a distance of 59.35 feet to the point of curvature of a curve concave Northwesterly and having a radius of 25.00 feet; thence run Southerly along the arc of said curve a distance of 42.05 feet through a central angle of 96 22'43" to the point of compound curvature and a point on the Northerly right-of-way of Butler National Drive as shown on the aforesaid Plat of Leevista Center – 436 East Phase 1, Plat 17, said point also being a point on a curve concave Northwesterly and having a radius of 448.00 feet; thence departing said Westerly line run Southwesterly along said curve and said Northerly right-of-way an arc distance of 110.88 feet to the point of tangency; thence run N89 58'54"W along said Northerly right-of-way a distance of 357.96 feet to the point of curvature of a curve concave Northeasterly right-of-way an arc distance of 39.27 feet to a point on said curve, said point also being a point on the East right-of-way of South Semoran Boulevard; thence departing said Northerly right-of-way run N00 01'06E along said East right-of-way a distance of 7116.16 feet to the point of beginning, on or after February 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Airport Dodge, Inc. are: dealer operator: Ronald Salhany, 13600 Icot Blvd., Clearwater,

Florida 33760; principal investor(s): AutoNation Enterprises Incorporated, 110 S. E. Sixth Street, Ft. Lauderdale, Florida 33301.

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. 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 Section 320.642, Florida Statutes, DaimlerChrysler Motors Corporation, intends to allow the establishment of East Orlando Chrysler Jeep, Inc., as a dealership for the sale of Chrysler and Jeep motor vehicles, at A parcel of land lying within the North Half of the Northeast Quarter of Section 21, Township 22 South, Range 31 East, Orange County, Florida, being more particularly described as follows: Commence at the East Quarter corner of said Section 21, said corner being monumented by a 6" x 6" concrete monument; Thence run N 00 01'49"E, along the East line of the Northeast Quarter of said Section 21, a distance of 1429.44 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 21; Thence run N 88 00'36" W, along the South line of said Northeast Quarter of said Northeast Quarter, 327.88 feet to a point on the West line of the East Quarter of the Northeast Quarter of the Northeast Quarter of said Section 21; Thence departing said South line, run N 00 06'13" E, along said West line, 30.02 feet to the Point of Beginning of the following described parcel, said Point of Beginning being monumented by a nail and disk (#4596); Thence run N 88 00'36" W, parallel to and 30.00 feet, measured at right angles, North of the South line of the North

Half of said Northeast Quarter, 788.44 feet to a point which lies 195.00 feet, measured at right angles, Easterly of the West line of said Northeast Quarter of said Northeast Quarter; Thence run N 00 19'39" E, parallel to and 195.00 feet, measured at right angles, Easterly of said West line, 598.42 feet, said point lies 200.00 feet Southerly of the monumented Southerly right of way line of East Colonial Drive (a 200.00 feet right of way) also referred to as State Road No. 50; Thence run S 81 15'8"E, 133.37 feet to a point on the East line of the West Quarter of the Northeast Quarter of the Northeast Quarter of said Section 21; Thence run S 85 14'33" E, 240.24 feet; Thence run N 47 29'11" E, 40.67 feet; Thence run N 00 10'28"E, 151.09 feet to a point on the monumented Southerly right of way line of said East Colonial Drive; Thence run S 81 15'13" E, along said right of way line, 388.66 feet to a point in the West line of the East Quarter of the Northeast Quarter of the Northeast Quarter of said Section 21; Thence run S 00 06'13" W, along said West line, 705.07 feet to the Point of Beginning. Containing 11.802 acres more or less., on or after February 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of East Orlando Chrysler Jeep, Inc. are: dealer operator: Steward Smith, 4101 West Colonial Drive, Orlando, Florida 32808; principal investor(s): Michael Smith, 4101 West Colonial Drive, Orlando, Florida 32808, Steward, Smith, 4101 West Colonial Drive, Orlando, Florida 32808, Mr. Robert B. Massey, Robert B. Massey, Jr., William W. Massey, Jr. and William W. Massey, III, 2434 Atlantic Blvd., Jacksonville, Florida 32207.

