

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

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

(2) through (3) No change.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Clinical Laboratory  
Personnel

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: July 27, 2000

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

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

#### DEPARTMENT OF REVENUE

##### NOTICE OF CABINET AGENDA ON JANUARY 23, 2001

The Governor and Cabinet, on January 23, 2001, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.072, F.A.C. (Advertising Agencies). A Notice of Rule Development Workshop for these proposed rule amendments was published in the Florida Administrative Weekly on June 9, 2000 (Vol. 26, No. 23, pp. 2665-2669), and the workshop was held on June 29, 2000. Written comments and testimony was received at the

workshop, and the Department incorporated changes based on these comments into the proposed rule. Subsequently, a Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on November 22, 2000 (Vol. 26, No. 47, pp. 5469-5473), and a public hearing was conducted on December 19, 2000. Testimony stating the advertising industry's agreement with the changes the Department had made based on the rule development workshop was received at the public hearing, and no further written comments were submitted.

#### DEPARTMENT OF CORRECTIONS

##### RULE NOS.:

33-601.701

33-601.702

33-601.703

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33-601.729

33-601.730

33-601.731

33-601.732

33-601.733

33-601.734

##### RULE TITLES:

Visiting – Authority of the  
Secretary

Posting of Visiting Policies

Visiting Records

Visiting – Inmates in Special Status

Refusal of Visit by Inmate

Inmate's Visitors List

Visiting Denial

Visiting Procedures and Conditions

Non-contact Visiting

Special Visits

Inmate Visiting – Definitions

Inmate Visiting – General

Visiting Application Initiation  
Process

Visiting Record Management

Visiting Denial

Review of Request for Visiting  
Privileges

Visiting by Former and Current  
Department and Contractor  
Employees

Sex Offender Visiting Restrictions

Visiting Operations

Visiting Schedule

Visiting Check-In Procedures

Visiting Attire

Permissible Items for Visitors

Visitor Searches

Visitor Conduct

Inmate Visiting Appearance,  
Search, and Conduct

Termination of Visits

Visiting Check-Out Procedures

Suspension of Visiting Privileges

Reinstatement of Suspended  
Visiting Privileges

Visiting – Special Status Inmates

Visiting – Close Management  
Inmates

33-601.735	Visiting – Disciplinary Confinement, Protective Management, and Administrative Confinement
33-601.736	Non-Contact Visiting
33-601.737	Special Visits
33-601.738	Visiting – Forms

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing on the above referenced proposed Rules, as noticed in the Florida Administrative Weekly, Vol. 26, No. 48, dated December 1, 2000, will be held at 9:00 a.m., on January 24, 2001, at the Department of Corrections Central Office, 2601 Blair Stone Road, Tallahassee, Florida 32399.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 97-17R

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-302	Surface Water Quality Standards
RULE NO.:	RULE TITLE:
62-302.700	Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters

**NOTICE OF CHANGE**

The Department of Environmental Protection announces the continuation of a reopened rule adoption hearing held by the Environmental Regulation Commission (ERC) on December 5, 2000, at 10:00 a.m. The notice of proposed rulemaking, as originally published in the August 27, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 34, page 3871, provided notice that the Department was proposing changes to Chapter 62-302 of the Florida Administrative Code to designate Lake Disston and portions of Little Haw Creek as Outstanding Florida Waters (OFW). A later notice published in the November 9, 2000 issue of the Florida Administrative Weekly, Vol. 26, No. 45, provided notice that the ERC would reopen the rule adoption hearing for the proposed OFW designation at the ERC meeting on December 5, 2000, because of objections raised by the Joint Administrative Procedures Committee to certain provisions of the proposed rule language. At this time, the Department is recommending the designation of Lake Disston as an OFW, but not Little Haw Creek.

The adoption hearing for the proposed OFW designation is now scheduled before the ERC at the date, time and place shown below:

TIME AND DATE: 10:00 a.m., January 25, 2001

PLACE: Department of Environmental Protection, Twin Towers Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OR THE PROPOSED RULE IS: Janet Klemm, Florida Department of Environmental Protection, Division of Water Resource Management, Mail Station # 3570, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9928, FAX: (850)921-5655

**DEPARTMENT OF HEALTH****Board of Acupuncture**

RULE NO.:	RULE TITLE:
64B1-8.006	Laboratory Testing

**NOTICE OF CHANGE**

The Board of Acupuncture hereby gives notice that the above rule(s), published in Vol. 26, No. 21, of the May 26, 2000, Florida Administrative Weekly, has been changed due to comments received at a public hearing held on December 20, 2000.

The rule shall now read as follows:

64B1-8.006 Laboratory Test and Imaging Results Education.

During didactic and clinical training, and as part of continuing education, the Board of Acupuncture requires courses of study as to the safe and beneficial use of laboratory tests and imaging findings in the practice of acupuncture and oriental medicine.

Specific Authority 457.102, 457.104, 457.105, 457.107, 457.1085 FS. Law Implemented 457.102, 457.105, 457.107, 457.1085 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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

RULE NO.:	RULE TITLE:
65-28.001	Alternate Service Procurement Method (ASPM)

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 42, December 22, 2000, Florida Administrative Weekly has been withdrawn.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-48.002	Definitions
67-48.003	Notice of Funding or Credit Availability

**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. 44, November 3, 2000, issue of the Florida Administrative Weekly. This

change is in addition to the changes listed in Notice of Change published in Vol. 26, No. 51, December 22, 2000, issue of the Florida Administrative Weekly, and the changes listed in Notice of Change published in Vol. 26, No. 52, December 29, 2000, issue of the Florida Administrative Weekly.

67-48.002 Definitions.

(87) "Qualified Allocation Plan" or "QAP" means, with respect to the HC Program, the Qualified Allocation Plan which is adopted and incorporated herein by reference, effective on the date of the latest amendment to this Rule Chapter, and which was approved by the Governor of the State of Florida, pursuant to Section 42(m)(1)(B) of the Code and sets forth the selection criteria and the preferences of the Corporation for Developments which will receive Housing Credits. The QAP is included as an attachment to the Application Package.

Paragraph (B) Qualified Allocation Plan, Item III, page 1, has been changed to read as follows:

(III) projects which are located in qualified census tracts [as defined in subsection (d)(5)(C)], and the development of which contributes to a concerted community revitalization plan, and Paragraph (C) Certain Selection Criteria Must Be Used, Items iii, iv, v, vi and vii, page 1, have been changed to read as follows:

(C) CERTAIN SELECTION CRITERIA MUST BE USED. – The selection criteria set forth in a qualified allocation plan must include

(iii) Project characteristics including whether the project involves the use of existing housing as part of a community revitalization plan,

(iv) Sponsor characteristics, ~~including whether the project involves the use of existing housing as part of a community revitalization plan~~,

(v) Tenant populations with special housing needs of individuals with children, ~~(vi) tenant populations with special housing needs~~,

~~(vi)(vii) Public housing waiting lists, and~~

(vii) Tenant populations of individuals with children, and

Section 7, seventh paragraph, page 18, has been changed to read as follows:

If all Applicants in the funding range are required to meet the 12% Non-Profit goal or are required to meet special targeting, no action will be taken within that Geographic Set-Aside. A Non-Profit Applicant will not be removed from funding in order to meet another targeting goal, if it or any Non-Profit Applicant was moved into funding in accordance with Section 6 in order to meet the goal of having 12% of the Allocation Authority amount as of March 22, 2001, allocated to Non-Profit Applicants. Further, a Non-Profit Applicant will not be removed from funding within its Set-Aside in order to meet another targeting goal, if another Non-Profit Applicant

ranked lower than it within the Set-Aside cannot be removed because the 12% Non-Profit goal will not be met. For example, a fourth ranked Non-Profit Applicant is requesting \$1,000,000 in housing credits and cannot be removed from funding because it will cause the 12% Non-Profit goal not to be met. There is a third ranked Non-Profit Applicant within the same set-aside and it is requesting \$200,000 in housing credits. If it was removed from funding, the 12% Non-Profit goal would be met but it will not be removed because the lower ranked Non-Profit Applicant within the same set-aside could not be removed without causing the 12% Non-Profit goal not to be met. Further, if the movement down in ranking of those Applicants in the funding range not required to meet the 12% Non-Profit goal set-aside or not required to meet the special targeting goal will not bring the Applicant required to meet special targeting into the funding range, no action will be taken. The next highest scoring Applicant required to meet the same special targeting goal which is located in a different Geographic Set-Aside will be picked to determine if it can be moved into the funding range, using the procedure described above. This procedure will be repeated as many times as it takes to meet the special targeting goal or until all funds have been assigned. Any Applicant so removed from the funding range will NOT be entitled to any consideration or priority for the receipt of current or future housing credits other than placement on the current ranking and scoring list in accordance with its score after taking into consideration allocations to satisfy the Non-Profit goal and special targeting goals. Binding Commitments for housing credits from a future year will not be issued for Applicants so displaced unless the Applicant would otherwise receive a Binding Commitment based on its ranking and receipt of partial funding.

Section, Situation D, page 21, has been changed to read as follows:

Situation D: Everything remains the same as above but all the Applicants in the tentative funding range have an "R" in front of their name. In this instance, E1 would not be picked to be moved into the funding range because all the Applicants in the tentative funding range are required to either meet the Non-Profit goal set-aside or to meet a special targeting goal. Applicant E2 would be chosen because it is the next highest scoring Development targeting Elderly. If E2 was in a Medium County, then U1 would be chosen if it was located in a Set-Aside other than Medium.