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. 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 Section 320.642, Florida Statutes, DaimlerChrysler Motors Corporation, intends to allow the relocation of Metro Chrysler Plymouth Jeep, Inc. d/b/a Metro Chrysler Jeep, as a dealership for the sale of Chrysler and Jeep vehicles, at Parcel No. 354 Section 77160-2441, All of: "A portion of the Southwest 1/4 of Section 32, Township 19 South, Range 30 East in Seminole County, Florida, being described as follows: Commencing at the Northwest corner of the Southwest 1/4 of Section 32, Township 19 South, Range 30 East, run South 89 46'21" East along the North line of said Southwest 1/4 352.36 feet to the Easterly right-of-way line of Interstate 4 for a point of beginning; thence continue South 89 46' 21" East 801.46 feet; the South 00 03'19" West 589.67 feet to the Northerly right-of-way of Rinehart Road; thence run South 69 11'37" West along said right-of-way 577.75 feet to the PC of a curve, said curve concave to the left having a radius of 1024.93 feet, run through a central angle of 20 27'05" for an arc distance of 365.83 feet to a point on a curve, thence run North 24 16'01" East, 682.04 feet; thence run North 89 51'59" West 392.95 feet to the Easterly right-of-way of Interstate 4; thence North 24 16'01" East along said right-of-way 398.15 feet to the point of beginning." Being a portion of the lands described in Official Records Book 3453, page 816, Public Records of Seminole County, Florida and containing 13.137 acres, less out: From the Southwest corner of the Southwest 1/4 of Section 32, Township 19 South, Range 30 East (a 5/8" iron rod with Seminole County cap as now exists) run thence North 00 04'49" West along the West line thereof 2269.01 feet to the centerline of State Road 400 (a 300-foot right-of-way); thence North 24 03'25" East along said centerline of said State Road 400 a distance of 458.94 feet to the North line of said Southwest 1/4; thence South 89 59'07" East along said North line 164.25 feet to the Northwest corner of lands described above, being a point on the existing Easterly limited access right-of-way line of State Road 400 and the POINT OF BEGINNING; thence continue South 89 59'07" East 218.82 feet; thence South 22 36'26" West 392.53 feet to the South line of said lands described above, also being the existing Northerly

right-of-way line of State Road 400 as described in Final Judgement, recorded in Official Records Book 459, page 462, Public Records of Seminole County, Florida; thence South 89 54'54" West along the South line of said lands described above and said right-of-way line 229.88 feet to the existing Easterly limited access right-of-way line of said State Road 400; thence North 24 03'25" East along said right-of-way line 397.28 feet to the POINT OF BEGINNING. Together with all rights of ingress, egress, light, air and view between the Grantor's remaining property and any facility constructed on the above described property. Containing 1.8867 acres, more or less and netting 11.270 acres, on or after February 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Metro Chrysler Plymouth Jeep, Inc. d/b/a Metro Chrysler Jeep are: dealer operator: Ronald Salhany, 13600 Icot Blvd., Clearwater, Florida 33760; principal investor(s): AutoNation Enterprises Incorporated, 110 S. E. Sixth Street, Ft. Lauderdale, Florida 33301.

The notice indicates an intent to relocate 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. J. S. Hannan, Jr., Zone Manager, DaimlerChrysler Motors Corporation, Orlando Zone Office, 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.



CERTIFICATE OF NEED

GRACE PERIOD LETTERS OF INTENT

The Agency For Health Care Administration received and accepted the following letters of intent for the November 29, 2000 application filing date for the nursing home batching cycle:

- County: Baker District: 4
- Date Filed: November 14, 2000 LOI#: N0010019
- Facility/Project: Life Care Health Resources, Inc.
- Applicant: Life Care Health Resources, Inc.
- Project Description: To construct up to a 108-bed community nursing home
- County: Clay District: 4
- Date Filed: November 14, 2000 LOI#: N0010020
- Facility/Project: Life Care Health Resources, Inc.
- Applicant: Life Care Health Resources, Inc.
- Project Description: To construct up to a 108-bed community nursing home
- County: Duval District: 4
- Date Filed: November 14, 2000 LOI#: N0010021
- Facility/Project: Life Care Health Resources, Inc.
- Applicant: Life Care Health Resources, Inc.
- Project Description: To construct up to a 108-bed community nursing home
- County: Flagler District: 4

- Date Filed: November 14, 2000 LOI#: N0010022
- Facility/Project: Life Care Health Resources, Inc.
- Applicant: Life Care Health Resources, Inc.
- Project Description: To construct up to a 61-bed community nursing home
- County: Volusia District: 4
- Date Filed: November 14, 2000 LOI#: N0010023
- Facility/Project: Life Care Health Resources, Inc.
- Applicant: Life Care Health Resources, Inc.
- Project Description: To construct up to a 61-bed community nursing home
- County: Volusia District: 4
- Date Filed: November 14, 2000 LOI#: N0010024
- Facility/Project: The Huntington, LLP
- Applicant: The Huntington, LLP
- Project Description: To construct up to a 60-bed community nursing home

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after January 3, 2001 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on December 15, 2000.

AHCA Purchase Order Number S5900H00396

**DEPARTMENT OF HEALTH**

On November 16, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of David Walzak, R.N., license number RN 9167037. WALZAK's last known address is Post Office Box 2433, Lakeland, Florida 33806. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On November 16, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Donald C. Hill, R.N., license number RN 1529242. HILL's last known address is: 2457 Collins Avenue, Apartment #302, Miami Beach, Florida 33140.

This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On November 16, 2000, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Melissa Ambrisco, R.N., license number RN 3318172. AMBRISCO's last known address is 1822 Fogarty Avenue, Key West, Florida 33040. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN November 13, 2000  
 and November 17, 2000

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF INSURANCE**

4-136.034	11/13/00	12/3/00	26/38	26/44
4-150.019	11/15/00	12/5/00	26/41	
4-150.120	11/15/00	12/5/00	26/41	
4-176.013	11/16/00	12/6/00	26/34	

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

5F-8.012	11/14/00	12/4/00	26/40	
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**DEPARTMENT OF TRANSPORTATION**

14-66.001	11/17/00	12/7/00	26/25	
14-66.002	11/17/00	12/7/00	26/25	
14-66.003	11/17/00	12/7/00	26/25	
14-66.004	11/17/00	12/7/00	26/25	
14-66.005	11/17/00	12/7/00	26/25	
14-66.006	11/17/00	12/7/00	26/25	
14-66.007	11/17/00	12/7/00	26/25	
14-66.008	11/17/00	12/7/00	26/25	
14-66.009	11/17/00	12/7/00	26/25	
14-66.010	11/17/00	12/7/00	26/25	
14-66.011	11/17/00	12/7/00	26/25	
14-66.012	11/17/00	12/7/00	26/25	

**DEPARTMENT OF CORRECTIONS**

33-601.820	11/17/00	12/7/00	26/29	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**COMMISSION ON ETHICS**

34-7.010	11/14/00	12/4/00	26/35	26/42
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**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Medicaid Program Office**

59G-4.280	11/14/00	12/4/00	26/37	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

61-32.002	11/13/00	12/3/00	26/41	
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**Division of Hotels and Restaurants**

61C-1.001	11/16/00	12/6/00	26/38	
61C-4.010	11/16/00	12/6/00	26/38	

**Electrical Contractors' Licensing Board**

61G6-9.007	11/13/00	12/3/00	26/36	
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**Florida Building Code Administrators and Inspector**

61G19-9.005	11/13/00	12/3/00	26/38	
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**DEPARTMENT OF HEALTH  
 Board of Medicine**

64B8-9.009	11/17/00	12/7/00	25/3	25/16
64B8-13.007	11/15/00	12/5/00	26/33	26/42

**Board of Pharmacy**

64B16-26.101	11/13/00	12/3/00	26/35	
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**Board of Psychology**

64B19-12.008	11/13/00	12/3/00	26/38	
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