67-48.003 Notice of Funding or Credit Availability.

(1) Applications shall be received by the Corporation by the deadline noticed in the Florida Administrative Weekly, which notice shall be published at least 60 ~~45~~ Calendar Days prior to any such deadline.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO.:

Sports Fantasy Instant Ticket Retailer

Sales Incentive

53ER00-58

SUMMARY OF THE RULE: This emergency rule is replacing 53ER00-44 to reflect changes made in Sports Fantasy prize packages. The Sports Fantasy Instant Ticket Retailer Sales Incentive is from October 30, 2000 through December 30, 2000. All active instant and on-line Florida Lottery retailers may qualify to win merchandise prizes by settling books of TOUCHDOWN instant lottery tickets.

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:

53ER00-58 Sports Fantasy Instant Ticket Retailer Sales Incentive.

(1) Beginning Monday, October 30, 2000, through Saturday, December 30, 2000, all active instant and on-line Florida Lottery retailers may qualify to win the following by settling books of TOUCHDOWN instant lottery tickets (Game #316):

(a) Either one of twenty-two (22) Armchair Quarterback Prize Packages or one of twenty-two (22) Tailgate prizes; and

(b) One of six (6) Grand Prize Super Bowl XXXV Packages.

(2) All active instant and on-line retailers shall be included in the drawings described more fully herein; however, award of any prize shall be subject to the eligibility provisions in subsections (11) and (12).

(3) Calculation of Entries.

(a) The total number of entries for a retailer will be determined at the end of the incentive period by dividing the retailer's total TOUCHDOWN ticket sales, less returns, during the incentive period by 300 (value of a settled full book of TOUCHDOWN tickets). Any remainder will not be counted as an entry. Retailer entries will be included in two of four drawings per district and the statewide drawing as determined in subsection (4), below.

(b) Any book of TOUCHDOWN tickets that is settled during the incentive period cannot be returned after the incentive period, except as follows. A retailer who is selling on the end of game date a partial book of TOUCHDOWN tickets that was settled during the incentive period may return that partial book to the Lottery for credit. Only one such settled TOUCHDOWN book per retailer location will be credited.

(c) In addition to the above applicable provisions, the following shall apply to a retailer who, after the incentive period, terminates or experiences a change of ownership, as defined in Rule 53ER00-21, F.A.C., which is not due to violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or retailer Contract terms. One partial book of TOUCHDOWN tickets settled during the incentive period that the retailer is selling at the time of change of ownership or termination may be returned for credit.

(4) Drawings.

(a) District Drawings are described as follows. Within each of the eleven districts there are two sales categories; one sales category will include retailers whose total average weekly instant ticket sales for all instant ticket games during the incentive period are \$1467.99 or less, and the other sales category will include retailers whose total average weekly instant ticket sales for all instant ticket games during the incentive period are \$1468.00 or greater. Within each of the eleven districts there are two prize categories: the Armchair Quarterback Package Prize category, and the Tailgate Prize category. All of a retailer's entries generated during the incentive period will be grouped by district and according to its sales category. The Lottery will conduct, via computer, a random drawing per sales category and per prize category for a total of four (4) drawings in each of the eleven districts. Five entries will be drawn per drawing. The first eligible entry will be the winner and the remaining eligible entries will be alternates. Two (2) Tailgate Prizes and two (2) Armchair Quarterback Package Prizes will be awarded per district. A retailer location may win either a Tailgate package or an Armchair Quarterback Package, but not both. A retailer location whose name is drawn for both prizes will be awarded the prize with the greater value and the remaining prize will be awarded to the first alternate in the drawing for the prize of the lesser value.

(b) In addition to the district drawings described above, one statewide random computer drawing will be held to award six Grand Prize Super Bowl XXXV Packages. All retailer entries generated during the incentive period, including those previously drawn in the district prize drawings, will be included in the Grand Prize drawing. A total of fifteen entries will be drawn. The first six eligible retailers will each be awarded one Grand Prize Super Bowl XXXV Package. A retailer location may win only one grand prize package.

(c) All of the forty-four (44) district drawings and the one (1) statewide drawing will be conducted on December 31, 2000, for award of a total of fifty (50) prizes.

(5) Prize Packages.

(a) The Tailgate Prize is a Panasonic® 9" Diagonal Mono TV/2-Head Mono VCR AC/DC Combination. The TV/VCR features include a Car Cord and FM Radio.

(b) The Armchair Quarterback Prize Package is comprised of the following: