

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs
 RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment will be to incorporate new language and guidelines for the General Program Support Grants and Challenge Grant Program, as well as revise and refine language for existing programs. The amendment also removes documents incorporated by reference. This will be a substantial rewrite.

SUBJECT AREA TO BE ADDRESSED: General Program Support Grants Guidelines, Project Grants, Arts in Education, Challenge Grant Program, International Cultural Exchange, Quarterly Assistance Program, Underserved Arts Communities Assistance Program, State Touring Program, Local Arts Agency/State Service Organization Program, Florida's Artist Residency Directory, Cultural Endowment Program, Cultural Facilities Program, Fellowship Program, and general grants administration.

SPECIFIC AUTHORITY: 255.043(5), 265.284(5)(d), 265.285(1)(c), 265.286(1),(4),(6), 265.2861(2)(b), 265.2865(6), 265.51, 265.605(1), 265.607, 265.608, 265.609(1),(4),(6), 265.701(4) FS.

LAW IMPLEMENTED: 216.349, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-.56, 265.601-.607, 265.608, 265.609, 265.701, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:00 a.m., Friday, April 20, 2001
 PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Linda Downey at (850)487-2980. If you are hearing or speech impaired, please contact the agency by calling (850)488-5779 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF INSURANCE

RULE TITLES: Conduct of Public Adjusters
 Ethical Requirements
 RULE NOS.: 4-220.051
 4-220.201

PURPOSE AND EFFECT: Rule 4-220.051, FAC. sets forth Department policy as to certain matters generally affecting public adjusters. Rule 4-220.201, FAC. will categorize the rules as a code of ethics required by s. 626.878, F.S., which will provide ethical standards for adjusters.

SUBJECT AREA TO BE ADDRESSED: Amending the ethical standards and required conduct for public adjusters.

SPECIFIC AUTHORITY: 624.308, 626.878, 626.9611 FS.

LAW IMPLEMENTED: 624.307(1), 626.611, 626.621, 626.865(2), 626.878, 626.9541(1)(i) FS.

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

TIME AND DATE: 9:00 a.m., May 1, 2001
 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: Phil Fountain, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0333, (850)922-3153, Ext. 5038

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)922-3110, Ext. 4214.

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

DEPARTMENT OF INSURANCE

RULE TITLE: Reporting Requirements for Licensees Seeking to do Business with Unlicensed Insurers Including Certain Multiple Employer Welfare Arrangements, Labor Lessors, and Collectively Bargained Plans
 RULE NO.: 4-230.033

PURPOSE AND EFFECT: This rule requires licensed agents, brokers, third party administrators and insurers to submit information to the Department when they have knowledge of activities by an unlicensed insurer.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements for licensed insurers.

SPECIFIC AUTHORITY: 624.308(1), 624.33(2), 624.4431 FS.

LAW IMPLEMENTED: 624.09, 624.44, 624.307, 624,317, 624,437, 624.442, 624.446, 626.901, 626.910, 626.9571, 626.9581, 626.9591, 626.9601 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: 1:00 p.m., May 1, 2001

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: Phil Fountain, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0333, phone number (850)922-3153, Ext. 5038

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3110, Ext. 4214.

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Teacher Certification Examination RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule development is to adopt an updated examination application form for persons to use when registering for the Florida Teacher Certification Examination. The effect will be to adopt an updated application form.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examination form.

SPECIFIC AUTHORITY: 231.15(1), 231.17(4),(5),(8),(11), 231.30 FS.

LAW IMPLEMENTED: 231.145, 231.15, 231.17, 231.30 FS.

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

TIME AND DATE: 9:00 a.m. – 10:00 a.m., April 30, 2001

PLACE: Room 403, 325 West Gaines Street, Tallahassee, Florida 32399-0400

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kenneth Loewe, Bureau of Curriculum, Instruction, and Assessment, Department of Education, 325 West Gaines Street, Room 414, Tallahassee, Florida 32399-0400, (850)488-8198

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0021 Florida Teacher Certification Examination.

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

a. A completed application Form ~~CG-20-01~~ ~~CG-20-00~~, Registration Application: Certification Examinations for Florida Educators ~~Florida Teacher Certification Examination Registration Application or Form CG-22-00, FTCE/FELE Supplemental Registration Application~~, which includes the applicant's signature. Form ~~CG-20-01~~ ~~CG-20-00~~, Registration Application: Certification Examinations for Florida Educators ~~Florida Teacher Certification Examination Registration Application and Form CG-22-00, FTCE/FELE Supplemental Registration Application~~, effective ~~October, 2000~~ are is hereby incorporated by reference and made a part of this rule to become effective July 2001. ~~This~~ ~~The~~ form may be obtained without cost from the Bureau of Educator ~~Teacher~~ Certification, Florida Department of Education, 325 West Gaines Street ~~The Florida Education Center~~, Tallahassee, Florida 32399.

Specific Authority 231.15(1), 231.17(4),(5),(8),(11), 231.30 FS. Law Implemented 231.145, 231.15, 231.17, 231.30 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00,_____.

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Tuition, Fee Schedule and Percentage of Cost RULE NO.: 6C-7.001

PURPOSE AND EFFECT: To implement the changes in the university matriculation and related fees, at the undergraduate and graduate levels, as approved by the Legislature this Session.

SUBJECT AREA TO BE ADDRESSED: University matriculation fees. Each year the Legislature increases the university matriculation and related fees. Some years the increases are the across-the-board fees; other years, the Legislature has discussed increases in university differential fees. Both Houses of the Legislature are currently discussing these fees, by different amounts of percentage increases. These increases could be as high as ten percent on some fees. The Board of Regents will have to act on these fee increases, by rule, so that they may be effective and in place, Fall 2001.

SPECIFIC AUTHORITY: 240.209(1),(3)(e) FS.

LAW IMPLEMENTED: 240.209(3)(e) FS.

response to file a written complaint with the regional director of regional community corrections for review. The regional director of regional community corrections shall provide a written response, which attempts to resolve the issue, within 20 30 calendar days of receipt of the grievance with a copy to the Department of Corrections Inspector General's Office.

(e) In the event the issue is not resolved with the director of regional community corrections, the offender may forward her or his grievance, along with the director of regional community correction's response, to the Bureau of Inmate Grievance Appeals in the Central Office.

(3) All grievances shall be filed within 10 calendar days of the date the incident or action being petitioned occurred.

(4) Grievances outlining the problem shall be handwritten or typed on a plain sheet of paper and must identify the complainant and contain her or his signature.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 5-28-86, Amended 10-1-89, 9-30-91, 2-15-98, Formerly 33-24.005, Amended 3-4-01,_____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Classification System
RULE NO.: 33-302.107

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish an offender classification system whereby offenders are systematically assessed and evaluated to allow placement in the appropriate level of supervision. The effect is to establish requisite criteria for evaluation of an offender's needs and risk of re-offending or violating supervision, establish applicable time frames, provide applicable forms, and provide for appropriate referrals to treatment and community resources.

SUBJECT AREA TO BE ADDRESSED: Offender classification.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.107 Offender Classification System.

(1) Correctional probation officers shall utilize the "Offender Classification System" to evaluate an offender placed on supervision. The system:

(a) Is a methodology used to ensure that each offender placed on active supervision is systematically assessed and evaluated in order to place the offender in the appropriate level of supervision; and.

(b) Evaluates an offender's level of need in specific treatment or service areas and evaluates the offender's potential risk of re-offending or violating supervision in order to ensure the offender is monitored at an appropriate level of supervision.

(2) Criteria used to evaluate an offender's needs include:

(a) Academic level;

(b) Vocational skills;

(c) Employment needs;

(d) Alcohol or drug usage;

(e) Mental illness;

(f) Mental ability;

(g) Sexual behavior; and.

(h) The evaluating officer's impression of the offender's problems and the amount of officer intervention time the offender will require.

(3) Criteria used to evaluate an offender's risk of re-offending or violating supervision include:

(a) Prior convictions;

(b) Prior incarceration;

(c) Age at first commitment;

(d) Commitment offense;

(e) Any supervision revoked;

(f) Drug or alcohol dependence; and,

(g) The employment, education, and supervision plan for the offender.

(4) An initial assessment shall be conducted by the correctional probation officer within thirty days of the onset of supervision or acceptance of supervision from another state.

(a) The correctional probation officer shall utilize the Case Assessment, Form DC3-265, and Classification Reassessment, Form DC3-266, to record the needs and risk information relating to each offender. Form DC3-265 and Form DC3-266 are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(b) Scores are then assessed to each area on the forms and are calculated to determine the offender's final supervision level.

(5) Reassessments will be conducted by the correctional probation officer six months after the initial assessment, and every six months thereafter.

(6) The correctional probation officer shall make referrals to treatment and community resources available based on individual offender needs identified during the assessment and

reassessment. The correctional probation officer cannot require or impose conditions or restrictions that are not included in the supervision order.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 948.015, 948.12 FS. History–New

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Orientation
 RULE NO.: 33-302.109

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish procedures relating to orientation of offenders under Department supervision. The effect of the proposed rule is to establish a two-day time frame in which orientation is to occur, and to establish guidelines for the manner in which orientation is to occur and the topics to be addressed therein.

SUBJECT AREA TO BE ADDRESSED: Offender orientation.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.109 Offender Orientation.

(1) Correctional probation officers shall meet with an offender within two working days of offender assignment or the onset of supervision to provide orientation to the offender as to the conditions of supervision and instructions regarding supervision.

(a) Orientation shall be in a language understood by the offender and accommodations shall be made in the event an offender has a documented disability or language barrier.

(b) Upon receipt of the offender file with the order of supervision, the correctional probation officer shall verify the information contained therein.

(2) Orientation topics shall include:

(a) An introduction explaining the role of the Correctional Probation Officer in supervising the offender;

(b) A review of the offender's disposition or commitment information and supervision status;

(c) Instructions and review of all conditions of supervision, including:

1. Standard conditions of supervision established by statute including the following:

- a. Reporting requirements;
- b. Residence and employment;
- c. Statutory employment restrictions;
- d. Travel restrictions;
- e. Violations of the law;
- f. Supporting legal dependents;
- g. Association with persons engaged in criminal activity;
- h. Random substance abuse testing;
- i. Possessing, carrying, or owning a firearm or weapon;
- j. Use of intoxicants to excess or possessing non-prescription narcotics;
- k. Cost of supervision;
- l. Following instructions;
- m. Answering inquiries truthfully; and,
- n. Visits by the correctional probation officer to the offender's residence or other location within the community.
- 2. Instruction and review of any special conditions imposed by the court or releasing authority including:
 - a. Restitution;
 - b. Court costs, fines, or other financial obligations;
 - c. Public service work requirements;
 - d. Evaluation and treatment requirements;
 - e. Prohibitions against contact with the victim or victims;
 - f. Participation in education or self-improvement programs;
 - g. Participation in HIV or AIDS awareness programs;
 - h. Incarceration required as a condition of supervision;
 - i. Victim related special conditions; and,
 - j. Any other special conditions imposed by the court or releasing authority.

(3) Offenders shall be provided an opportunity to ask questions or request clarification of any or all of the conditions of his or her supervision.

(a) After acknowledging an understanding of the conditions of supervision, the offender shall sign and date the orders of supervision. If an offender refuses to sign and date the conditions of probation, the correctional probation officer shall make note of this on the orders of supervision.

(b) The offender shall be provided with a copy of the orders of supervision.

(4) The correctional probation officer shall instruct and review the information contained in the Instructions to the Offender, Form DC3-246. Form DC3-246 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(a) The contents of Form DC3-246 include:

- 1. The offender grievance procedure;

2. The means whereby the offender may obtain twenty-four hour emergency access to the correctional probation office or officer;

- 3. Drug testing procedures;
- 4. Criminal registration requirements; and,
- 5. Firearms prohibition instructions.

(b) The correctional probation officer and offender shall sign and date Form DC3-246, Instructions to the Offender, certifying that the offender has received orientation regarding the topics listed in Section (4)(a).

(c) The original DC3-246 shall be placed in the offender file and a copy shall be provided to the offender.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Written Monthly Reports
RULE NO.: 33-302.110

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish procedures relating to the written monthly report offenders on supervision must submit to their correctional probation officer. The effect of the proposed rule is to establish guidelines as to notification of this requirement, provide requisite forms, establish guidelines for the content of written monthly reports, and establish procedures for the review and retention of written monthly reports.

SUBJECT AREA TO BE ADDRESSED: Written monthly reports.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.110 Written Monthly Reports.

(1) Correctional probation officers shall inform the offender, at the time orientation is provided, that she or he is required to submit a full and truthful report to the officer on a monthly basis, unless otherwise specified by the supervision order.

(a) Form DC3-268, Written Monthly Report, is the form offenders shall submit on a monthly basis to their correctional probation officer. Form DC3-268 is hereby incorporated by reference. A copy of this form may be obtained from the Forms

Control Administrator, Office of General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(b) The Written Monthly Report, Form DC3-268, requires the offender to provide information relating to activities for the previous month, including:

- 1. The offender's place of residence;
- 2. The offender's place of employment;
- 3. The offender's gross income;
- 4. Payments made by the offender including restitution, court costs, cost of supervision, or other monetary obligations imposed by the court or releasing authority;
- 5. Problems experienced by the offender; and,
- 6. Other information that needs to be discussed with the correctional probation officer during the required office visit.

(2) Upon receipt, the correctional probation officer shall review the Written Monthly Report, Form DC3-268, submitted by the offender under his or her supervision to:

- (a) Ensure the report is complete;
- (b) Identify status changes not reported previously in employment, residence, or arrest activity;
- (c) Identify problems occurring during the month that the offender wishes to discuss further;
- (d) Review any difficulties or irregularities;
- (e) Determine necessary action to rectify any difficulties or irregularities; and,
- (f) Make referrals in order to assist the offender with community resources and services available.

(3) The correctional probation officer shall sign and date Form DC3-268 to acknowledge the report was reviewed. He or she shall also document receipt of Form DC3-268 in the electronic case notes, including any additional instructions given to the offender or information obtained during the office visit.

(4) The original copies of all of the Written Monthly Reports submitted by an offender will be maintained by the correctional probation officer in the offender's file.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLES: Community Release Programs
Placement of Inmates into Community Release Programs
RULE NOS.: 33-601.602
33-601.606

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update form numbers and titles, correct program titles, correct form incorporation language, and clarify ineligibility criteria for community release programs.

SUBJECT AREA TO BE ADDRESSED: Community Release Programs.

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.602 Community Release Programs.

(1) Definitions.

(a) through (d) No change.

(e) Modality IV Community Tier IV – A community based residential substance abuse treatment program for inmates.

(f) through (g) No change.

(2) Inmate Conduct While On Community Release.

(a) During the inmate orientation process, inmates will be instructed of the following conduct requirements. Upon completion of the orientation program, the inmate shall be given a Certificate of Orientation, Form DC6-126 DC4-837. Form DC6-126 DC4-837 is incorporated in (16) of this rule.

1. through 10. No change.

(b) No change.

(c) Every inmate assigned to a community release facility shall immediately, upon arrival, sign a Letter of Notice, Form DC6-102 DC4-866, or the inmate shall be terminated from the program. The inmate shall be furnished a copy of the Letter of Notice and must agree to abide by the conditions of the Letter of Notice. Form DC6-102 DC4-866 is incorporated by reference in (16) of this rule.

(d) The work release center classification officer shall complete a Personalized Program Plan for Work Release Centers, Form DC6-118A DC4-838, on all inmates assigned to the work release center within 14 days of receipt of the inmate at the center. Form DC6-118A DC4-838 is incorporated by reference in (16) of this rule. The completed personalized program plan shall be signed by the inmate, the classification officer and the correctional officer major. Once the personalized program plan is signed, it shall be given to the staff member assigned to work with the inmate. Any changes in the personalized program plan shall be discussed with the inmate and shall be documented on Form DC6-118B DC4-838A, Personalized Program Plan – Modification Plan. Form DC6-118B DC4-838A is incorporated by reference in (16) of this rule. The inmate's progress towards achieving the goals of the personalized program plan shall be reviewed bi-weekly with the inmate. The outcome of each review shall

be documented on Form DC6-118C DC4-838B, Personalized Program Plan – Monthly Progress Review. Form DC6-118C DC4-838B is incorporated by reference in (16) of this rule. Staff are authorized to schedule subsequent progress reviews upon request of the inmate.

(e) No change.

(3) Community Study Release.

(a) through (6) No change.

(7) Employment.

(a) through (e) No change.

(f) The prospective employer shall sign an Employer's Community Work Release Agreement, Form DC6-124. Form DC6-124 is incorporated by reference in (16) of this rule. Inmates engaged in paid employment are not considered an employee of the state or the department while engaging in or traveling to and from such employment.

(g) through (h) No change.

(i) Facility personnel shall visit the inmate's place of employment for new employers within the first five working days to verify employment. Documentation of on-site employment verification shall be placed in the inmate's file by utilizing Form DC6-125 DC4-832, Employment Contacts. Form DC6-125 DC4-832 is incorporated by reference in (16) of this rule.

(j) There shall be a minimum of three employment contacts per inmate per month by facility personnel to substantiate attendance and discuss any problems that may have arisen. Two of the contacts shall be accomplished either through telephone calls or site visits to the inmate's place of employment, and documentation of the contacts shall be made on Form DC6-125 DC4-832, Employment Contacts. One of the three monthly contacts shall be a personal on-site job check. The documentation of the contacts shall be made on Form DC6-125 DC4-832 and placed in the inmate's file for future reference.

(k) Facility personnel shall establish a primary and secondary job contact person at all employment sites. The primary and secondary contact person shall be named on Form DC6-125 DC4-832, Employment Contacts.

(l) No change.

(8) through (9) No change.

(10) Disbursement of Earnings.

(a) through (k) No change.

(l) Any requests for special withdrawal shall be completed on Form DC2-304 DC2-401, Special Withdrawal. Form DC2-304 DC2-401 is incorporated by reference in Rule 33-203.201, F.A.C. The effective date of this form is May 7, 2000 in (16) of this rule.

(11) through (15) No change.

(16) Forms. The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

~~(a) DC2-304, Special Withdrawal Form, effective 3-13-01.~~

~~(a)(b) DC6-123 DC4-803A, Monetary Reimbursement Agreement, effective 3-13-01.~~

~~(c) DC4-822, Center Work Assignment, effective 3-13-01.~~

~~(b)(4) DC6-124, Employer's Community Work Agreement, effective 3-13-01.~~

~~(c)(e) DC6-125 DC4-832, Employment Contacts, effective 3-13-01.~~

~~(d)(f) DC6-126 DC4-837, Certificate of Orientation, effective 3-13-01.~~

~~(e)(g) DC6-118A DC4-838, Personalized Program Plan for Work Release Centers, effective 3-13-01.~~

~~(f)(h) DC6-118B DC4-838A, Personalized Program Plan - Modification Plan, effective 3-13-01.~~

~~(g)(i) DC6-118C DC4-838B, Personalized Program Plan - Monthly Progress Review, effective 3-13-01.~~

~~(h)(j) DC6-118D, Transition Release Plan, effective 3-13-01.~~

~~(i)(k) DC6-127, Checklist for Transfers to Work Release Centers ~~Community Residential Facilities~~, effective 3-13-01.~~

~~(j)(l) DC6-102 DC4-866, Letter of Notice, effective 3-13-01.~~

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-13-01, _____.

33-601.606 Placement of Inmates into Community Release Programs.

(1) Definitions.

(a) through (e) No change.

(2) Eligibility and Ineligibility Criteria.

(a) An inmate is ineligible for community release programs if he has:

1. through 4. No change.

5. Refused to complete substance programs Modality Tier II, III, or IV, unless the refusal was based upon objections to the religious based content of the program, in which case, an alternate non-deity based substance abuse program will be offered and must be successfully completed.

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

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 3-13-01, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE:

Federally Qualified Health Center Services

RULE NO.:

59G-4.100

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Federally Qualified Health Center Services Coverage and Limitations Handbook, April 2001.

SUBJECT AREA TO BE ADDRESSED: 59G-4.100.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m., May 9, 2001

PLACE: 2727 Ft. Knox Blvd., Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kay Aloi, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7330

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.100 Federally Qualified Health Center Services.

(1) No change.

(2) All federally qualified health center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Federally Qualified Health Center Coverage and Limitations Handbook, April 2001 ~~September 1996~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History--New 6-27-93, Formerly 10P-4.100, Amended 4-16-95, 5-28-96, 6-24-98, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-17R

RULE CHAPTER TITLE:

Wetland Assessment Method

RULE CHAPTER NO.:

62-345

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is the establishment of a uniform wetland assessment method to be applied to wetland impact applications and associated mitigation, in addition to the awarding and debiting of credits from mitigation banks.

SUBJECT AREA TO BE ADDRESSED: Establishing wetland assessment method in accordance with 373.414(18), F.S.

SPECIFIC AUTHORITY: 373.414(18) FS.

LAW IMPLEMENTED: Chapter 2000-133, Laws of Florida.

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: Constance Bersok, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, (850)921-9858; connie.bersok@dep.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Citation Authority
PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text to conform to recent amendments to Section 456.072(3)(a), F.S.
SUBJECT AREA TO BE ADDRESSED: Citation Authority.
SPECIFIC AUTHORITY: 456.077, 466.004(4) FS.
LAW IMPLEMENTED: 456.072(3)(a), 456.077 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

64B5-13.0046 Citation Authority.

(1) Pursuant to Section 456.077, Florida Statutes (2000), (1994); the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation and the appropriate penalties for specific violations. In addition to the penalty, the costs of investigation shall be assessed as determined by rules of the Department of Health. The form to be used for the issuance of the citation shall be set forth in rules of the Department of Health. The following subsections indicate those violations which may be disposed of by citation, with the accompanying penalty.

(2) No change.

(3) Violation of Section 466.028(1)(i) and/or 466.028(1)(aa), Florida Statutes, and/or Rule 64B5-12.013(1) or (2), F.A.C., by renewing a license without completing the required continuing education credits. The penalty for a dentist shall be a reprimand, an administrative fine of ~~\$150.00~~ ~~\$100.00~~ per hour not completed as required, completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late ~~4 hours of continuing education in risk management within 6 months and completion within 6 months of all continuing education that was not completed as required.~~ Said continuing education shall be in compliance with Rule 64B5-12, F.A.C., and shall be in addition to and not count toward any continuing education ~~request~~ required for biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education required under this rule to the Board office no later than 6 months from the date of the citation with each of the next 2 biennial renewals of licensure. The penalty for a dental hygienist shall be a ~~reprimand~~, an administrative fine of ~~\$35.00~~ ~~\$25.00~~ per hour not completed as required, and completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late within 6 months of all continuing education that was not completed as required. Said continuing education shall be in compliance with Rule 64B5-12, F.A.C., and shall be in addition to and not count toward any continuing education required for biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education required under this rule to the Board office no later than 6 months from the date of citation with each of the next 2 biennial renewals of licensure.

(4) through (16) No change.

Specific Authority 456.077, 466.004(4) FS. Law Implemented 456.072(3)(a), 456.077 FS. History—New 12-24-91, Formerly 21G-13.0046, Amended 11-22-93, Formerly 61F5-13.0046, 59Q-13.0046, Amended.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes to update the existing rules.
SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.
SPECIFIC AUTHORITY: 456.072, 476.079, 455.624, 455.627, 478.52(4) FS.
LAW IMPLEMENTED: 456.072, 456.079, 455.624, 455.627, 478.52(4) FS.

RULE NO.: 64B8-55.001

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: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES:	RULE NOS.:
Examination	64B19-11.001
Licensure by Examination	64B19-11.005
Rule Governing Time Limits and Conditions for the Maintenance of and Active Application File	64B19-11.007

PURPOSE AND EFFECT: The Board proposes to update the above rules.

SUBJECT AREA TO BE ADDRESSED: Examination; Licensure by Examination; Rule Governing Time Limits and Conditions for the Maintenance of and Active Application File.

SPECIFIC AUTHORITY: 456.017(1)(b),(c), 490.004(4), 120.60 FS.

LAW IMPLEMENTED: 456.017(1)(b),(c),(d), 490.005(1), 490.005 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES:	RULE NOS.:
Application and Examination Fee for Licensure by Examination; Review Fee	64B19-12.002
Reexamination Fee	64B19-12.003
Wall Certificate and Initial for Licensure	64B19-12.0041
Biennial Active Renewal Fee	64B19-12.005
Biennial Inactive Renewal Fee	64B19-12.007
Delinquency Fee	64B19-12.0085
Continuing Education Provider Fees	64B19-12.009

PURPOSE AND EFFECT: The Board proposes to update the above rules.

SUBJECT AREA TO BE ADDRESSED: Application and Examination Fee for licensure by Examination; Review Fee; Reexamination Fee; Wall Certificate and Initial for Licensure; Biennial Active Renewal Fee; Biennial Inactive Renewal Fee; Delinquency Fee; Continuing Education Provider Fees.

SPECIFIC AUTHORITY: 490.004(4), 456.015(1),(4), 456.025(1),(3), 490.004(4), 490.007(1), 456.036(3),(7), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(2), 490.005(1)(a), 490.006(1), 456.015, 456.025(1),(3),(4), 490.007(1), 456.036(3),(7), 490.0085 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES:	RULE NOS.:
Renewal of Active Licenses	64B19-13.001
Renewal of Inactive Licenses	64B19-13.002
Continuing Psychological Education Credit	64B19-13.003
Obligations of Continuing Psychological Education Providers	64B19-13.005

PURPOSE AND EFFECT: The Board proposes to update the above rules.

SUBJECT AREA TO BE ADDRESSED: Renewal of Active Licenses; Renewal of Inactive Licenses; Continuing Psychological Education Credit; Obligations of Continuing Psychological Education Providers.

SPECIFIC AUTHORITY: 456.013(7), 490.004(4), 490.007(2), 456.036, 490.0085(4) FS.

LAW IMPLEMENTED: 490.007(2), 456.036, 490.0085(1),(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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES:	RULE NOS.:
Application for Inactive Status	64B19-15.001
Reactivation of Inactive Licenses	64B19-15.003

PURPOSE AND EFFECT: The Board proposes to update the above rules.

SUBJECT AREA TO BE ADDRESSED: Application for Inactive Status; Reactivaion of Inactive Licenses.

SPECIFIC AUTHORITY: 490.004(5), 456.036 FS.

LAW IMPLEMENTED: 456.036, 490.004(4),(5) 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: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Rights and Responsibilities of Applicants and Recipients	65A-2.022
Application and Determination of Eligibility	65A-2.023
Determination of Continued Eligibility	65A-2.024
Advance Notice: Written Ten Day Advance Notice	65A-2.031
General Eligibility Criteria	65A-2.032
Eligibility Factors Other Than Need	65A-2.033
Definitions of Special Living Arrangements	65A-2.034
Eligibility Factors of Need	65A-2.035
Amount of Optional State Supplementation Payments	65A-2.036

PURPOSE AND EFFECT: The department is reviewing all rules in Chapter 65A-2, FAC., to clarify language, update eligibility criteria and revise out-dated citations of statutes, federal regulations and other administrative rules. This is a long-term review that reflects the results of two previous attempts to amend these rules. Rule amendments will reflect a review of each listed rule to correct any deficiencies in rule statements.

SUBJECT AREAS TO BE ADDRESSED: Clarification of the purpose of OSS payments, functions of authorized representatives and individual responsibilities; application

processing and notice of decision criteria; eligibility when the individual is absent from a special living arrangement and advance notice of termination; all eligibility and coverage group criteria; include definition statements for special living arrangements in coverage group criteria so that rule 65A-2.034, Definitions of Special Living Arrangements, can be repealed; and, need, income determinations, provider rates and program standards.

SPECIFIC AUTHORITY: 409.212(7) FS.

LAW IMPLEMENTED: 409.212 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., April 24, 2001

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program Office

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Children’s Mental Health Services	65E-30
RULE TITLES:	RULE NOS.:
Applicability	65E-30.001
Definitions	65E-30.002
Assessment Standards	65E-30.003
Service Plan Eligibility Criteria	65E-30.004
Case Management Eligibility Criteria	65E-30.005

PURPOSE AND EFFECT: The Mental Health Program Office proposes to develop rules to implement the “Comprehensive Child and Adolescent Mental Health Services Act,” Part III of Chapter 394, Florida Statutes. The effect will be statewide implementation of: children’s mental health assessment standards; criteria for determining when a child receiving mental health services under the Act must have an individualized service plan; and criteria that define the target population of children served under this Act who must be offered case management.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed at the rule development workshop include: applicability of the rules; definitions of terms used in the rules; standards for mental health assessments for children; criteria specifying which children must have an individualized service plan developed for them; and criteria specifying which children must be offered case management services.

SPECIFIC AUTHORITY: 394.493(2), 394.495(3), 394.496(5), 394.497(2) FS.

LAW IMPLEMENTED: 394.490-.497 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, April 30, 2001

PLACE: Bldg. 6, Conference Room A, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Michael Sorrell, Children's Mental Health, Mental Health Program Office, Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-30.001 Applicability.

This chapter shall apply only to those mental health services provided under a contract with the department for children in the target populations specified in Chapter 394, Part III, Florida Statutes.

Specific Authority 394.490-.497 FS. Law Implemented 394.490-.497 FS. History—New

65E-30.002 Definitions.

Definitions: For purposes of this chapter:

(1) "Assessment" means a discovery and professional analysis of the individual strengths and needs of the child and family and of factors in the environment that may help meet the child's needs.

(2) "Child" means a person under the age of 18 and includes the term "adolescent" as defined in Chapter 394, Part III, Florida Statutes.

(3) "Case management" means the activities described in Section 394.497(1), Florida Statutes.

(4) "Contract" means a formal written agreement or purchase order executed between the Department and an individual or organization for the procurement of children's mental health services. The term includes performance contracts, rate contracts, purchase orders, and subcontracts.

(5) "Department" means the Department of Children and Family Services.

(6) "Family" means the person or persons who care for and nurture the child and define themselves as the child's family.

(7) "Provider" means an individual or organization providing mental health services to children in the target populations under a contract with the Department.

Specific Authority 394.490-.497 FS. Law Implemented 394.490-.497 FS. History—New

65E-30.003 Assessment Standards.

(1) Assessments are conducted for the purpose of identifying strengths and needs of the child and family and making recommendations for meeting the child's need for mental health services and the family's need for support services.

(2) Assessments may include evaluation and screening of:

(a) Physical and mental health for purposes of identifying psychiatric problems and medical problems resulting in psychiatric symptoms;

(b) Psychological functioning, as determined through a battery of psychological tests;

(c) Intelligence and academic achievement;

(d) Social and behavioral functioning; and

(e) Family functioning.

(3) The assessment shall always include a face-to-face interview with the child and with the family.

(4) The assessment shall be conducted only by a person specified in Section 394.495(3), Florida Statutes, and within the boundaries of the person's professional training, experience and competence. Assessments performed by persons authorized by Section 394.495(3)(c), Florida Statutes, shall be co-signed by the supervising professional as defined in Section 394.495(3)(c), Florida Statutes.

(5) The provider shall seek to clarify the reasons for the referral and to respond to the expectations and timeframes of the person who requested the assessment and to the expectations of the child and the family.

(6) The assessment shall be conducted in the least restrictive, most family-centered setting consistent with the child's clinical needs and legal status.

(7) The assessment process shall be responsive to the child's level of functioning, developmental stage, culture, language, age, gender, sexual orientation, and special medical or developmental needs, and sensitive to the family's issues and values.

(8) The assessment provider shall seek information necessary to respond to the reasons for referral and shall include in the assessment report:

(a) The issues, preferences and goals presented by the child and family;

(b) The strengths, resources and existing support systems of the child and family;

(c) The child, family and assessment provider's perception of environmental factors in the family, school, and community that may help or hinder in addressing the child's needs;

(d) The past history and current nature, duration, frequency and severity of the problems of the child and the circumstances in which the problems occur;

(e) Identification of agencies and programs with whom the child is currently involved;

(f) Identification of past and current mental health treatment and other health and social services provided the child and family;

(g) The assessment provider's and the family's perceptions of which treatment and services were effective and why;

(h) The types of educational placements and reasons for changes in those placements;

(i) Recommendations for individualized, family-centered, and least restrictive mental health treatment and related services to meet the child's specific needs. The assessment report shall not recommend specific programs or providers.

(j) Recommendations for the types of informal services and supports that should be made available to the child and family.

(9) For a child in the custody of the Department, in addition to the requirements of Section 65E-30.003(8), F.A.C., above, the assessment report shall include information to assist in permanency planning for the child.

(10) The person referring the child shall give the assessment provider a copy of any recent and relevant diagnostic, academic, psychological, psychosocial, or behavioral evaluations of the child that are obtainable. The provider shall incorporate these findings from other evaluations into the assessment report. The assessment process shall not repeat types of evaluations that were completed within the past 12 months, unless clinically indicated. The provider shall coordinate with other agencies, including the school district, to avoid duplication of assessments and to avoid asking for duplicative information from the family.

(11) If an assessment for academic achievement is needed, this assessment is the financial responsibility of the school district, as specified in 394.495(2), and the provider shall request the school district to provide or arrange for the assessment. With the parent or guardian's written consent, the provider shall incorporate the findings of this assessment into the assessment report.

Specific Authority 394.495(3) FS. Law Implemented 394.495 FS. History--New _____.

65E-30.004 Service Plan Eligibility Criteria.

(1) Each child who meets the criteria for mental health case management of Section 65E-30.005, F.A.C., shall have an individualized service plan.

(2) The child's mental health case manager shall coordinate the development of the service plan.

(3) When a child is receiving both mental health services and the services of another program of the department, the child's mental health case manager shall work with the other program to use a single service planning process and develop a single service plan, to the extent allowable by law.

(4) When a child is receiving mental health services and services from another department or agency, the child's mental health case manager shall coordinate service planning with the other department or agency and avoid duplication to the extent possible.

(5) The service plan shall be reviewed, and revised as needed, at least every 90 days as required by Section 394.496(8), Florida Statutes or at any time:

(a) The child changes custody status;

(b) The child moves into or out of a foster home, group living situation, or residential treatment program;

(c) The child changes educational placement;

(d) The child experiences a significant change affecting the child's life and support system, such as the death, divorce or debilitating illness of a parent, or a family's loss of employment or housing; or

(e) The family requests a review of the service plan.

Specific Authority 394.496(5) FS. Law Implemented 394.496 FS. History--New _____.

65E-30.005 Case Management Eligibility Criteria.

(1) Case management shall ensure continuity and not duplicate case management services for the child and family.

(2) Within available case management resources, case management shall be offered to the parent or legal guardian of a child who meets one of the following criteria:

(a) The child is in a residential mental health placement for the primary purpose of receiving mental health treatment rather than for purposes of foster care or delinquency commitment placement;

(b) The child has been approved by the department for placement in a residential mental health treatment program and is awaiting such placement;

(c) The child has a serious emotional disturbance or mental illness as defined in Section 394.492, Florida Statutes and requires services from two or more programs or service providers; or

(d) The child has an emotional disturbance or is experiencing an acute mental or emotional crisis, as these conditions are defined in Section 394.492, Florida Statutes, requires services from two or more programs or service providers, and has one or more of the following risk factors:

1. The child has been physically or sexually abused or neglected or has been exposed to domestic violence;

2. The child meets the department's criteria for a special needs adoption;

3. The child has had multiple out-of-home placements;

4. The child has had two or more admissions to a crisis stabilization unit or inpatient psychiatric unit in the past six months;

5. The family or the department believes that case management services will enhance the likelihood the child can remain in the home and community;

6. The child has a chronic and serious physical illness, is infected with human immunodeficiency virus, or is substance dependent;

7. The parent or legal guardian has been identified to the provider as having a serious mental illness, a developmental disability, a chronic and serious physical illness, or substance dependence;

8. The family is homeless; or,

9. The department's utilization management process has determined the child meets the established criteria of high utilization of mental health services and has referred the child for case management.

(3) Case managers for children who have been placed in residential mental health treatment shall be located in the child's home community and shall work with the child's family and school, advocate for the child's return to the community as soon as clinically indicated and manage discharge planning.

(4) Case managers for children in residential mental health treatment placements shall not have an employment, contractual or any other financial relationship with the residential provider that creates a real or perceived conflict of interest.

(5) Nothing in this rule shall prohibit the department from offering case management for any other child receiving mental health services provided under Chapter 394, Florida Statutes.

Specific Authority 394.497(2) FS. Law Implemented 394.497 FS. History--New _____.

Purchase Order No.: S 6001 D11450

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Pompano, African Pompano, and Permit

RULE TITLES:	RULE NOS.:
Size and Bag Limits; Prohibition of Sale	68B-35.003
Gear Specifications and Prohibited Gear	68B-35.004
Commercial Pompano Harvest Requirements:	
Pompano Endorsement Criteria; Pompano Special Activity License Criteria; State Waters Pompano Daily Harvest Limits	68B-35.005

PURPOSE AND EFFECT: The purpose of this rule development effort is to establish a comprehensive set of rules and licensing requirements for the commercial pompano fishery. Information developed by the Commission from many sources from both the Atlantic and Gulf of Mexico coasts suggests that there is both a legal gill net fishery in federal waters, and an illegal gill net fishery targeting pompano in state waters. The objectives of the rules being developed include:

1. Aid apprehension of illegal pompano gill netting in state waters.

2. Document where a fishery in federal waters exists, showing where harvest occurs.

3. Allow quick designation of new zones, since documentation of a fishery will not take many trips.

4. Treat fishermen fairly.

5. Avoid the perception of a time limited opportunity so a derby or gold rush mentality does not develop and tax Commission resources.

The effect of the rules being developed should be to protect the health of economically-important pompano stocks, allow a federal waters fishery, protect the hook-and-line commercial fishery in state waters, and increase compliance with netting laws.

SUBJECT AREA TO BE ADDRESSED: Pompano commercial fishery.

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

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.

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:

68B-35.003 Size and Bag Limits; Prohibition of Sale.

(1) No change.

(2) Bag Limits.

(a) Except for persons harvesting permit pursuant to a valid saltwater products license with a restricted species endorsement or pompano pursuant to Rule 68B-35.005, no person shall harvest in or from state waters more than a total of 10 pompano or permit per day, in any combination of species, nor possess while in or on state waters more than 10 such fish. No more than one (1) of such fish shall exceed 20 inches length.

(b) Each harvester of African pompano is subject to a bag limit of 2 African pompano per day, however, no more than 2 African pompano shall be possessed aboard any vessel while in or on state waters at any time.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.003, Amended _____.

68B-35.004 Gear Specifications and Prohibited Gear.

(1) No change.

(2)(a) The harvest or attempted harvest of any African pompano or permit in or from state waters, by or with the use of any gear other than a hook and line gear is prohibited.

(b) The harvest or attempted harvest of any pompano in state waters by or with the use of any gear other than a beach or haul seine, a cast net, or hook and line gear is prohibited.

(3) Except as provided in this subsection, no person shall simultaneously possess aboard any vessel in state waters any pompano together with any gill or entangling net.

(a) Such possession is allowed by persons who have harvested pompano in adjacent federal Exclusive Economic Zone (EEZ) waters and who possess a valid saltwater products license with a restricted species endorsement and a pompano endorsement issued pursuant to Rule 68B-35.005(1), in the following areas of state waters:

1. In the area of state waters between 25°09' North Latitude and 25°00' North Latitude, between Cape Sable and Hurricane Pass.

2. In state waters of any county, upon designation by the Executive Director of the Commission, after it has been established by a person taking pompano pursuant to a Special Activity License issued pursuant to Rule 68B-35.005(2), that on two different trips within a one month period, no less than 500 pounds of pompano was harvested with a gill or entangling net in federal EEZ waters adjacent to such county on each trip.

(b) Such possession is allowed by persons who have harvested pompano in adjacent federal EEZ waters and who possess a valid Special Activity License issued pursuant to Rule 68B-35.005(2).

(c) Paragraphs (a) and (b) shall not apply to any person or vessel returning from federal EEZ waters that stops to fish in state waters or otherwise fails to meet all requirements of Section 370.092, Florida Statutes.

(4) Each pompano gill or entangling net possessed in state waters or used in federal EEZ waters pursuant to subsection (3) shall meet the following specifications:

(a) Such net shall not be less than 400 yards in length, along the cork line and along the leadline.

(b) Such net shall be at least 100 meshes deep at its shallowest point.

(c) Such net shall have a mesh size of at least 4 1/2 inches stretched mesh, throughout the net.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.004, Amended _____.

68B-35.005 Commercial Pompano Harvest Requirements: Pompano Endorsement Criteria; Pompano Special Activity License Criteria; State Waters Pompano Daily Harvest Limits.

(1) POMPANO ENDORSEMENT – No person shall be issued a pompano endorsement on their saltwater products license without first meeting each of the following criteria:

(a) The applicant must possess and have commercially registered a vessel or airboat no smaller than 22 feet in documented length, except in the case of a vessel with the primary power mounted forward of the center point of the vessel, in which case the vessel shall not be smaller than 25 feet in documented length.

(b) The applicant must demonstrate an average annual harvest of pompano of at least 1,000 pounds during each of the 1997-1998, 1998-1999, and 1999-2000 license years.

(c) No applicant shall receive a pompano endorsement who has been charged with violating any provision of Article X, Section 16 of the State Constitution, Section 370.092 or Section 370.093, Florida Statutes, or Rule 68B-4.0081(2), F.A.C., and who has received a judicial disposition other than acquittal or dismissal on such charges.

(2) POMPANO SPECIAL ACTIVITY LICENSE – The Fish and Wildlife Conservation Commission intends to issue Pompano Special Activity Licenses to qualifying commercial fishers to allow them to use gill and entangling nets to harvest pompano in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters, for the sole purpose of establishing that a federal waters fishery exists in specific areas. No person shall be issued a Pompano Special Activity License without first meeting each of the following criteria and conditions:

(a) The applicant must possess and have commercially registered a vessel or airboat no smaller than 22 feet in documented length, except in the case of a vessel with the primary power mounted forward of the center point of the vessel, in which case the vessel shall not be smaller than 25 feet in documented length.

(b) The applicant must demonstrate an average annual harvest of pompano of at least 2,000 pounds during each of the 1997-1998, 1998-1999, and 1999-2000 license years.

(c) No applicant shall receive a Pompano Special Activity License who has been charged with violating any provision of Article X, Section 16 of the State Constitution, Section 370.092 or Section 370.093, Florida Statutes, or Rule 68B-4.0081(2), F.A.C., and who has received a judicial disposition other than acquittal or dismissal on such charges.

(d) The applicant must agree to either take a Commission observer aboard or be observed by personnel of the Commission's Division of Law Enforcement from another vessel, during each trip taken to fish under the Pompano Special Activity License. The license will contain a condition requiring notification of the Commission's Division of Marine Fisheries at least 48 hours prior any trip to allow placement of an on board observer on the vessel or notification of the

Division of Law Enforcement, together with submission of a float plan, at least 24 hours prior to such trip. The licensee shall provide a trip report to the Division of Marine Fisheries within 72 hours of completion of any such trip.

(e) The applicant must agree to surrender the Pompano Special Activity License if no trips have been taken within 6 months of issuance of the license.

(f) The applicant must acknowledge that violation of any of the conditions of the license may result in the revocation of the license.

(3) STATE WATERS DAILY COMMERCIAL HARVEST LIMITS – Persons harvesting pompano in state waters pursuant to a saltwater products license with a restricted species endorsement, shall be subject to a daily harvest and landing limit of 300 pounds of pompano. Such persons are subject to the gear limitations of Rule 68B-35.004(2)(b).

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE CHAPTER TITLE: Spiny Lobster Trap Certificate Program

RULE TITLES:	RULE NOS.:
Definitions	68E-18.002
Spiny Lobster Trap Tags	68E-18.004
Transfer of Certificates	68E-18.005
Trap Reduction	68E-18.007
Re-allotment of Reverted Certificates	68E-18.009

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 make the technical changes necessary to conform trap certificate program implementation rules originally adopted by the Department of Environmental Protection, Division of Marine Resources, to new rule provisions being proposed elsewhere by the Fish and Wildlife Conservation Commission, to change the spiny lobster trap reduction program to a passive-active trap reduction regime. The goal is to reduce the present number of trap certificates from 542,704 to a level of 400,000. Until now, trap and certificate reduction has been entirely active. The effect this rule development together with continued trap reductions in the spiny lobster fishery will be to further reduce mortality on sublegal lobsters and the environmental damage caused by traps.

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

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

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

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.

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 at (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:

68E-18.002 Definitions.

(1) through (9) No change.

(10) “Immediate Family” for purposes of the Lobster Trap Certificate Program means mother, father, sister, brother, spouse, son, daughter, step-son, step-daughter, step-father, ~~or step-mother, half sister, or half brother~~ of the individual certificate holder.

(11) through (15) No change.

(16) “Standardized trap reduction” and “annual trap reduction” means the 4 number or percent of annual trap reduction reductions established from time to time by the FWC pursuant to Rule 68B-24.009, F.A.C. ~~The reduction will be applied evenly, in whole numbers of traps, to all trap certificate allocations.~~

(17) through (20) No change.

(21) “Trap tag” or “lobster trap tag” is a physical, durable, annual lobster trap identification and authorization label, furnished annually by the Commission to the certificate holder. One trap tag may be obtained by the certificate holder for each trap certificate held. The trap tag must be firmly affixed to the lobster trap each fishing season in order to place the trap in the water and use the trap to aid in the taking of lobster.

Specific Authority Art. IV, Sec. 9, Fla. Const. 370.142(6) FS. Law Implemented Art. IV, Sec. 9, Fla. Const. 370.142 FS. History–New 5-16-95, Formerly 62R-18.002, Amended

68E-18.004 Spiny Lobster Trap Replacement Tags.

(1) No lobster trap shall be used on or in the waters of the state without a current year trap tag firmly affixed thereto. Traps with tags that are not firmly affixed by nails, staples, or otherwise securely fastened as may be provided by the Commission, shall be considered untagged for enforcement purposes.

(2)(4) Lost or damaged tags may be replaced upon proper verification of loss, as defined in (3) below, and payment of the replacement tag fee designated for that year have been made. Damaged tags must be turned in to the Commission. Payment for replacement tags must be made before the replacement tags are issued to the certificate holder.

(3)(2) Cost of replacement tags will reasonably reflect the actual cost charged to the Commission by the vendor manufacturing the tags, plus a fee of three dollars per order to cover processing and handling.

(4)(3) Notification of lost or damaged tags shall be a written report made to the Commission of the tag numbers lost or damaged ("Spiny Lobster Trap Tag Replacement form"), Form No. FWC 30-203, September 1995, hereby incorporated by reference, may be obtained by contacting the local Division of Law Enforcement Office. In addition, a report must be filed concurrently with the local Division of Law Enforcement Office stating the location of where the traps were lost and the circumstances of the loss.

Specific Authority Art IV, Sec. 9, Fla. Const. 370.06(8), 370.142(6) FS. Law Implemented Art IV, Sec. 9, Fla. Const. 370.142 FS. History--New 5-16-95, Amended 2-11-96, Formerly 62R-18.004, Amended _____.

68E-18.005 Transfer of Certificates.

(1) through (5) No change.

(6) The transferee shall have a valid SPL and a current C-number before any transfer will be authorized considered and any other licenses endorsements or other authorizations. A certificate holder who intends to close their trap certificate account by transfer of all certificates to another person's account, and who is not eligible for the restricted species endorsement, shall be exempt from the requirements of 68B-24.0055, F.A.C., for purposes of completing the transfer. However, the transferor shall not be issued a crawfish endorsement on an actual saltwater products license without the restricted species endorsement. The transferee is responsible for ensuring that all transfer/surcharge fees are paid to the Commission. Transfer fees and surcharges will be assessed only on those trap certificates actually received from the transferor by the transferee.

Specific Authority Art IV, Sec. 9, Fla. Const. 370.142(6) FS. Law Implemented Art IV, Sec. 9, Fla. Const. 370.142 FS. History--New 5-16-95, Amended 4-7-99, Formerly 62R-18.005, Amended _____.

68E-18.007 Trap Reduction.

(1) Beginning July 1, 2001, and in each subsequent year until such time as only 400,000 trap certificates are available to the fishery, the number of trap certificates shall be reduced pursuant to Rule 68B-24.009, F.A.C. The trap reduction for the 1993-94 and each subsequent regular spiny lobster season, as provided by Section 370.142, F.S., and Rule 68B-24, F.A.C., shall take place following the close of the transfer period on March 1.

(2) If the percentage reduction results in a fractional number, that partial trap represented in the fraction will be rounded off. For example, a calculation of an annual or standardized reduction percentage times the certificate allocation yields the product 18.5; in this application, the certificate allocation would be reduced by 18 certificates. If a calculation of an annual or standardized reduction percentage times the certificate allocation yields the product 18.6; in this application, the certificate allocation would be reduced by 19 certificates. For all certificate holders that have ten (10) or less certificates, any annual reduction will never be less than one (1) certificate.

(3) Any certificate allocation reduced to zero trap certificates will be deleted from the Commission's active certificate allocation records. The certificate allocation may only be reduced to zero by standardized trap reduction, sale or transfer of certificates out of the certificate holder's allocation, forfeiture, or other lawful process.

(4) During trap reduction, B-certificates will be reduced prior to the reduction of any A-certificates.

(5) Certificates allocated but not issued shall be included in an active reduction, should an active reduction be necessary in a given year pursuant to Rule 68B-24.009 the standard reduction in a given year. Each allocation will be reduced whether the tags are purchased and issued or not.

(6) Failure to pay certificate fees and other charges in any year will not exempt a certificate holder from having their certificates reduced as part of the annual reduction. All charges and fees on active and inactive certificates must be paid, including charges and fees on certificates lost to reduction.

(7) If an individual has more than one C-number and the additional C-numbers have allocated certificates, the reduction shall apply to certificates allocated to each C-number; that is, each C-number allocation shall be reduced according to the percentage reduction authorized for that year.

Specific Authority Art IV, Sec. 9, Fla. Const. 370.142(6) FS. Law Implemented Art IV, Sec. 9, Fla. Const. 370.142 FS. History--New 5-16-95, Formerly 62R-18.007, Amended _____.

68E-18.009 Re-allotment of Reverted Certificates.

Specific Authority 370.142(6) FS. Law Implemented 370.142 FS. History--New 5-16-95, Formerly 62R-18.009, Repealed _____.

Section II
Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

RULE TITLE: Attorney Services
RULE NO.: 2-37.010

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate by reference in the rule, an addendum to be attached to all contracts which utilize private attorney services.

SUMMARY: The proposed rule amendment incorporates by reference in the rule, Attachment A for Private Attorney Services. This addendum shall be attached to all contracts which provide for private attorney services.

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: 287.059 FS.

LAW IMPLEMENTED: 287.059, 16.015 FS.

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

TIME AND DATE: 10:00 a.m., May 8, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Daugherty, Senior Management Analyst II, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2-37.010 Attorney Services.

(1) The Department of Legal Affairs adopts a form to be filled out by agencies who wish to request representation by private attorneys. Form OAG-001, entitled "Request for Attorney General Approval of Private Attorney Services," effective 5-18-00, is hereby incorporated by reference.

(2) All contracts for private attorney services shall contain an addendum entitled "Office of the Attorney General Attachment A for Private Attorney Services," Form OAG-002, (rev. 2/2001), which is hereby incorporated by reference.

(3) Copies of the forms may be obtained from the General Legal Division, Office of the Attorney General, The Capitol PL-01, Tallahassee, Florida 32399-1050.

Specific Authority 287.059 FS. Law Implemented 287.059, 16.015 FS. History—New 10-7-90, Formerly 2-1.013, Amended 7-12-93, 10-29-97, 5-18-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Daugherty, Senior Management Analyst II

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerald B. Curington, Assistant Deputy Attorney General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2001

DEPARTMENT OF INSURANCE

RULE TITLES: Misrepresentation of Policy Provisions
RULE NOS.: 4-166.023

Standards for Prompt, Fair and Equitable Settlements Application to All Insurers 4-166.026

Standards for Prompt, Fair and Equitable Settlement Applicable to Automobile Insurance 4-166.027

Standards for Prompt, Fair and Equitable Settlements Applicable to Homeowners' and Personal and Commercial Fire and Extended Coverages Type Policies with Replacement Cost Coverages 4-166.028

PURPOSE AND EFFECT: Repeal rules 4-166.023, 4-166.026-.028, FAC. pursuant to Section 120.536(2), F.S. review.

SUMMARY: These rules do not interpret or implement the statutes cited as "Law Implemented" [624.307(1), 624.3161, F.S.]. Therefore these rule should be repealed.

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 624.3161 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: 11:00 a.m., April 14, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wayne Johnson, Insurer Services, Department of Insurance, 200 E. Gaines Street, Tallahassee, FL 32399-0314, (850)922-3148

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3100, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-166.023 Misrepresentation of Policy Provisions.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.3161 FS. History—New 11-2-92, Repealed.

4-166.026 Standards for Prompt, Fair and Equitable Settlements Applicable to All Insurers.

Specific Authority 624.308 FS. Law Implemented 324.151(1)(c), 624.307(1), 624.3161, 627.4265, 627.736 FS. History—New 11-2-92, Repealed.

4-166.027 Standards for Prompt, Fair and Equitable Settlements Applicable to Automobile Insurance.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.3161, 626.877 FS. History—New 11-2-92, Repealed.

4-166.028 Standard for Prompt, Fair, and Equitable Settlements Applicable to Homeowners' and Personal and Commercial Fire and Extended Coverages Type Policies with Replacement Cost Coverages.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.3161, 627.702 FS. History—New 11-2-92, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fred Whitson, Legal Services, and Wayne Johnson, Insurer Services, Department of Insurance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2001

DEPARTMENT OF INSURANCE

RULE TITLE: Self-Funded Health Plan Disclosure RULE NO.: 4-230.030

PURPOSE AND EFFECT: Repeal this rule pursuant to Section 120.536(2)(b), F.S. review.

SUMMARY: This rule was promulgated to help licenses identify unauthorized insurance arrangements and assist in protecting them from potential liability. Review determined that current statutory provisions provide enough adequate information and this rule is unnecessary.

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 626.9541(1)(a), 626.9641 FS.

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

TIME AND DATE: 9:00 a.m., May 14, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Fountain, Bureau Chief, Agent and Agency Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0333, phone number (850)413-5600

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Phil Fountain, (850)413-5600.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-230.030 Self-Funded Health Plan Disclosure.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 626.9541(1)(a), 626.9641 FS. History—New 5-14-92, Amended 9-7-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Fountain, Bureau Chief, Agent and Agency, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0333, phone number (850)413-5600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2001

DEPARTMENT OF INSURANCE

Division of Treasury

RULE TITLES: PURPOSE AND EFFECT: The rules are being amended to reflect amendments to Section 215.322, F.S. The title of the rule chapter is also being amended to make reference to the judicial branch, as well as state agencies.

Purpose 4C-4.001

Scope 4C-4.002

Definitions 4C-4.003

Procedures for Requesting Approval to Accept Credit Cards, Charge Cards, and Debit Cards 4C-4.0035

Standard Contracts with Credit Card Service Providers 4C-4.004

Convenience Fees 4C-4.045

Annual Reporting to the Treasurer 4C-4.009

SUMMARY: The rules track legislative changes in Section 215.322, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 215.322(3) FS.

LAW IMPLEMENTED: 215.322(1),(2),(3) FS.

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

TIME AND DATE: 9:30 a.m., May 9, 2001

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bob Allen, Bureau of Banking, Division of Treasury, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0344, (850)413-2783

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

THE FULL TEXT OF THE PROPOSED RULES IS:

ACCEPTANCE OF CREDIT CARDS BY STATE AGENCIES AND THE JUDICIAL BRANCH FOR CERTAIN GOODS, AND SERVICES, AND INFORMATION

4C-4.001 Purpose.

The purpose of this rule chapter is to specify procedures for the establishment of a credit card, charge card, and debit card operation, and acceptance of credit card, charge card, and debit card payments by state agencies and the judicial branch for goods, and services, and information and to provide for the availability of the standard contract for use by local governments.

Specific Authority 215.322(3) FS. Law Implemented 215.322(1) FS. History—New 12-22-83, Formerly 4C-4.01, Amended 12-26-88, 1-27-99, _____.

4C-4.002 Scope.

These rules govern the acceptance of credit cards, charge cards, and debit cards by state agencies and the judicial branch, and establish procedures for the following functions:

(1) Providing a process for state agencies and the judicial branch to request approval from the Treasurer upon the recommendation of the Office of Planning and Budgeting for credit card, charge card, and debit card acceptance, and

procedures for obtaining a recommendation from the State Technology Office when the Internet or other related collection media are used;

(2) Providing a methodology for agencies to complete a cost-benefit analysis;

(3)(2) Utilizing a standardized contract between the financial institution or other appropriate intermediaries, service provider and the state agency and judicial branch. The standard contract will be adopted by the Treasurer. The Treasurer may also approve a substitute agreement developed by an agency if the terms of the substitute agreement are acceptable. Although the Treasurer supports the concept of standardization of credit card acceptance within Florida government, the Treasurer may also approve a substitute agreement developed by an agency if the terms of the substitute agreement are superior to the terms of the standardized contract. The standard contract will be available for use by units of local governments;

(4)(3) Permitting an agency or officer accepting payment by credit card, charge card, or debit card to impose a convenience fee upon the person making the payment;

(5)(4) Submitting information to the Treasurer concerning the acceptance of credit cards, charge cards, or debit cards by all state agencies or the judicial branch.

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(2),(3) FS. History—New 12-22-83, Formerly 4C-4.02, Amended 12-26-88, 1-27-99, _____.

4C-4.003 Definitions.

As used in this rule chapter, the following terms are defined:

(1) Service Provider. The entity that processes credit cards, charge cards, and debit cards on behalf of merchants. The service provider also provides the service of authorization, settlement, and reimbursement to merchants for their transactions.

(2) Discount rate/service fee. A fee charged by the service provider for the service of processing transactions, authorization, settlement, and reimbursement of transactions.

(1)(3) Financial Institution. A "financial institution" shall mean a qualified public depository as defined in Section 280.02, Florida Statutes.

(2)(4) Merchant. Any state agency or the judicial branch that accepts credit cards, charge cards, or debit cards.

(3)(5) Card. A credit card, charge card, or debit card that is accepted by a merchant for payment to purchase goods, or services, or information.

(4)(6) Convenience Fees. A convenience fee is a fixed rate or variable rate charge assessed by a state agency or the judicial branch to a credit card, debit card or charge card payment to help defray the cost of a unique transaction.

(5) Other Appropriate Intermediaries. Any entity that is contracted to facilitate the processing of credit cards, charge cards, and debit cards payments on behalf of a state agency, the judicial branch, or a unit of local government.

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(2),(3) FS. History—New 12-22-83, Formerly 4C-4.03, Amended 12-26-88, 1-27-99, _____.

4C-4.0035 Procedures for Requesting Approval to Accept Credit Cards, Charge Cards, and Debit Cards.

(1) A state agency or the judicial branch desiring to accept payments by credit card, charge card, or debit card shall submit a written proposal to the State Treasurer Office of Planning and Budgeting. In addition to submission of a written request to accept cards, it is recommended that the requester consult with the ~~Office of Planning and Budgeting and the~~ Treasurer to discuss arrangement of an oral presentation. ~~Upon completion of its review, the Office of Planning and Budgeting will then forward the request with its recommendation to the Treasurer for review and final approval.~~ Each request shall include:

(a) The type of fees being collected.

(b) The locations where the card will be accepted.

(c) The method of acceptance, such as card reader/swipe, Electronic Cash Register/PC, mail, telephone, automated response unit, self service terminal, the Internet, or other.

(d) The projected annual amount of collections and the projected average transaction amount.

(e) The projected dollar amount of annual service fees to be paid. Indicate the source of fee payment, e.g., general revenue or specific trust fund.

(2) The justification should include the anticipated economic and other benefits that would accrue to the state, and include:

(a) Goals and expectations.

(b) The impact on state revenues and expenditures.

(c) Effect on the private sector. Describe benefits to the public such as improved customer service and convenience to individuals and businesses.

(d) Summary of expected improvement in labor and operational efficiencies, customer payment compliance, increase in collections, reduction in bad check losses, or bad debts, staffing considerations, current delays in processing payments, earlier receipt of funds, and increase in sales, e.g., retail, and any other information deemed appropriate by the proposer to explain the request.

(e) Plan for reducing and/or redirecting resources if operational efficiencies are expected.

(3) When the Internet or other related electronic methods are to be used as the collection medium the Treasurer will obtain the recommendation of the State Technology Office as to whether to approve the request with regard to the process or procedure to be used. The Office of Planning and Budgeting and the Treasurer will evaluate each request taking into consideration the processing costs, comparison to other payment methods, economic, and other benefits. The Treasurer's approval will be contingent upon a positive recommendation of the Office of Planning and Budgeting.

~~(4) The Office of Planning and Budgeting and the Treasurer will each have a 10-working day period to complete their respective reviews. Depending upon the complexity of the proposal, additional information may be requested. If the documentation accompanying the request is incomplete or additional information is necessary for the review, the 10-working day evaluation period will be suspended and the request will be on "pending until receipt of further information" status.~~

~~(4)(5) An application package to request approval to accept credit cards, charge cards, and debit cards may be obtained by contacting the Bureau of Banking, Division of Treasury Governor's Office of Planning and Budgeting, The Capitol, Tallahassee, Florida. Requests may be made by electronic mail.~~

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(2),(3) FS. History—New 1-27-99, Amended _____.

4C-4.004 Standard Contracts with Credit Card Service Providers.

(1) The standard contract, which is hereby adopted and incorporated by reference, established by the Treasurer with a service provider, specifies requirements for operation of an electronic credit card, charge card, and debit card processing system. The mechanisms and systems enable state agencies, the judicial branch, and local governments to accept and process merchant transactions, provide prompt authorizations, and deliver collected funds to the designated bank account of a financial institution. Contractual arrangements with the standard contract service provider are made by completing a Subscription Agreement and Information Profile Form.

(2) A state agency or the judicial branch must use the standard contract established by the Treasurer for acceptance of payments by credit card, charge card, or debit card, or obtain authorization from the Treasurer to use another contractor. If an alternative contractor is desired, the state agency or judicial branch should present justification to the Treasurer as to why the standard contract is not acceptable and receive approval from the Treasurer before seeking an alternative contractor. Or, the requesting agency may complete the procurement process contingent upon approval of the Treasurer to use an alternative service provider and terms of another agreement.

(3) Contractual arrangements in any form between a state agency and the judicial branch and a financial institution or other appropriate intermediaries to process credit, charge, or debit card payments shall be approved by the State Treasurer.

(4) Contracts shall specify that proceeds of credit card, charge card, and debit cards (settlement) shall be delivered to the designated state bank account within forty-eight (48) hours after completion of the transaction. Exceptions shall be approved by the State Treasurer.

~~(5)(3) A copy of the standard contract may be obtained by contacting the Bureau of Banking, Division of Treasury, Tallahassee, Florida.~~

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(3) FS. History—New 12-22-83, Formerly 4C-4.04, Amended 12-26-88, 1-27-99, _____.

4C-4.0045 Convenience Fees.

(1) A convenience fee may not be imposed if prohibited by state law or card company regulations.

(2) The convenience fee must be related to convenience to the consumer, such as eliminating a need to make a payment in person.

(3) The convenience fee should be assigned to payment methods such as telephone, automatic response units, the Internet, or other non-standard payment processing methods. Similar transactions must be charged the same fee.

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(3) FS. History—New 1-27-99, Amended _____.

4C-4.009 Annual Reporting to the Treasurer.

State agencies shall submit the following information to the Treasurer: Within 30 days of the end of the state fiscal year, state agencies or the judicial branch with an established credit card, charge card, or debit card operation shall file an annual report with the Treasurer containing the following information for each type of transaction related to the fiscal year just ended.

(1) Name of Accepting Agency and Location. Show where these transactions are accepted.

(2) Types of Collections.

(3) Total receipts by transaction type.

(4) Number of transactions by transaction type.

(5) Name of service provider.

(6) Total Annual Service Fees Paid. Provide total amount of fees remitted to the service provider, indicating the source of payment:

(a) Offset by sale of goods, ~~and services, or information.~~

(b) Appropriated Funds ~~An appropriation.~~

(c) Compensating Balance.

(d) Other (Specify)

(7) Service Provider's Schedule. Specify the discount rate or service fee, and the basis for calculation.

(8) Actual reduction in staffing or resources resulting from increased efficiencies.

Specific Authority 215.322(3) FS. Law Implemented 215.322(1),(2),(3) FS. History—New 12-26-88, Amended 1-27-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bob Allen, Bureau of Banking, Division of Treasury, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bruce Gillander, Bureau Chief, Bureau of Banking, Division of Treasury, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 2, 2001

DEPARTMENT OF INSURANCE

Division of Administration

RULE CHAPTER TITLE: DISCIPLINE OF CAREER SERVICE RULE CHAPTER NO.:

Discipline of Career Service Employees – Standards and Procedures 4E-1

RULE TITLES: PURPOSES AND EFFECT: The rule was sited for repeal under the Section 120.536(2)(b) review. The substance of this rule will be included in an Administrative Policy and Procedure (AP&P).

Purposes 4E-1.001

Policy 4E-1.0015

Delegated Authority 4E-1.002

Types of Disciplinary Actions 4E-1.003

Appealable or Grievable Disciplinary Actions 4E-1.004

Disciplinary Action Taken Against a Probationary Employee 4E-1.005

Standards for Disciplinary Action 4E-1.006

SUMMARY: The rule was identified for repeal following the Section 120.536(2)(b) review. This rule will be included in an AP&P.

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

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

SPECIFIC AUTHORITY: 110.201(2) FS. LAW IMPLEMENTED: 110.201(1),(2), 110.227 FS.

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

TIME AND DATE: 9:00 a.m., May 15, 2001 PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Vickie Robinson, Personnel Services, Florida Department of Insurance, (850)413-3182

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3100, Ext. 4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4E-1.001 Purposes.

Specific Authority 110.201(2) FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 1-26-84, Formerly 4E-1.01, Amended 11-12-91, 9-9-96, Repealed.

4E-1.0015 Policy.

Specific Authority 110.201(2) FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 11-12-91, Amended 9-9-96, Repealed.

4E-1.002 Delegated Authority.

Specific Authority 110.201(2) FS. Law Implemented 110.105, 110.201(1),(2), 110.233(1), 110.227 FS. History--New 1-26-84, Formerly 4E-1.02, Amended 11-12-91, 9-9-96, Repealed.

4E-1.003 Types of Disciplinary Actions.

Specific Authority 110.201(2) FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 1-26-84, Formerly 4E-1.03, Amended 11-12-91, 9-9-96, Repealed.

4E-1.004 Appealable or Grievable Disciplinary Actions.

Specific Authority 110.201(2), 447.401 FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 1-26-84, Formerly 4E-1.04, Amended 11-12-91, 9-9-96, Repealed.

4E-1.005 Disciplinary Action Taken Against a Probationary Employee.

Specific Authority 110.201(2) FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 1-26-84, Formerly 4E-1.05, Amended 11-12-91, 9-9-96, Repealed.

4E-1.006 Standards for Disciplinary Action.

Specific Authority 110.201(2) FS. Law Implemented 110.201(1),(2), 110.227 FS. History--New 1-26-84, Formerly 4E-1.06, Amended 11-12-91, 6-9-93, 9-9-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Fred Whitson, Sr. Attorney, Division of Legal Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herb Yohner, Bureau Chief, Division of Administration, Department of Insurance

DATE PROPOSED RULE APPROVED APPROVED BY AGENCY HEAD: March 15, 2001

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE TITLES:	RULE NOS.:
Legal Responsibility	6B-4.001
Criteria for the Evaluation of Professional Performance	6B-4.004
Instructional Personnel Assessment Procedures: Purpose	6B-4.0041
Instructional Personnel Assessment Procedures: Initial Submission Process	6B-4.0042

Instructional Personnel Assessment Procedures: Initial Review Process 6B-4.0044

Instructional Personnel Assessment Procedures: Initial Approval Process 6B-4.0046

Instructional Personnel Assessment Procedures: Annual Review and Approval Process 6B-4.0048

PURPOSE AND EFFECT: The purpose of this rule amendment is to repeal rules that are no longer in compliance with the requirements and conditions governing school district instructional personnel assessment systems. The effect will be the elimination of a series of rules that are no longer functional and are no longer in compliance with Florida Statutes.

SUMMARY: The repeal of these rules is necessary to eliminate a series of rules that are inaccurate and are no longer in compliance with Section 231.29, Florida Statutes, which governs school district personnel assessment systems.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 231.29(8), 231.546(2)(a),(b) FS.

LAW IMPLEMENTED: 231.29, 231.546(2)(a) FS.

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

TIME AND DATE: 9:00 a.m., May 15, 2001

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Ashburn, Director, Division of Professional Educators, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULES IS:

6B-4.001 Legal Responsibility.

Specific Authority 229.053(1), 231.546(2)(a) FS. Law Implemented 231.546(2)(a) FS. History--New 12-25-66, Repromulgated 12-5-74, Amended 8-12-81, Formerly 6B-4.01, Repealed.

6B-4.004 Criteria for the Evaluation of Professional Performance.

Specific Authority 229.053(1), 231.546(2)(a)(b) FS. Law Implemented 231.29, 231.546(2) FS. History--New 12-25-66, Amended 9-8-68, Repromulgated 12-5-74, Amended 8-12-81, 4-5-83, Formerly 6B-4.04, Repealed.

6B-4.0041 Instructional Personnel Assessment Procedures: Purpose.

Specific Authority 229.053(1), 231.29(8) FS. Law Implemented 231.29 FS. History--New 3-22-88, Repealed.

6B-4.0042 Instructional Personnel Assessment
Procedures: Initial Submission Process.

Specific Authority 229.053(1), 231.29(8) FS. Law Implemented 231.29 FS.
History—New 3-22-88, Repealed.

6B-4.0044 Instructional Personnel Assessment
Procedures: Initial Review Process.

Specific Authority 229.053(1), 231.29(8) FS. Law Implemented 231.29 FS.
History—New 3-22-88, Repealed.

6B-4.0046 Instructional Personnel Assessment
Procedures: Initial Approval Process.

Specific Authority 229.053(1), 231.29(8) FS. Law Implemented 231.29 FS.
History—New 3-22-88, Repealed.

6B-4.0048 Instructional Personnel Assessment
Procedures: Annual Review and Approval Process.

Specific Authority 229.053(1), 231.29(8) FS. Law Implemented 231.29 FS.
History—New 3-22-88, Repealed.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Charlie Crist, Commissioner of
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 30, 2001

DEPARTMENT OF EDUCATION

Education Practices Commission

RULE TITLE: Instructional Personnel Assessment Systems
RULE NO.: 6B-4.010

PURPOSE AND EFFECT: The purpose of this rule is to include within the structure of one rule the requirements and conditions pursuant to Section 231.29, Florida Statutes, for submission, review, and approval of school district instructional personnel assessment systems. The effect is a clear, concise rule in lieu of seven rules that are no longer accurate and do not reflect the current requirements of law.

SUMMARY: A new rule is created to replace a series of seven rules that included inaccurate information and are no longer in compliance with Section 231.29, Florida Statutes, which governs school district instructional personnel systems. This rule includes assessment system submission, review and approval requirements, and conditions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053, 231.29 FS.

LAW IMPLEMENTED: 230.23(5)(c), 231.29 FS.

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

TIME AND DATE: 9:00 a.m., May 15, 2001

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Ashburn, Director, Division of Professional Educators, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-4.010 Instructional Personnel Assessment Systems.
(1) Submission Process.

(a) Each school district shall submit the instructional personnel assessment system to the Division of Professional Educators of the Department for approval pursuant to Section 231.29, Florida Statutes.

(b) Each submission shall include documentation to substantiate that the requirements and conditions for instructional personnel assessment systems pursuant to Section 231.29, Florida Statutes, have been met.

(c) The assessment system shall be reviewed by the Department for inclusion of the following:

1. Assessment criteria that include, at a minimum, indicators that relate to the areas of competence specified in Section 231.29(3)(a), Florida Statutes.

2. A statement of district procedures reflecting methods and criteria used to designate, document, and differentiate unsatisfactory, satisfactory, and outstanding performance levels.

3. Copies of assessment data collection procedures, instruments, and forms.

4. A statement of the use of assessment data for instructional personnel contract decisions.

(2) Initial Review Process. The Department of Education shall review and evaluate the performance assessment systems for compliance with the requirements and conditions of Section 231.29, Florida Statutes, and shall prepare and send to each school district a written notice that identifies any specific deficiencies of the system. Upon request from a school district, the Department shall provide assistance to the district for the purpose of bringing the system into compliance as quickly as possible.

(3) Approval Process. The Department of Education shall send written notification to the school district superintendent of the status of the school district's instructional personnel assessment system. The status designation shall be as follows:

(a) Approved. An instructional personnel assessment system shall be designated approved if all requirements and conditions for instructional personnel assessment systems pursuant to Section 231.29, Florida Statutes, and the provisions of this rule are met.

(b) Conditionally Approved. An instructional personnel assessment system shall be designated conditionally approved if the school district's assessment system fails to satisfy one or more of the requirements and conditions for instructional personnel assessment systems pursuant to Section 231.29, Florida Statutes, and the provisions of this rule. The school district's system designated as conditionally approved shall be revised so that it is in full compliance with all requirements and conditions for instructional personnel assessment systems pursuant to Section 231.29, Florida Statutes, and the provisions of this rule within the time period specified by the Department, and resubmitted to the Department for review and approval.

(c) Disapproved. A school district's system designated as conditionally approved shall be designated as disapproved if the requirements and conditions for instructional personnel assessment systems pursuant to Section 231.29, Florida Statutes, and the provisions of this rule are not met within the time period specified by the Department in the written notice granting the conditionally approved status of the system.

(4) Modifications to an Instructional Personnel Assessment System. If a school board makes substantive modifications to an approved school district instructional personnel assessment system, the modified system shall be submitted to the Department of Education for review and approval pursuant to this rule.

Specific Authority 229.053, 231.29 FS. Law Implemented 230.23(5)(c), 231.29 FS. History--New

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Charlie Crist, Commissioner of
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 9, 2001

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

DOCKET NO.: 01-02R

RULE CHAPTER TITLE: Florida Forever Land Acquisition
and Management

18-24

RULE TITLES: General and Definitions

RULE NOS.: 18-24.001

Public Purposes and Categories of Projects
Qualifying for Funding

18.24.002

Application Procedures and Requirements

18-24.003

Initial Review of Project Proposals

18-24.004

Full Review of Project Proposals 18-24.005
Council Evaluation and Grouping 18-24.006
Board of Trustees Consideration 18-24.007
Capital Improvement and Restoration Proposals 18-24.008
PURPOSE AND EFFECT: To Implement the Florida Forever
Act, s. 259.105, F.S., and related sections.

SUMMARY: This rule chapter establishes procedures for solicitation and standards and criteria for evaluation, selection, and ranking of Florida Forever land acquisition projects by the Acquisition and Restoration Council and the Board of Trustees of the Internal Improvement Trust Fund. Sections 18-24.001 through 18-24.008 address land acquisition and capital improvements under the new program. Land management will be addressed by future rulemaking.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared.

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

SPECIFIC AUTHORITY: 259.035(1),(4), 259.105(9),(18) FS.
LAW IMPLEMENTED: 259.0345, 259.035, 259.04, 259.041,
259.045, 259.07, 259.105 FS.

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

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William Howell, M.S. 140, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)487-1750

THE FULL TEXT OF THE PROPOSED RULES IS:

18-24.001 General and Definitions.

(1) This chapter is promulgated to set forth the procedures, standards, and criteria for the evaluation and selection of lands proposed for acquisition, restoration, and other capital improvements with funds from the Florida Forever Trust Fund pursuant to paragraph 259.105(3)(b), Florida Statutes.

(2) For the purposes of this chapter, the following terms are defined as follows:

(a) "Acquisition project" means a parcel or parcels of land proposed for acquisition in accordance with paragraph 259.105(3)(b), and this rule.

(b) "Board" means the Board of Trustees of the Internal Improvement Trust Fund.

(c) “Capital improvement project” means a proposed or approved activity which may be either a “restoration project” as defined in paragraph 18-24.001(2)(r), or “other capital improvement project”, as defined in paragraph 18-24.001(2)(p).

(d) “Component of the Everglades restoration efforts” as used in paragraph 259.105(9)(i), Florida Statutes, means a project which assists in achieving the restoration or acquisition objectives outlined in Sections 373.4592, 373.470, 373.1501 and 373.4595, Florida Statutes, except as restricted by the terms of Chapter 259.

(e) “Council” means the Acquisition and Restoration Council, pursuant to Section 259.035.

(f) “De minimis lands” are lands that lie outside an approved acquisition project boundary when part of the ownership is within an approved project boundary. De minimis lands must not exceed ten percent of the cost or the size of that portion of the parcel that lies within the approved project boundary. These lands may or may not have the same resource values as lands within the project boundary. Additionally, the estimated cost of the de minimis lands must not exceed one million dollars. The cost of the de minimis lands shall be estimated by prorating the state-approved appraised, or tax assessed value based on the amount of acreage outside the boundary compared to that within the boundary, unless more definitive appraisal valuations are available for the de minimis lands.

(g) “Ecosystem management team” as used in paragraph 259.105(9)(h), means a team of citizens and agency representatives, formed and administered by the Department under its watershed or ecosystem management initiative.

(h) “Florida Forever criteria” means the criteria outlined in subsections 259.105(9) and (10).

(i) “Florida Forever goals and measures” means the goals and measures outlined in subsection 259.105(4), as amended to reflect the findings of the Florida Forever Advisory Council, pursuant to Section 259.0345. Amendments to subsection 259.105(4) adopted in the 2001 legislative session shall be considered by ARC and the Board in their evaluations under this rule after the effective date of the 2001 amendments.

(j) “Florida Natural Areas Inventory” refers to a scientific organization that is used by private and governmental entities in biological resource evaluations of land acquisition, land management, and other environmental programs.

(k) “Fund” means the Florida Forever Trust Fund that is created by Section 259.1051.

(l) “Funding sources that are identified and assured through at least the first two years of the project” as used in paragraph 259.105(9)(e), means a funding source for a project for which a participating agency, entity, partner, or any combination thereof, has pledged in writing to pursue, through an identified funding source or sources, the resources required to manage or maintain the project for at least two years

following the execution of a lease or management agreement, or for at least two years following receipt of specific authority from the Board to proceed with an approved project.

(m) “Less-than-fee acquisition”, as used in Chapter 259 and in this chapter, means acquisition of less than fee simple title to real property, such as a conservation easement.

(n) “Natural areas” as used in subparagraphs 259.105(2)(a)2. and 3., means areas of land or water that either retain or have re-established the characteristics of natural communities.

(o) “Ongoing governmental effort” as used in paragraph 259.105(9)(b), means an ongoing initiative of a federal, state, regional or local government that contributes to the accomplishment of the Florida Forever goals and measures.

(p) “Other capital improvement project” means a proposed or approved capital improvement activity relating to the development of necessary infrastructure such as the “construction, improvement, enlargement or extension of facilities, signs, firelanes, access roads, and trails; or any other activities that serve to...provide public access, recreational opportunities, or necessary services,” as enumerated in subsection 259.03(3), but excluding restoration projects as defined in paragraph 18-24.001(2)(r).

(q) “Project Evaluation Report” means a report prepared in accordance with Section 18-24.005 for use by the Council in determining the merits and characteristics of a proposal for funding through the Florida Forever program.

(r) “Restoration project” means a proposed or approved capital improvement project such as ecosystem restoration, hydrological restoration, or invasive plant removal that do not qualify as an “other capital improvement project “ as defined in paragraph 18-24.001(2)(p).

(s) “Significant archaeological or historical value” as used in paragraph 259.105(9)(d), means a resource deemed of such significance by the Department of State, Division of Historical Resources.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS, Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS, History- New _____.

18-24.002 Public Purposes and Categories of Projects Qualifying for Funding.

(1) Projects proposed to be funded pursuant to paragraph 259.105(3)(b) must give weight to the criteria outlined in subsections 259.105(9) and (10), and shall meet at least two of the Florida Forever goals and measures outlined in subsection 259.105(4), as amended by the Florida Forever Advisory Council pursuant to Section 259.0345. Amendments to subsection 259.105(4) adopted in the 2001 legislative session shall be considered by ARC and the Board in their evaluations under this rule after the effective date of the 2001 amendments.

(2) To qualify for funding under paragraph 259.105(3)(b), a project also must be selected pursuant to the provisions of this rule, except as follows:

(a) An inholding or an addition to a project acquired by the Fund under paragraph 259.105(3)(b), if the estimated value of the inholding or addition does not exceed \$500,000, and the managing agency demonstrates in writing to the Division of State Lands that such inholding or addition is in furtherance of the public purpose established for the original acquisition project, or of the current public purpose, if changed;

(b) The remaining lands of a project which has been removed from the acquisition list because 90% or more of the acreage has been purchased by the state;

(c) Lands which qualify for emergency acquisition by the Board, under the Emergency Archaeological Property Acquisition Act of 1988, Section 253.027, Florida Statutes;

(d) Lands which qualify for emergency acquisition by the Board pursuant to paragraph 259.041(15)(c), when a significant portion of the lands contain natural communities or plant or animal species which are listed by the Florida Natural Areas Inventory as critically imperiled, imperiled, or rare, or as excellent quality occurrences of natural communities;

(e) De minimis lands, or;

(f) Lands acquired to facilitate resolution of a pending lawsuit involving the Board, when the Council determines that the property to be acquired is consistent with the goals and measures of the Florida Forever Program but was not proposed as an acquisition project under the Program due to its litigation status; and the Board determines the property to be acquired to be of significant natural or historical resource value and its purchase to be in the public interest.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New _____.

18-24.003 Application Procedures and Requirements.

(1) Applications must be submitted in writing to:

Florida Forever Program

Office of Environmental Services

Mail Station 140

Department of Environmental Protection

3900 Commonwealth Boulevard

Tallahassee, FL 32399-3000

(2) When prepared, the Department shall accept electronic versions of required application information in a format designated by the Department. Information regarding electronic applications can be obtained by writing to the address above.

(3) All acquisition project applications shall include the following:

(a) One original and twelve legible copies (or originals) of United States Geological Survey (USGS) topographic quadrangle maps, on which the boundaries of the project are clearly delineated.

(b) One original and three legible copies of tax maps, overlain on aerials if available, with the boundaries of the project clearly delineated. If tax aerial overlays are not available, the sponsor of an application shall submit aerials and tax maps separately.

(c) Thirteen legible copies of Florida Department of Transportation (FDOT) county general highway maps on which the boundaries of the proposed acquisition are clearly delineated.

(d) One legible or electronic copy of the property appraiser's tax identification card(s) with the tax assessed value and acreage of each parcel, description and value of improvements, ad valorem taxes assessed, and the names and addresses of each owner identified.

(e) A written statement from the applicant asserting that each owner has been contacted in compliance with subparagraph 259.105(7)(b)2.

(f) Thirteen copies of a written description of the lands being proposed for acquisition, including all of the following:

1. A descriptive location of the project and the total amount of acreage being proposed for inclusion.

2. The general physical, natural resource, biological, hydrological, archaeological and historical characteristics of the project.

3. Any potential recreational activities or other public uses that can be accommodated by the project.

4. Any known threats or development plans that could harm or diminish the values of the project.

5. Local resolutions, if any, concerning the potential public acquisition of the project.

6. A clear statement detailing how the project meets criteria and furthers the goals and objectives outlined in subsection 18-24.002(1).

7. A clear statement of whether the project is proposed for fee simple acquisition or less-than-fee acquisition, and why. If a less-than-fee acquisition is proposed, include a brief description of any known activities or property rights proposed to be acquired by the state and those proposed to be retained by the property owner.

(g) The applicant must provide thirteen copies of any oversized or color documents presented as part of the application for consideration by the Council.

(4) Each acquisition project application shall, within 30 days of receipt, be reviewed by staff to verify sufficiency of information in accordance with this section. Incomplete applications shall be returned to the applicant, with a letter stating every deficiency, for completion and resubmission within 30 days of the date of the deficiency letter. If the information is not received by the deadline, the entire file will be returned to the applicant.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New _____.

18-24.004 Initial Review of Project Proposals.

(1) Complete applications shall receive an initial review by the Council starting within 60 days, or at the next regularly scheduled Council meeting, whichever occurs later. Initial review by the Council will consist of:

(a) Review of information provided by the applicant and other relevant information provided by Council staff, the Florida Natural Areas Inventory, Florida Fish and Wildlife Conservation Commission, Department of Environmental Protection, Department of State's Division of Historical Resources, Department of Community Affairs, Department of Agriculture and Consumer Services' Division of Forestry, and including consultation with the applicable water management district on projects where hydrological considerations are integral to the proposal.

(b) Verification that staff has notified all local governments within whose jurisdiction an acquisition project is located.

(c) Review of the comments provided by the public in support of, or in opposition to, each acquisition project application, including those obtained at one or more public hearings.

(d) Review of all evaluations and comments received.

(2) Upon completion of the initial review, the Council shall vote to determine which acquisition project applications shall move forward for full review. An affirmative vote of at least five of the Council members is required to move an acquisition project application to full review.

(3) An acquisition proposal that was not selected for the full review list shall be reconsidered by the Council during a subsequent review cycle if all of the following conditions are met:

(a) A written request for resubmission and a complete application is received in accordance with Section 18-24.003;

(b) The original acquisition proposal was submitted within the last three calendar years; and

(c) The request includes new or updated information since the last consideration by the Council.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New _____.

18-24.005 Full Review of Project Proposals.

(1) An affirmative vote of at least five council members shall be required to initiate a full review of a project proposal.

(2) For all acquisition project applications voted by the Council to receive full review, a Project Evaluation Report shall be prepared by staff and presented to the Council. The Project Evaluation Report shall:

(a) Confirm or revise, as appropriate, the information provided in the initial acquisition project application and initial review.

(b) Provide a review, including a site visit by staff, of the natural resources, physical, hydrological, recreational, archaeological, historical, and geographic characteristics of the components of the application to determine:

1. The number of Florida Forever goals and measures that are met by the project, and the extent to which the project contributes to meeting each of those goals and measures.

2. The number of Florida Forever criteria that are met by the project, and the extent to which the project contributes to meeting each of those criteria.

(c) Provide the Council with each reporting element required by subsection 259.105(15).

(d) Include an assessment of the relative values of the proposed project for each criterion and goal, and overall, to assist the Council in grouping projects recommended for approval as outlined in Section 18-24.006.

(e) Include a confirmation of the project boundary as contained in the application and recommend boundary adjustments needed for resource protection, acquisition planning, and management, within the constraints of subparagraph 259.105(7)(b)2. This shall include a recommendation for which portions of the project required to be purchased, if any, might be declared surplus to the purposes of the project.

(f) Include a recommended manager for the project and a brief rationale for the recommendation, a management policy statement, and a management prospectus prepared pursuant to Section 259.032, Florida Statutes.

(3) Full review of acquisition projects by the Council shall consist of:

(a) Consideration of the Project Evaluation Report described above.

(b) Independent consideration by the Council of the provisions listed in paragraph 18-24.005(2)(b).

(c) The holding of one or more public hearings, advertised as required in the Florida Administrative Weekly and in newspapers serving areas affected by potential acquisitions, for the purpose of taking verbal and written comments from the public in support of, or in opposition to, projects under full review. The chair of the Council or his or her designee shall conduct such public hearings.

(4) The Council shall approve, approve with amendments, or reject the project evaluation report.

(5) By majority vote, the Council may direct staff to prepare, revise, or update a project boundary for a project already on the approved list. Modifications to the project boundary must be justified in writing and include an assessment of the resources.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New _____.

18-24.006 Council Evaluation and Grouping.

(1) Following full review, the Council shall develop a list of projects for consideration by the Board in accordance with the provisions of paragraph 259.105(3)(b), and subsections 259.105(4), (8), (9), (10), (13), (14), (15), and (16).

(2) Following the full review of projects pursuant to Section 18-24.005, the Council shall select projects for inclusion on the list. An affirmative vote of at least five council members shall be required to place a project on the list to be presented to the Board.

(3) The Council shall evaluate the entire list of approved projects and group those for consideration by the Board as follows:

(a) Group A: Those acquisition projects proposed for approval, which will receive the highest priority for acquisition. Projects designated for Group A shall be so designated based on those which make the greatest contributions toward achieving the Florida Forever goals and measures, and the Florida Forever criteria. The number of projects designated for Group A shall be limited, as determined by the Council, based on the total estimated funds available for acquisition during the acquisition cycle for which the projects are scheduled, and the anticipated success rate of acquiring targeted projects.

(b) Group B: Those acquisition projects proposed for approval that are considered by the Council to be important, but not of the highest priority, based on the criteria stated in (a).

(c) Within Group A and Group B there will be three subgroups:

1. Fee Simple/Large Holdings Subgroup: Those acquisition projects made up predominantly of large ownerships to be acquired in fee simple;

2. Multi-Parcel or Small Holdings Subgroup: Those acquisition projects made up predominantly of small ownerships with individual values not exceeding one million dollars each; or individual acquisitions that are determined by the Council to contribute to achieving the Florida Forever goals, measures and criteria enough to qualify for acquisition, but are valued at less than one million dollars; and

3. Less-Than-Fee Acquisition Subgroup: Those acquisition projects where the majority of the project is proposed to be acquired in less than fee, such as conservation easements.

(d) Within each of the subgroups in Group A and Group B, special consideration shall be given based on each project's ability to meet the provisions of the Florida Forever criteria described in paragraphs 259.105(9)(j) and (l), and in subsection 259.105(10).

(4) Project groupings shall be determined by the Council based on the results of the full review detailed in Section 18-24.005.

(5) The estimated value of all projects recommended to the Board by the Council, shall exceed the amount of money available in the Fund for acquisition.

(6) All acquisition projects approved by the Board shall be eligible for funding, with available resources targeted initially toward projects in Group A. However, the Board may approve the purchase of any project from any group or subgroup in furtherance of the intent expressed in paragraph 259.105(2)(e).

(7) Before consideration for acquisition from the Fund, projects remaining on the Conservation and Recreation Lands (CARL) list shall be evaluated by the Council as directed by subsection 259.105(16). Those projects recommended for approval will then be grouped as described in subsection 18-24.006(3).

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New

18-24.007 Board of Trustees Consideration.

(1) The Board shall receive at a regularly scheduled public meeting, at least semiannually, the report of the Council pursuant to subsection 259.105(15) and act on the recommendations contained in that report pursuant to subsection 259.105(14).

(2) The Council's report will include a list of owners who have requested by certified mail that their property be removed from the list, and maps of the locations of such property, and the Council's recommendations for whether or not the Board should add such property back on the list. The Board may add those properties back into projects pursuant to the provision of subparagraph 259.105(7)(b)2.

(3) Upon final approval of the list, staff may proceed with acquisition of the projects contained thereon.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New

18-24.008 Capital Improvement and Restoration Proposals.

(1) In order for a capital improvement project, whether restoration or other, to be eligible for access to the Fund, pursuant to paragraph 259.105(3)(b), the project must be presented for the consideration of the Council in an application from the managing entity, for work on lands acquired from the Fund.

(2) All capital improvement projects, whether restoration or other, which are presented in an application to the Council for funding consideration, must be included in a land management plan submitted and approved pursuant to Sections 253.034 and 259.032, Florida Statutes.

(3) All capital improvement project applications presented to the Council for funding consideration must include all of the following:

(a) A written description of the proposed project and its purpose(s), and how it helps achieve Florida Forever goals and measures.

(b) A description of the existing landscape where the project is proposed to occur, including known physical, natural resource, biological, hydrological, historical and archaeological characteristics.

(c) A map of the managed area with the location of the project precisely indicated, including any lands or activities outside the managed area potentially affected by the project.

(d) A description of the landscape changes or management objectives intended to be achieved by the project.

(e) A detailed description of the physical work to be performed to complete the project.

(f) A description of any recreational activities that may be enhanced, impeded or curtailed by the project.

(g) A description of how the project's success will be measured, or a detailed description of how the project's effects will be monitored.

(h) A detailed breakdown of the costs being requested from the Fund for the project.

(4) In measuring the relative merits of like restoration projects and like other capital improvement projects, the Council shall consider their contributions to Florida Forever goals, measures and criteria, and develop two capital improvement project lists, one for restoration and one for other, ranked accordingly.

(5) The Council shall present the two prioritized lists of capital improvement projects proposed for funding to the Board annually, as part of one of its reports submitted pursuant to subsection 259.105(15).

(6) Funding for all capital improvement projects shall not exceed 10 percent of the total annual allocation to the Fund. The Council may choose, in any annual funding cycle, to recommend for approval less than 10 percent of the total annual allocation to the fund for capital improvement projects.

Specific Authority 259.035(1),(4), 259.105(9),(18) FS. Law Implemented 259.0345, 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eva Armstrong, Director, Division of State Lands

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE:
Transfer of Inmates

RULE NO.:
33-603.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct titles and clarify procedures relating to the transfer of inmates.

SUMMARY: The proposed rule clarifies relevant titles, provides exceptions for trailing escort vehicle requirements, and clarifies procedures relating to: the transfer of medical records during emergency situations; the transfer of certain classes of inmates; the authority of the transport officer in charge to utilize restraints for security reasons; restraint of prenatal and postpartum inmates; the use of handcuffs; the use of the electronic restraint belt; and, the release of inmates to private transport companies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-603.201 Transfer of Inmates.

(1) For the purposes of this rule "transfer" shall mean the reassignment and movement of inmates from one institutional facility to another. "Transfer" does not include such movement as may be required for the normal operations of the Department such as outside trips sponsored by religious, Jaycee and Alcoholics Anonymous groups and trips by work and maintenance crews. The institutional inmate record and all sub-files must accompany any inmate being routinely transferred between department facilities, except in emergency situations. In emergency situations medical records will be transferred with the inmate except that in emergencies such as the evacuation of a facility, the medical records will be boxed together with all records going to one location and forwarded to the receiving institution(s) with the inmates or as soon as possible no inmate shall be transferred without the medical record. In such emergencies, individual packaging of medical records is waived. The institutional inmate record shall also accompany the inmate unless the inmate's health and welfare would be jeopardized if the transfer were delayed for the amount of time required to obtain the record. Local procedures shall be established to ensure that appropriate facility staff have access to the institutional inmate record during weekends, holidays, and after normal business hours. Such procedures

shall ensure that the security of the record is not compromised and that accountability for the record is maintained in the event that access is required other than during normal working hours. Following an emergency transfer, all other sub-files, such as the visiting record, educational record, property record, etc., shall be forwarded by the sending facility within 72 hours following the transfer.

(2) In order to ensure coordination in the operation of the transfer system, ensure the safety of the public, employees and inmates and to maintain proper security practices, a qualified officer must be in charge of each transfer. This rule shall also apply to work release ~~community correctional~~ centers except when inmate drivers are involved.

(3) No change.

(4) The transfer officer shall be responsible for maintaining schedules approved by the Bureau of Sentence Structure and Transportation Transfer Authority, supervising and instructing additional personnel assigned, guarding inmates, maintaining order and discipline and ensuring the secure and safe custody of inmates being transferred.

(5) No change.

(6) The vehicle shall be thoroughly searched and all security features inspected prior to boarding any inmates. Continuing checks shall be made periodically by the transfer officer while en in route. Vehicle inspection shall be conducted given during the time the transfer vehicle is stopped prior to departing on or continuing a trip.

(7) through (9) No change.

(10) In transferring any death row, close management, or disciplinary confinement inmate, or any inmate determined by the Chief of Security Correctional Officer Chief to be a high-security risk inmate, the following will be required:

(a) The inmate shall be restrained with handcuffs, waist chains with a C and S handcuff cover (black box), and leg irons and transferred in a secure caged vehicle. The driver shall be unarmed in order to handle inmates en in route if necessary.

(b) through (c) No change.

(d) Communication between the two vehicles is essential and is required recommended between both vehicles and the home station.

(e) The Chief of Security or shift supervisor is authorized to make individual exceptions to the assignment of a trailing escort vehicle for close management III and disciplinary confinement inmates.

(11) The transfer officer shall conduct a head count of inmates prior to departure and maintain continuing checks while en in route and upon arrival at the receiving institution.

(12) No change.

(13) Manpower requirements shall vary depending upon the mode of transfer, the distance to be traveled and the type and number of inmates. Each situation must be thoroughly evaluated by the Chief of Security Correctional Officer Chief or shift supervisor prior to departure and appropriate personnel

assigned. A minimum of one armed correctional officer shall be assigned when there are close custody inmates to transfer except when special approval is received from the Director of Institutions Assistant Secretary for Security and Institutional Management. At all times, there must be at least one officer of the same sex as that of the inmate present during the transferring of medium, ~~or~~ close, or maximum custody inmates. There shall be no gender restrictions regarding the transfer of community or minimum custody inmates. Community or mMinimum custody inmates do not require restraints unless they are being transferred with close custody inmates or pose a security risk; however, there shall be an adequate number of officer escorts to provide appropriate supervision.

(14) Standard restraint equipment for the normal situation will be handcuffs and a restraint chain. Except as specifically outlined below, additional restraints, such as waist chains with a C and S handcuff cover (black box) and leg irons, shall be necessary when transferring death-row and close custody inmates, inmates who are extreme escape risks, inmates with serious assaultive tendencies, or any inmate determined by the Chief of Security Correctional Officer Chief to be a high security risk. Being legally responsible for the custody of inmates, the transfer officer in charge has the authority to apply restraints to community custody inmates and additional is unrestricted in the necessary application of restraints to medium or minimum custody inmates when he or she determines that such is necessary to ensure security.

(a) Use of restraint equipment, except for death row, close eustody, or any high security inmates, will not be necessary. When inmates are transferred within the state from one secure perimeter to another secure perimeter provided and a specially designed secure transfer bus is used. When a secure bus is used, close eustody inmates may shall be restrained with leg irons only and any other approved restraints deemed necessary by the transfer officer in charge. Death row and high-risk security inmates will require restraints as noted in (10) above during any transport.

(b) through (d) No change.

(e) During prenatal and postpartum periods, female inmates will not be restrained with their hands behind the back nor will leg irons be utilized due to the possibility of a fall. Waist chains with the C&S handcuff cover (black box) will not be worn when there is any danger of causing harm to the inmate or fetus.

(e) through (f) renumbered (f) through (g) No change.

(h)(g) An inmate shall not be handcuffed behind his or her back or handcuffed shackled to a stationary object in a moving vehicle.

(i)(h) No change.

(15) An Electronic Restraint Belt may be used in cases involving high profile transports outside the secure perimeter of an institution where in the judgment of the security staff the

use of the belt is warranted. Prior to usage of the Electronic Restraint Belt, written, signed approval must be obtained from the Office of Institutions, Bureau Chief of Security Operations.

~~(16)(15)~~ Because the carrying of firearms in the transferring of inmates is extremely hazardous, in those instances where it is advisable for firearms to be carried, such equipment must be kept in a secure place or on the person of an officer who will not come in direct contact with an inmate during the entire trip. Firearms shall not be carried by any of the escorting officers while in a car, plane or train unless the inmate is securely restrained and positive precautionary measures have been taken that will preclude contact between inmates and the armed officer. Use of firearms shall be in accordance with Rule 33-602.210, Florida Administrative Code.

~~(17)(16)~~ No change.

~~(18)(17)~~ Transfer by Commercial Airlines. ~~The majority of T~~ransfers via airlines shall be coordinated by the Bureau of Sentence Structure and Transportation Central Transfer Authority. The Bureau of Sentence Structure and Transportation Central Transfer Authority shall maintain liaison with the airlines and formulate standard operating procedures in accordance with Federal Aviation Agency and airline regulations.

~~(19)(18)~~ Private Transport Companies. The Department is authorized to contract with private transport companies for the transfer of prisoners both within and beyond the limits of this state.

(a) through (b)4. No change.

5. Each transfer vehicle operated by the transport company must be maintained in a condition meeting the specific requirements of Chapter 316, Florida Statutes, and be mechanically safe to transfer inmates. Transfer vehicles used outside the State of Florida must be maintained in a condition meeting the specific requirements of that state.

6. through 8. No change.

9. Correctional administrators will refuse to release death row, close custody, or other high-risk inmates to a private transport company or other law enforcement agencies that do not have an armed officer assigned or who do not provide a secure vehicle for transport. In these situations, the institution will:

a. Refuse to release the inmate and advise the transport company or law enforcement officer to stand by.

b. Contact the Population Management section of the Bureau of Sentence Structure and Transportation during normal working hours.

c. On weekends, holidays, or after normal working hours, contact the Emergency Action Center which will notify appropriate central office staff.

d. Population Management staff will contact the on duty supervisor for the private transport agency or law enforcement agency involved and advise him or her of the specific concern. This will be documented and the results of this contact relayed to the involved institutional staff providing specific directions regarding release.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 7-12-86, Amended 5-21-92, 1-6-94, 2-12-97, 11-8-98, Formerly 33-7.009, Amended _____.

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: March 27, 2001

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: County Health Department Clinic Services
RULE NO.: 59G-4.055

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, September 2000.

SUMMARY: The Florida Medicaid County Health Department Clinic Services Coverage Limitations Handbook contains updated policy for Family Planning Waiver Services, Family Planning HIV Counseling, and policy clarifications, as indicated.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 FS.

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

TIME AND DATE: 10:00 a.m., May 9, 2001

PLACE: 2727 Ft. Knox Blvd., Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kay Aloï, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7330

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.055 County Health Department Clinic Services.

(1) This rule applies to all county health department clinic services providers enrolled in the Medicaid program.

(2) All county health department clinic services providers enrolled in the Medicaid program must comply with the Florida Medicaid County ~~Public Health Department Unit~~ Clinic Services Coverage and Limitations Handbook, ~~September 2000 December 1996~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and ~~Child Health Check-Up EPSDT~~ 221, incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New 6-27-93, Formerly 10P-4.350, Amended 4-16-95, 6-4-96, 6-24-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kay Aloï

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2000

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks**

DOCKET NO.: 01-04R

RULE CHAPTER TITLE: Florida Recreation Development Assistance Program
RULE CHAPTER NO.: 62D-5

RULE TITLES:	RULE NOS.:
Definitions	62D-5.054
General Requirements	62D-5.055
Application Requirements and Processing	62D-5.056
Evaluation Criteria	62D-5.057
Grant Administration	62D-5.058

PURPOSE AND EFFECT: The Florida Recreation Development Assistance Program (FRDAP) is a competitive program which provides grants for acquisition and development of land for public outdoor recreation use. The purpose of this amendment is to provide a third funding category for trail construction and renovation. It will facilitate grants for trails which have historically not been able to score high enough to obtain grants.

SUMMARY: The proposed rule provides for definitions for a third funding category for trail construction and renovation. The proposed rule provides evaluation criteria with point values for trail construction and renovation. The proposed rule updates allowable support facilities to include a combined restroom/concession stand. The proposed rule adds several new definitions for the trails category and clarifies the existing

rule by adding definitions for Project Completion, Ineligible Match Source, Eligible Site, and Duplicate Projects. The proposed rule prohibits certain overlapping grants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared.

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

SPECIFIC AUTHORITY: 375.075 FS.

LAW IMPLEMENTED: 375.075 FS.

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

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Terri Messler, 3900 Commonwealth Blvd., MS 585, Tallahassee, Florida 32399-3000, (850)488-7896

THE FULL TEXT OF THE PROPOSED RULES IS:

62D-5.054 Definitions.

The terms used in this part are defined as follows:

(1) through (18) No change.

(19) “GREENWAY PLAN” means an adopted local or regional plan describing the acquisition and development of a system proposed to link natural areas, open spaces and trails in the area served.

(20) “GREENWAYS AND TRAILS PLAN” means the document entitled “Connecting Florida’s Communities with Greenways and Trails”, dated September, 1998, and available from the Office of Greenways and Trails, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000. (850)488-3701.

(19) through (22) renumbered (21) through (24) No change.

~~(24) “NRTFP” means the National Recreational Trails Funding Program, also known as “Recreational Trails Program”.~~

(25) “LWCF” means the Land and Water Conservation Fund, administered pursuant to Chapter 62D-5, Part VII, Florida Administrative Code.

~~(26)(23)~~ No change.

(27) “MIXED-USE/MULTI-USE TRAIL” means a trail or corridor designated for more than one use, including motorized or non-motorized uses.

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

(25) through (26) renumbered (29) through (30) No change.

(31) “NONMOTORIZED TRAIL” means a trail designated for foot, bicycle, canoe/kayak, equestrian traffic, or other nonmotorized uses.

(27) through (29) renumbered (32) through (34) No change.

(35)(30) “PRIMARY FACILITY” means any facility which could stand alone and provide outdoor recreation without a support facility. Examples of primary facilities are: beach access, trailhead and trailside facilities, fishing piers, boat ramps and docks, canoe trails, boardwalks, observation towers, ball fields, tennis and basketball courts, playgrounds, hiking, nature and bike trails, or skate facilities.

(31) through (35) renumbered (36) through (40) No change.

(41) “PROJECT COMPLETION” means the project is open and available for use by the public. Project must be designated complete prior to release of final reimbursement.

(36) through (43) renumbered (42) through (49) No change.

(50) “RTP” means the Recreation Trails Program of the Office of Greenways and Trails, administered pursuant to Chapter 62S-2, Florida Administrative Code.

(44) through (46) renumbered (51) through (53) No change.

(54)(47) “SUPPORT FACILITY” means a facility which could not stand alone, or which would have little or no public outdoor recreational value without the primary facility. Examples of support facilities are: parking lots, rest rooms, bathhouses, combined restroom-concession stand buildings, access roads, walkways, landscaping, security lighting and fencing, and interpretive signs.

(55) “TRAIL CONSTRUCTION” means the act of developing new or renovating recreational trails, which may include trailhead and trailside facilities.

(56) “TRAIL SYSTEM” means a set of interconnected components that function as a whole and thereby achieve a behavior or performance that is different than the sum of each of the components taken separately.

(57) “TRAILHEAD” means a point of access to a trail. It shall be accessible from a public road and have restrooms and parking available.

Specific Authority 375.075 FS. Law Implemented 375.075 FS. History—New 12-10-90, Formerly 16D-5.054, Amended 8-23-00, _____.

62D-5.055 General Requirements.

The following constitutes the general procedures for the program:

(1) through (3) No change.

(4) MATCH REQUIREMENTS. Match requirements for FRDAP grants are set forth below:

(a) through (b) No change.

(c) Ineligible Match Sources. Land value of property acquired through FRDAP or other state and federal grant land acquisition programs, such as: Land and Water Conservation Funds, legislative special interest projects, Florida Communities Trust, Conservation and Recreation Lands Program (CARL), Save Our Rivers, Preservation 2000, Florida Forever, Recreational Trails Program (RTP), and Land Acquisition Trust Fund (LATF).

(5) through (6) No change.

(7) RECOMMENDED APPLICATION PRIORITY LIST. The program amount assigned to each fund, established pursuant to Subsection 62D-5.055(6), shall be divided into ~~two~~ three categories: acquisition, and development, and trail construction. The fund amount assigned to each category is based on the percentage of funds in each category in relationship to the total amount of requested funds in all eligible project applications for each fund. Likewise, eligible project applications shall be divided into land acquisition, and facility development, and trail construction categories in each fund and evaluated according to Section 62D-5.057. A total point score shall be assigned to each application upon evaluation of each under Sections 5.056 and 5.057. Department staff shall prepare one priority list for each fund. Applications shall be ranked on the priority list according to assigned point scores. The application with the highest score will receive the highest priority. The remaining applications will be arranged in descending order according to their assigned point scores. Applications scoring below the minimum, established pursuant to ~~Section~~ paragraph 62D-5.056(3)(b), shall not be placed on the priority list. The priority list shall include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to a category or fund, the remaining funds shall then be allocated to the other category or fund.

(8) through (10) No change.

Specific Authority 375.075 FS. Law Implemented 375.075 FS. History—New 12-10-90, Formerly 16D-5.055, Amended 8-23-00, _____.

62D-5.056 Application Requirements and Processing.

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

(1) No change.

(2) PROJECT ELIGIBILITY.

(a) No change.

(b) Eligible Site: The site of a FRDAP development project shall be owned by the applicant, or shall be under lease to the applicant for a period of time sufficient to satisfy the dedication period required by this rule. Other forms of real

property interest will be considered if the applicant provides clear and explicit documentation showing that it has the sole ability to control, manage, and dedicate the park for the required period of time; and that such interest cannot be unilaterally or arbitrarily canceled by the grantor of the interest. The site of a FRDAP development project shall be controlled By the closing date of the application submission period, (owned, leased, or managed by or dedicated by) the grantee by the closing date of the application submission period. Eligible sites shall not include school board property, where the site shall be used primarily for educational or school related purposes. Eligible sites shall be dedicated or managed for public recreational use pursuant to Section 62D-5.059.

(c) through (d) No change.

(e) Duplicate Projects: A grantee shall not apply for FRDAP funds to complete an approved or incomplete FRDAP, LWCF, or RTP project. An applicant shall not submit the same application, in whole or in part, for more than one of the following: Florida Recreation Development Assistance Program, Land and Water Conservation Fund, or Recreational Trails Program, in concurrent or overlapping funding cycles.

(3) ELIGIBILITY DETERMINATION. Following closure of an application submission period, Department staff will review and determine the eligibility of each applicant based on the following:

(a) Deficiency Documentation: The applicant may retain eligibility by submitting documentation missing from the application, such as: proof that applicant had site control by the submission period deadline, evaluation criteria, cost estimate, site development plan, or survey. This documentation must be submitted within fifteen working days from date of deficiency notification.

(b) No change.

(4) through (6) No change.

Specific Authority 375.075 FS. Law Implemented 375.075 FS. History--New 12-10-90, Formerly 16D-5.056, Amended 8-23-00,_____.

62D-5.057 Evaluation Criteria.

Pursuant to Subsection 62D-5.055(7), a total point score shall be assigned to each eligible application after an evaluation according to the application criteria which follows:

(1) through (3) No change.

(4) TRAIL CONSTRUCTION CRITERIA.

(a) The project provides for new trail construction on an entirely undeveloped park property: 5 points

(b) The project addresses one or more of the recommendations identified in the Greenways and Trails Plan: 6 points

(c) The project is located on or connects with a Florida Designated Greenway or Trail: 3 points

(d) The project implements a Greenway Plan: 4 points

(e) The specific trail design demonstrates that the project will support mixed use/multi-use trail opportunities: 8 points

or

Single use recreational trail opportunities: 6 points

(f) The project addresses the priority funding needs for new construction, renovation, or a combination of the two for the applicant's population density identified in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida", effective December 1995, available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896, and incorporated herein by reference for one of the following:

Higher priority or combination of new construction and renovation: 13 points

Lower priority: 8 points

Specific Authority 375.075 FS. Law Implemented 375.075(2) FS. History--New 12-10-90, Formerly 16D-5.057, Amended 8-23-00,_____.

62D-5.058 Grant Administration.

The following constitutes procedures for administration of program grants:

(1) through (6) No change.

(7) DEVELOPMENT PROJECTS AND TRAIL CONSTRUCTION. The following constitutes the specific procedures for administration of development projects:

(a) through (b) No change.

(c) Commencement Documentation. Prior to commencement of project construction, the grantee shall submit for approval the documentation described in the Florida Recreation Development Assistance Program Development Project Commencement/Reimbursement Documentation Form, FPS-A034, effective 08/23/00, hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896.

1. Project Permitting ~~Preconstruction~~ Certification. The grantee shall submit to the Department a Project Permitting ~~Preconstruction~~ Certificate, FPS-A035, effective date 08/23/00, hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896.

2. through 3. No change.

(d) through (e) No change.

Specific Authority 375.075 FS. Law Implemented 375.075 FS. History--New 12-10-90, Formerly 16D-5.058, Amended 8-23-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Terri Messler, Community Program Administrator, Bureau of Design and Recreation Services, 3900 Commonwealth Blvd., MS 585, Tallahassee, Florida 32399-3000, (850)488-7896

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Fran Mainella, Director, Division of Recreation and Parks, 3900 Commonwealth Blvd., MS 500, Tallahassee, Florida 32399-3000, (850)488-6131
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 29, 2000

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks

DOCKET NO.: 99-58R

RULE CHAPTER TITLE: Land And Water Conservation
RULE CHAPTER NO.: 62D-5

Table with 2 columns: Fund Program, RULE NOS. Rows include Purpose (62D-5.068), Definitions (62D-5.069), General Requirements (62D-5.070), Application Requirements and Processing (62D-5.071), Evaluation Criteria (62D-5.072), Grant Administration (62D-5.073), Compliance Responsibilities (62D-5.074)

PURPOSE AND EFFECT: The Land and Water Conservation Fund (LWCF) is a competitive program which provides grants for acquisition and development of land for public outdoor recreation use. The purpose of this part is to set forth procedures to govern the program.

SUMMARY: The proposed rule provides a purpose for the LWCF. The proposed rule provides definitions. The proposed rule provides general requirements. The proposed rule provides application requirements and processing information. The proposed rule provides evaluation criteria with point values. The proposed rule details grant administration and compliance responsibilities. The proposed rule prohibits certain overlapping grants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared.

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

SPECIFIC AUTHORITY: 403.1823(1) FS.

LAW IMPLEMENTED: 375.021(4), 403.1823(2), 403.1826, 403.1832 FS.

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

TIME AND DATE: 9:00 a.m. - 12:00 noon, May 9, 2001

PLACE: Kissimmee Civic Center, 201 E. Dakin Av., Kissimmee, Florida 34741, (407)935-1412

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Collier Clark, Advisory Services Manager, Bureau of Design and Recreation Services, 3900 Commonwealth Blvd., MS 585, Tallahassee, Florida 32399-3000, (850)488-7896

THE FULL TEXT OF THE PROPOSED RULES IS:

62D-5.068 Purpose.

The federal Land and Water Conservation Fund (LWCF), established by the U.S. Congress upon enactment of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 78 Statute 897, as amended), provides matching grants to the State of Florida, and through the State to governmental entities, for the acquisition and development of land for public outdoor recreation purposes. The National Park Service (NPS) and the Florida Department of Environmental Protection (Department) administer the program on behalf of the U.S. Department of the Interior and the State of Florida, respectively. After federal apportionment, NPS provides LWCF funds to the State of Florida and the Florida Legislature provides expenditure authority to the Department. The purpose of this Part is to set forth policies and procedures for the Department to implement the LWCF grant program. The Department is authorized to participate in the LWCF pursuant to subsection 375.021(4), Florida Statutes.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History-New

62D-5.069 Definitions.

The basic terms utilized in this part are defined as follows:

(1) "Acquisition" means the act of obtaining real property or interests and rights therein by various legal means to serve public outdoor recreation purposes.

(2) "Applicant" means a local governmental entity which submits an application for Land and Water Conservation Fund (LWCF) funds to the Department during an announced application submission period.

(3) "Application" means a formal request for LWCF funds by an applicant consisting of a project proposal with required documentation.

(4) "Application Submission Period" means the period of time announced by the Department in the Florida Administrative Weekly for the submission of LWCF applications by local governmental entities for a single funding cycle.

(5) "Cash" means money paid by a grantee to purchase goods and services from private and independent sources for accomplishment of an approved LWCF project. In-kind service costs are not defined as cash.

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

(7) “Development” means the act of physically improving an area, facility, resource, or site to increase its ability or capacity to serve public outdoor recreation purposes.

(8) “Division” means the Division of Recreation and Parks of the Department.

(9) “Division of State Lands” means the Division of State Lands of the Department.

(10) “Evaluation Criteria” means the standards used by the Department to evaluate LWCF applications.

(11) “Facilities” means capital improvement projects which provide or assist in providing outdoor recreation opportunities.

(12) “Fiscal Year” means the State of Florida fiscal year, July 1 - June 30.

(13) “FRDAP” means the Florida Recreation Development Assistance Program administered pursuant to Chapter 62D-5, Part V, Florida Administrative Code.

(14) “Funding Cycle” means the interval of time between the opening of an LWCF application submission period and grant award by the National Park Service (NPS).

(15) “Grant” means program funds authorized by NPS for release to the State, and by the Secretary of the Department for release to a grantee, for implementation of an approved program project.

(16) “Grantee” means a local governmental entity receiving LWCF funds pursuant to an approved LWCF application.

(17) “In-Kind Service Costs” means in-house expenses incurred by a grantee for labor and materials and grantee-owned and maintained equipment for accomplishment of an approved LWCF project.

(18) “Land Value” means the current appraised value of donated land used by a grantee to match LWCF funds.

(19) “Linear Park” means an active or passive outdoor area of linear design that provides or connects recreation, park land, or open space areas.

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

(21) “LWCF” means the Land and Water Conservation Fund Program.

(22) “Manual” means the Land and Water Conservation Fund Program Grants Manual published by the National Park Service of the United States Department of the Interior, available from the Department, Bureau of Design and Recreation Services, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896.

(23) “Match” means the provision of cash, in-kind services and value of donated real property in the ratio required to be added to LWCF funds by the grantee for the project cost.

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

(25) “New Construction” means building new facilities.

(26) “NPS” means the National Park Service of the United States Department of the Interior.

(27) “Open Space” means an outdoor area whose purpose is to provide a source of recreation and contributes to environmental harmony through the enrichment of flora, fauna and geological features.

(28) “Outdoor Recreation” means the pursuit of leisure activities in an outdoor environment.

(29) “Part” means Part VII of Chapter 62D-5, Florida Administrative Code.

(30) “Plan” means the currently effective state comprehensive outdoor recreation plan (“SCORP”) for the State of Florida, dated March 1994 and available from the Office of Park Planning, Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 525, Tallahassee, Florida 32399-3000, (850)488-2200.

(31) “Preagreement Expenses” means expenses incurred by the grantee, with Department approval, for accomplishment of an eligible LWCF project prior to execution of a project agreement.

(32) “Program” means the Land and Water Conservation Fund Program.

(33) “Program Amount” means the amount of LWCF funds available during any funding cycle.

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

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

(36) “Project Completion Date” means the date specified in a project agreement by which the grantee shall complete an approved LWCF project and incur all grant and match-related expenses. The project is not complete until it is open to the public for use.

(37) “Project Cost” means the total of the LWCF grant award and required match.

(38) “Project Element” means an identified segment of a project with related facilities or improvements.

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

(40) “Project Site” means the specific area, defined by a survey or project boundary map and legal description, where LWCF funds are used for an approved project.

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

(42) “Renovation/Repair” means the restoration of a facility or project area that has deteriorated due to natural causes to the point where its usefulness is impaired to an improved state suitable for public use. This does not include restoration of a facility which has deteriorated due to inadequate maintenance during its reasonable lifetime.

(43) “RTP” means Recreational Trails Program administered by the Office of Greenways and Trails of the Department pursuant to Chapter 62S-2, Florida Administrative Code.

(44) “Secretary” means the Secretary of Department

(45) “Staff” means Division staff of Department.

(46) “State” means the State of Florida.

(47) “Waiver of Retroactivity” means written Department authorization that an acquisition project may be commenced by an applicant prior to NPS approval of a program application. Such authorization does not constitute or imply Department or NPS approval of a future LWCF application.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History—New

62D-5.070 General Requirements.

The following constitutes the general requirements for the program:

(1) DISTRIBUTION OF PROGRAM FUNDS. LWCF funds are distributed as grants by the Department on a matching, project-by-project basis, to approved applicants after a competitive evaluation of eligible program applications submitted within announced application submission periods. The Department's performance and obligation to award program grants are contingent upon an annual apportionment from NPS and expenditure authorization by the Florida Legislature.

(2) MANUAL. The Department, applicants, and grantees shall meet all program requirements set forth in the Land and Water Conservation Fund Grants Manual. The manual is hereby incorporated by reference and is available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000.

(3) PLAN. All projects receiving grant assistance through LWCF shall implement the Plan.

(4) ELIGIBLE APPLICANTS. All local governmental entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public may submit LWCF applications during the application submission period.

(5) PROJECT ELIGIBILITY. LWCF grants are awarded to grantees for projects that are for the sole purpose of providing outdoor recreation opportunities to the public. Applicants may request funds for the following types of projects:

(a) Acquisition. The acquisition of real property or interests and rights therein by various legal means.

(b) Development. Projects for the construction, expansion, renovation/repair or installation of the following:

1. Primary Facilities. LWCF funds are awarded for one or a combination of natural or man-made sites and facilities, such as: beach access improvements, fishing piers, boat ramps and docks, canoe trails, boardwalks and riverwalks, observation towers, baseball and softball fields, tennis and basketball courts, playgrounds, and hiking, interpretive, and bicycle trails. Enclosed buildings and structures are ineligible facilities. Primary facility cost must be equal to, or greater than, 50 percent of the total project cost.

2. Support Facilities and Improvements. LWCF funds can be awarded for support facilities and improvements, such as: parking lots, rest rooms, bathhouses, combined restroom-concession stand buildings, access roads, landscaping, lighting, fencing, signs, and handicap ramps which would have little or no recreational value without the primary facilities. Enclosed buildings and structures, except for rest rooms, bathhouses, and combined restroom-concession stand buildings are ineligible facilities.

(6) MATCH REQUIREMENTS. Match requirements for LWCF grant projects are set forth below:

(a) Matching Basis. LWCF assistance is provided on a 50 percent (program/grantee) matching basis.

(b) Eligible Match Types. A grantee may utilize the following types of match sources:

1. Development Project:

a. Cash;

b. In-kind service costs; or

c. Donated real property pursuant to this Part and the Manual.

2. Acquisition Project:

a. Cash; or

b. Real property donated pursuant to this Part and the Manual.

(c) Ineligible Match Types. Ineligible match sources include real property acquired or funds obtained from any of the following sources:

1. FRDAP, RTP, and LWCF funds;

2. Donated value of real property acquired prior to Department approval or through LWCF; and

3. Other state or federal grant or land acquisition programs such as: legislative special interest projects, Save Our Coast Program, Preservation 2000, Florida Forever, Conservation and Recreation Lands Program, Save Our Rivers Program, and Land Acquisition Trust Fund. Funding sources identified in Sections 640.1.7 and 670.1.5 of the Manual are eligible match types.

(7) GRANT AWARD. The Secretary shall approve applications to the extent of available program funds, based on a review of the recommended application priority lists established pursuant to subsections 62D-5.070(8) and (9) of this Part.

(8) PROGRAM AMOUNT ALLOCATION. The program amount shall be divided into two categories: acquisition and development. The acquisition category will be assigned the first 25 percent of the program amount. The remaining program amount will be assigned to the acquisition and development categories based on the percentage of funds requested in each category in relationship to the total amount of requested funds in all eligible program applications.

(9) RECOMMENDED APPLICATION PRIORITY LISTS. All eligible applications shall be divided into acquisition and development categories and evaluated according to Section 62D-5.072 of this Part. A total point score shall be assigned to each application. Department staff shall prepare two priority lists according to the type of category: acquisition and development. Applications shall be ranked on the priority lists according to assigned point scores. The application with the highest score will receive the highest priority. The remaining applications will be arranged in descending order according to their assigned point scores. The priority lists shall rank all eligible applications and include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to one category, the remaining funds may be applied to the other category.

(10) SITE CONTROL. The site of an LWCF development project shall be owned by the applicant, or shall be under lease to the applicant from another public agency for a period of time sufficient to satisfy the dedication period required by this rule. Other forms of real property interest will be considered if the applicant provides clear and explicit documentation showing that it has the sole ability to control, manage, and dedicate the park for the required period of time; and that such interest cannot be unilaterally or arbitrarily canceled by the grantor of the interest. Eligible sites shall not include school board property. Eligible sites shall be dedicated or managed for public outdoor recreational use pursuant to Section 62D-5.074 of this Part.

(11) RETROACTIVE PROJECTS. Land acquired for public outdoor recreation purposes prior to the date of project approval by NPS shall be eligible for LWCF consideration if the applicant obtains a waiver of retroactivity from Department staff before entering into formal negotiations to acquire the property. Prior to undertaking such negotiations, an applicant shall contact Department staff at Bureau of Design and Recreation Services, Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896, for forms and instructions.

(12) HANDICAPPED ACCESSIBILITY. Grantee must comply with Section 553.501-.513, Florida Statutes, and the Uniform Federal Accessibility Standards. These standards are incorporated by reference and may be obtained from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

(13) PUBLIC ACCESSIBILITY. Program projects must be accessible to the public on a non-exclusive basis without regard to age, sex, race, religion, marital status, disability, or ethnic group.

(14) ENTRANCE FEES. Reasonable differences in admission fees on the basis of residence for program projects are permitted if they comply with Section 675.9.2.B of the Manual.

(15) FEDERAL COMPLIANCE AND ASSURANCES. LWCF applicants and approved grantees shall comply with all federal laws, rules, and regulations pursuant to sections 650.1 and 660.3 of the Manual.

(16) NATIVE PLANTINGS. In developing a project site with program funds, a grantee shall use only vegetation native to the area except for lawn grasses.

(17) UNSETTLED CLAIMS. The Department shall deny or suspend program eligibility or withhold grant funds to any applicant or grantee against which the Department has an unsettled financial claim.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History—New

62D-5.071 Application Requirements and Processing. The following constitutes the general requirements and procedures for application submittal and processing:

(1) APPLICATION SUBMISSION PERIOD: The Department shall accept program applications only during the application submission period. Applications shall be postmarked or received on or before the last day of the application submission period. The Department shall publicize the dates of the application submission period and other pertinent application information specified in this rule in the Florida Administrative Weekly. The Department shall announce additional application submission periods if sufficient funds remain after the initial funding cycle.

(2) MAXIMUM REQUEST: The Department shall announce the maximum funds that an applicant may request in a LWCF application when publicizing the establishment of an application submission period. The amount will depend on the level of federal funding available.

(3) NUMBER OF APPLICATIONS: An applicant may submit only one application during each announced application submission period. The application may contain no more than one project site except for sandy beach access sites.

(4) DUPLICATE PROJECTS: A grantee shall not apply for LWCF funds to complete an approved project funded by LWCF, FRDAP, RTP, or other sources such as those identified in subsection 62D-5.070(6)(c) of this Part. An applicant shall not submit the same application, in whole or in part, under LWCF, RTP, or FRDAP in concurrent or overlapping funding cycles.

(5) ACTIVE PROJECTS: A grantee with two incomplete LWCF projects by the closing date of the announced application submission period shall not be allowed to apply for additional program funds.

(6) OUTDOOR RECREATION: LWCF grants shall only be awarded to grantees for projects that are for the sole purpose of providing outdoor recreational opportunities to the public.

(7) APPLICATION FORMS. The Land and Water Conservation Fund Program Application Form, FPS-A047, [effective date], is hereby incorporated by reference and is available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

(8) ELIGIBILITY DETERMINATION. Following closure of an application submission period, staff will review and determine the eligibility based on the following:

(a) Deficiency Documentation: The applicant may retain eligibility by submitting documentation missing from the application, such as: proof that applicant had site control by the submission period deadline, evaluation criteria, cost estimate, site development plan, or survey. This documentation must be submitted within 15 working days from date of deficiency notification.

(b) Ineligibility: an application, in whole or in part, may be declared ineligible by the Department pursuant to subsection 62D-5.070(10) and subsection 62D.5.071(3)-(6) of this Part. The Department may determine that a project site or facility is not viable or practical. A project site would not be considered practical if it has documented and unresolved environmental violations on the site.

(c) Application Evaluation: Each eligible application shall be evaluated on the basis of the information provided in the application and in accordance with Section 62D-5.072 of this Part. Each shall be assigned a total point score pursuant to subsection 62D-5.070(9) of this Part.

(9) PROJECT DOCUMENTATION. Following Secretary approval of the priority list of applications, the grantees shall submit to the Department the documentation described in the Land and Water Conservation Fund Program Approved Project Documentation Form, FPS-A048, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896. This documentation must be submitted in order for Department to apply for federal grant funds pursuant to Section 62D-5.068 of this Part.

(a) Appraisal. Prior to the Department staff authorizing the grantee to commence acquisition procedures for acquisition projects and projects where the seller is donating real property as all or part of the grantee's matching funds, the grantee shall submit to the Department an appraisal(s) obtained at its own expense, prepared in accordance with uniform appraisal standards for federal land acquisitions, which establishes the fair market value of the project site. The fair market value of the project site shall be based on its highest and best use. If the property is \$500,000 or less in appraised value, one appraisal is required. If the property exceeds \$500,000 in appraised value, a second appraisal is required. The appraisal(s) shall be dated no earlier than six months prior to the closing date of the LWCF application submission period and prepared by an appraiser on the list of approved appraisers maintained by the Department's Division of State Lands under provisions of paragraphs 253.025(6)(b), F.S., 259.041(7)(c), F.S., and Section 18-1.007, F.A.C. The list of approved appraisers may be obtained from the Division of State Lands, Bureau of Appraisal, 3900 Commonwealth Boulevard, Mail Station #110, Tallahassee, Florida 32399-3000, (850)488-9025. The Bureau of Appraisal shall approve the appraisals prior to submittal of the State application by the Department to NPS. The project cost is based on the purchase price or appraised value, whichever is lower. If two appraisals are required for the project, the lower of the purchase price or the approved appraised values is the basis of the project cost. Appraisal costs are ineligible project costs.

(b) Survey or Boundary Map. The grantee shall submit project site boundary information to the Department as follows:

1. Acquisition Project. The grantee shall submit a survey of the project site. The survey shall include a legal description of the property, be updated to within one year of the closure date of the application submission period and be prepared by a Florida registered land surveyor and mapper. Along with the survey, the grantee shall submit the results of a title search for the project area. The search shall cover the thirty-year period prior to the Secretary's approval of the project list. Survey and title search expenses are ineligible project costs.

2. Development Project. The grantee shall submit a boundary map of the project site pursuant to Section 660.2.6 of the Manual.

(10) APPLICATION EVALUATION. All eligible project applications will be reviewed on the basis of information provided in the applications in accordance with Section 62D-5.072 of this Part.

(11) UNFUNDED AND INELIGIBLE APPLICATIONS. Any unfunded or ineligible application may be returned to the applicant upon request. If no request is made within 30 days after notification of grant awards, unfunded applications shall be discarded by staff.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History—New _____.

62D-5.072 Evaluation Criteria.

In addition to provisions set forth in this part, an eligible application's standing among competing eligible applications shall be determined by the extent to which it is determined to meet the criteria set forth in this section. Pursuant to subsection 62D-5.070(9), a total point score shall be assigned to each application after an evaluation according to the general criteria and, depending upon the type of project, either the acquisition or development criteria.

(1) GENERAL CRITERIA.

Points shall be awarded as follows:

(a) The project implements the applicant's adopted local comprehensive plan and is included in their capital improvement plan or schedule (CIP) during the current or next three fiscal year: 20 points.

or

is included as part of the plan through an adopted resolution committing the applicant to amend its CIP and complete the project should it receive program funds: 10 points.

(b) The extent to which the project would implement the outdoor recreation goals, objectives and priorities specified in the Plan: 4 points.

(c) The extent to which the project would provide for priority resource or facility needs in the region as specified in the Plan: 7 points.

(d) The project has been considered in the applicant's public participation process: 21 maximum points.

Points shall be awarded as follows:

1. Presentation at an advertised public meeting solely for the discussion of the proposed project: 10 points.

2. Presentation at a regularly scheduled advisory board meeting: 7 points.

3. Presentation to community organizations, neighborhood associations, or taking of an opinion survey: 4 points.

(e) The project is for a linear park purpose: 13 points.

(f) The project is for preservation purposes such as historical, archaeological, or cultural preservation and the site has been verified in writing by the Florida Department of State, Division of Historical Resources: 7 points.

(g) The applicant has the capability to develop, operate and maintain the project: 8 maximum points.
Points shall be awarded as follows:

1. Has a full-time recreation or park department staffed to provide facility development, programming, and maintenance capabilities: 8 points.

2. Has demonstrated the existence of a full-time ability to provide facility development, programming, and maintenance capabilities: 4 points.

(2) DEVELOPMENT CRITERIA.

Points shall be awarded as follows:

(a) The project provides for new development of entirely undeveloped property: 5 points

(b) The project provides new or additional recreation facilities and opportunities:

1. 3 or more facilities or opportunities: 15 points

2. 2 facilities or opportunities: 10 points

3. 1 facility or opportunity: 5 points

(c) The project provides renovation of existing recreation facilities:

1. 3 or more facilities: 13 points.

2. 2 facilities: 9 points.

3. 1 facility: 4 points.

(d) The project provides new or renovated support facilities and improvement to existing recreation areas: 15 points.

(e) The project provides developed pedestrian access to or along water resources, such as trails, boardwalks, or dune walkovers: 7 points.

(f) The project provides facilities for recreational use of water resources, such as boat ramps, swimming docks, or fishing piers: 12 points.

(g) The project provides a facility identified in the priority of new facilities needs or renovation/repair needs within the applicant's population density set forth in the current study entitled "An Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida", effective December 1995 (Infrastructure Assessment), hereby incorporated by reference and available from the Departments Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896: 12 points.

(h) The project addresses the priority of infrastructure funding needs set forth in the applicant's population density in the current study entitled "An Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida" identified in (g), above:

1. Higher priority in Infrastructure Assessment or combination of new construction and renovation/repairs: 13 points.

2. Lower priority in Infrastructure Assessment: 8 points.

(3) ACQUISITION CRITERIA.

Points shall be awarded as follows:

(a) The Project assists in conserving and protecting environmentally unique, irreplaceable and valued ecological resources such as flora, fauna, natural communities, or other special features identified in the Florida Natural Areas Inventory, incorporated by reference and available from Florida Natural Areas Inventory, 1018 Thomasville Road, Suite 200-C, Tallahassee, Florida 32303,

(850)224-8207: 13 points.

(b) The project provides frontage on wetlands or water bodies such as rivers, lakes, or oceans: 6 points.

(c) The project provides for development of facilities identified in the top three priority ranked index clusters of outdoor facilities needs for new construction identified within the applicant's population density set forth in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida" identified in (2)(g), above: 15 points.

(d) The project provides the following pursuant to the applicant's adopted local comprehensive plan: 23 maximum points.

Points shall be awarded as follows:

1. Needed acreage: 15 points.

2. Needed distribution of acreage: 8 points.

(e) The applicant has:

1. Identified development of the property in their capital improvement plan or schedule (CIP) during the current or next three fiscal years: 6 points.

or

2. The applicant has included development of the property as part of the plan through an adopted resolution committing the applicant to amend its CIP and develop the property should it receive program funds 3 points.

(4) TIE BREAKER SYSTEM.

If two or more applications receive the same score as a result of the above evaluation, the following tie breaker system will be used to decide the priority ranking among them. Tied applicants will be evaluated according to each step of the tie-breaker system in order and will be assigned their priority accordingly. If Step 1 does not break the tie, Step 2 shall be used.

(a) Step 1 – Funding History. An order of priority among those applications with equal scores shall be established based on the per capita amount of funds previously received by the applicant from LWCF during the previous five funding years. The application from the applicant having the lowest per capita amount of funds receives the highest priority. Other

applications will be arranged in descending order inversely to their applicants' per capita amount of funds received. The resident population within the applicant's jurisdictional boundaries shall be utilized to compute the applicant's per capita amount of funds received.

(b) Step 2 – Per Capita Operating Budget. The applicant with the lowest per capita expenditure of general operating funds receives the highest priority. The resident population within the applicant's jurisdictional boundaries will be divided into the applicant's total general operating budget for the applicant's current fiscal year to obtain the per capita operating fund amount.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History—New _____

62D-5.073 Grant Administration.

The following constitute procedures for administration of program grants:

(1) PROJECT AGREEMENT. After approval of the funding list by the Secretary and execution of the NPS and State project agreement, the Department and grantee shall enter into a project agreement which sets forth the responsibilities and duties of each regarding administration of the approved project, which shall be based on the Manual, this Part, and the Project's particular needs.

(2) PAYMENT BASIS. Grantees are paid approved program funds by the Department subject to the following conditions:

(a) Project Costs. Payment of project costs are made if eligible as provided for in the Manual, this Part and the project agreement. Costs shall be incurred between the effective date of, and the project completion date identified in, the project agreement, except for preagreement costs as stated in the project agreement. If the total cost of the project exceeds the grant and required match, the grantee must pay the additional cost.

(b) Costs Limits. Project planning expenses for development projects such as architectural and engineering costs, permitting fees, and project inspection fees are eligible project costs, provided that such costs do not exceed 15 percent of the project cost. Such costs shall only be incurred between the effective date of, and the project completion date identified in, the project agreement.

(c) Retention. For development projects, the Department shall retain 10 percent of the grant award until the grantee completes the project and staff approves the completion documentation set forth in subparagraph 62D-5.073(7)(e)2. of this Part.

(3) ACCOUNTABILITY. The following procedures shall govern the accountability of program funds:

(a) Accounting System: Each grantee is responsible for maintaining an accounting system which meets generally accepted accounting principles and for maintaining financial records to properly account for all program and matching funds.

(b) Grant Accountability Procedure. The grantee shall also meet the requirements of the Division's Grant Accountability Procedure, effective January 23, 1997, incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000, (850)488-7896.

(4) REVERTED PROJECT FUNDS. If any funds awarded during a funding cycle are not used and become available before termination of the federal fiscal year for which appropriated, the Department may apply the funds in priority order to unfunded program applications remaining on the current priority lists.

(5) PROJECT COMPLETION CERTIFICATION. The grantee shall submit to the Department a Project Completion Certificate, FPS-A049, [effective date], available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

(6) ACQUISITION PROJECTS. The following constitute the specific procedures for administration of acquisition projects:

(a) Grant Period. The grantee shall have up to one year from the effective date of the project agreement to complete the project, unless extended by the Department staff for good cause, such as financial hardship, public controversy, or factors beyond the grantee's control, upon written request of the grantee.

(b) Ownership. Title to land acquired with program funds shall vest in the grantee.

(c) Procurement. The grantee shall purchase the property according to sections 640.1. 2 and .3; 650.4 and .7; 670.1 and .3; and 675.2 of the Manual.

(d) Assumption of Title. The grantee may not purchase the property acquired with LWCF funds until the project agreement is fully executed and Department staff approves the commencement documentation required by paragraph 62D-5.073(6)(g), unless otherwise specified in this Part.

(e) Total Grant Award. The total grant payment is based on the project cost, negotiated purchase price, or approved appraised value, whichever is lowest. If the negotiated purchase price or approved appraised value is greater than the project cost, the grantee must pay the additional cost.

(f) Site Development. The grantee shall have up to three years from completion date set forth in the project completion certificate to develop the property unless extended by staff for good cause, such as financial hardship, public controversy,

material shortage, unfavorable weather conditions, or factors beyond the grantee's control, upon written request of the grantee.

(g) Commencement Documentation. Prior to commencement of acquisition procedures, the grantee shall submit for Department staff approval the documentation described in the Land and Water Conservation Fund Program Required Project Commencement Documentation Form, FPS-A050, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

(h) Completion Documentation. After completion of acquisition procedures and prior to final reimbursement, the grantee shall submit for Department staff approval the documentation described in the Land and Water Conservation Fund Program Required Project Completion Documentation Form, FPS-A051, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

(7) DEVELOPMENT PROJECTS. The following constitutes the specific procedures for administration of development projects:

(a) Grant Period. The grantee shall have up to three years from the effective date of the project agreement to complete the project, unless extended by Department staff for good cause, such as financial hardship, public controversy, material shortage, unfavorable weather conditions, or factors beyond the grantee's control, upon written request of the grantee.

(b) Procurement of Goods and Services. The grantee shall secure all goods and services for accomplishment of the project according to its adopted procurement procedures and applicable federal requirements identified in Section 675.3 of the Manual.

(c) Contracting Requirement. Any contractor awarded a contract for construction of facilities under the grant must be bonded and insured pursuant to Section 675.3 of the Manual.

(d) Inspections. Department staff shall perform an on-site inspection of the project site to ensure compliance with the project agreement prior to release of the final grant payment.

(e) Commencement Documentation. Prior to commencement of the project, the grantee shall submit for Department staff approval the documentation described in the Land and Water Conservation Fund Program Required Project Commencement Documentation Form, FPS-A050, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

1. Permitting Certification. The grantee shall submit to the Department a Land and Water Conservation Program Project Permitting Certification, FPS-A052, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

2. Completion Documentation. Upon completion of the project and prior to release of the final payment, the grantee shall submit for Department staff approval the documentation described in the Land and Water Conservation Fund Program Required Project Completion Documentation Form, FPS-A051, [effective date], hereby incorporated by reference and available from the Department's Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station #585, Tallahassee, Florida 32399-3000, (850)488-7896.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History-New

62D-5.074 Compliance Responsibilities.

Subsection 62D-5.070(12)-(16) and the following constitute the general requirements for program compliance:

(1) SITE DEDICATION. Land owned by the grantee, which is developed or acquired with LWCF funds, shall be dedicated in perpetuity as an outdoor recreation site for the use and benefit of the public. Land which is leased from the federal government or another public agency by grantee must include safeguards to ensure the perpetual use requirement contained in the Land and Water Conservation Fund Act. Safeguards include such things as joint sponsorship of the project or an agreement between the parties that the lessor would assume compliance responsibility for the project site in the event of default by the lessee (grantee) or termination or expiration of the lease. These dedications must be recorded in the county's public property records by the grantee.

(2) MANAGEMENT OF PROJECT SITES. Grantees shall ensure by site inspections that the property acquired or developed with LWCF are being operated and maintained for outdoor recreation purposes. All projects shall be open at reasonable times and shall be managed in a safe and attractive manner appropriate for public use. Facilities shall be kept in reasonable repair for a minimum of 25 years from the date set forth on the project completion certificate to prevent undue deterioration.

(3) CONVERSION. Should a grantee, within the period of dedication, convert all or part of the project site to other than public outdoor recreational uses, the grantee shall replace the area, facilities, resource or site at its own expense with an acceptable project of comparable or greater value, scope and quality pursuant to Section 675.9.3 of the Manual.

(4) NON-COMPLIANCE. Before a project is closed, the Department and the NPS shall have the right to terminate a project agreement and demand return of the program funds for non-compliance by a grantee. Failure by a grantee to comply

with the provisions of this Part or the project agreement will result in the Department declaring the grantee ineligible for further participation in LWCF until such time as compliance has been obtained as determined by the Department under this rule and the Manual.

(5) INSPECTIONS. Department staff shall periodically inspect program projects to ensure compliance with (1), (2), and (3) of this section and Section 675.9 of the Manual.

Specific Authority 403.1823(1) FS. Law Implemented 375.021(4), 403.1823(2), 403.1826, 403.1832 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Collier Clark, Advisory Services Manager, Bureau of Design and Recreation Services, 3900 Commonwealth Blvd., MS 585, Tallahassee, Florida 32399-3000, (850)488-7896

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Fran Mainella, Director, Division of Recreation and Parks, 3900 Commonwealth Blvd., MS 500, Tallahassee, Florida 32399-3000, (850)488-6131

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2001

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES:	RULE NOS.:
Organization	64B8-40.002
Delegation of Powers and Duties	64B8-40.003

PURPOSE AND EFFECT: The purpose of the amendments for the above rules is to remove outdated language and to delegate additional powers and duties to the Dietetics and Nutrition Practice Council.

SUMMARY: These amendments serves to address specific requirements for organization and Delegation of Powers and Duties.

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

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

SPECIFIC AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.507 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-40.002 Organization.

The principal office of the Council is in Tallahassee. The mailing address and telephone number of the Council is DIETETICS AND NUTRITION PRACTICE COUNCIL, 1940 North Monroe Street, Tallahassee, Florida 32399-0789, (850)487-3372. The office is open from 8:00 a.m. to 5:00 p.m. on weekdays, excluding holidays.

Specific Authority 468.507 FS. Law Implemented 468.507 FS. History--New 4-9-89, Formerly 21M-46.002, 61F6-46.002, Amended 11-16-95, Formerly 59R-40.002, Amended _____.

64B8-40.003 Delegation of Powers and Duties.

(1) Pursuant to Section 468.506, Florida Statutes, the Board delegates to the Council the following powers and duties:

(a) Certification of dietitian/nutritionist by endorsement or examination and certification of nutrition counselor by employment status as of April 1, 1988.

(b) Issuance of temporary permits to applicants for endorsement or examination.

(c) Approval of continuing education programs and providers of continuing education programs in dietetics and nutrition practice.

(2) Rulemaking proposals, petitions for declaratory statement and petitions to adopt, amend or repeal rules which relate to dietetics and nutrition practice and nutrition counseling and assessment shall be presented to the Council. The Council shall consider the matter and make recommendations to the Board as to the appropriate action to be taken.

Specific Authority 468.506 FS. Law Implemented 468.507 FS. History--New 4-9-89, Formerly 21M-46.003, 61F6-46.003, Amended 11-16-95, Formerly 59R-40.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2001

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES:	RULE NOS.:
General Requirements	64B8-45.001
Continuing Education Approval	64B8-45.002
Performance of Pro Bono Services	64B8-45.005

PURPOSE AND EFFECT: Rule 64B8-45.001 is being amended to delete the part, which is obsolete. Rule 64B8-45.002, the purpose is to update the continuing education

approval requirements. Rule 64B8-45.005, is to delete reference to statutes which are no longer applicable to this program.

SUMMARY: These amendments serves to address specific requirements for general requirements; continuing education approval and performance of pro bono services.

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: 456.013(8), 468.507 FS.

LAW IMPLEMENTED: 468.514, 468.515 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: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-45.001 General Requirements.

(1) through (3) No change.

~~(4) All renewal notices and continuing education completion forms, together with the appropriate fees must be postmarked on or before February 28 of each odd-numbered year, in order to be considered timely.~~

~~(4)(5) Failure to document compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action.~~

~~(5)(6) If prior to biennial renewal a licensee has any extenuating circumstance such as catastrophic illness or extreme situations beyond the control of the licensee, the Council shall consider the situation on an individual basis.~~

Specific Authority 456.013(8), 468.507 FS. Law Implemented 468.514, 468.515 FS. History--New 12-5-90, Amended 1-1-92, 9-24-92, 5-6-93, Formerly 21M-51.001, Amended 9-28-93, Formerly 61F6-51.001, Amended 1-2-95, 11-12-95, Formerly 59R-45.001, Amended _____.

64B8-45.002 Continuing Education Approval.

(1) through (2) No change.

(3) The Council Board shall evaluate applications from providers of continuing education programs to determine if approval is to be granted or denied. To be approved, a continuing education program must meet the following criteria:

(a) through (e) No change.

(4) No change.

(5) The ~~Council Board~~ shall biennially evaluate applications for renewal of continuing education provider status to determine if renewal is to be granted or denied. To be renewed, a continuing education provider must:

- (a) through (c) No change.
- (6) through (7) No change.

Specific Authority 468.507 FS. Law Implemented 468.514, 468.515 FS. History—New 12-5-90, Amended 1-1-92, 9-24-92, Formerly 21M-51.002, Amended 11-4-93, Formerly 61F6-51.002, Amended 12-28-94, 11-12-95, Formerly 59R-45.002, Amended.

64B8-45.005 Performance of Pro Bono Services.

(1) Up to four hours per biennium of continuing education credit may be fulfilled by the performance of pro bono services to the indigent, underserved populations, or areas of critical need within the state where the licensee practices. The standard for determining indigency shall be that recognized by the Federal Poverty Income Guidelines produced by the Department of Health and Human Services ~~found in 45 CFR § 206 and § 234 and incorporated herein by reference.~~

- (2) No change.

Specific Authority 468.507 FS. Law Implemented 468.514, 468.515 FS. History—New 12-5-90, Amended 1-1-92, 9-24-92, Formerly 21M-51.002, Amended 11-4-93, Formerly 61F6-51.002, Amended 12-28-94, 11-12-95, Formerly 59R-45.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dietetics and Nutrition Practice Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 9, 2001

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Licensure by Examination: Certification for Examination
RULE NO.: 64B19-11.003

PURPOSE AND EFFECT: The rule is being repealed.

SUMMARY: The Board is repealing the above rule.

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: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howertron, Executive Director, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.003 Licensure by Examination: Certification for Examination.

Specific Authority 490.004(4) FS. Law Implemented 490.005(1) FS. History—New 8-12-90, Amended 7-7-92, 11-18-92, 4-26-93, Formerly 21U-11.0061, 61F13-11.0061, Amended 1-7-96, Formerly 59AA-11.003, Amended 12-4-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2001

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Collection and Payment of Fees
RULE NO.: 64B19-12.001

PURPOSE AND EFFECT: The rule is being repealed.

SUMMARY: The Board is repealing the above rule.

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: 490.004(4) FS.

LAW IMPLEMENTED: 456.013(2), 490.005(1)(a), 490.006(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howertron, Executive Director, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.001 Collection and Payment of Fees.

Specific Authority 490.004(4) FS. Law Implemented 456.013(2), 490.005(1)(a), 490.006(1) FS. History—New 1-12-82, Formerly 21U-12.01, Amended 7-7-86, 8-12-90, Formerly 21U-12.001, 61F13-12.001, 59AA-12.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Psychology
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 9, 2001

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-20.012	Critical Teacher Shortage Tuition Reimbursement Program
6A-20.025	Grants for Teachers for Special Training in Exceptional Student Education

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 26, No. 51, December 22, 2000, Florida Administrative Weekly have been withdrawn.

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

DEPARTMENT OF INSURANCE

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

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)l., Florida Statutes, published in Vol. 27, No. 11, Match 16, 2001, of the Florida Administrative Weekly:

4-211.0031 should be changed to read "4-211.031".

Delete Shirley Kerns and the contact person and replace with "Audrey Higgins".

The remainder of the rule reads as published.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE NO.:	RULE TITLE:
4A-2.024	Construction Materials Mining Activities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 31, August 4, 2000, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.0503	Definition of Qualified Instructional Personnel

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 51, December 22, 2000, Florida Administrative Weekly was continued from March 29, 2001, to April 10, 2001.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-32.002	Definitions
61G15-32.003	Common Requirements to All Fire Protection Engineering Documents
61G15-32.004	Design of Water Based Fire Protection Systems

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Professional Engineers hereby gives notice of an additional public hearing on the above-referenced rules to be held on April 24, 2001, at 1:30 p.m., at The Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612. This additional public hearing is being held in response to comments received from the Notice of Hearing held March 5, 2001. The rule was originally published in Vol. 27, No. 3, of the January 19, 2001, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Natalie Lowe, Administrator, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Administrator 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 ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-62R

RULE CHAPTER NO.: 62-214
 RULE CHAPTER TITLE: Requirements for Sources Subject to the Federal Acid Rain Program

RULE NO.: 62-214.340
 RULE TITLE: Exemptions

NOTICE OF WITHDRAWAL

Notice is hereby given that the amendment to Rule 62-214.340(3)(a), F.A.C., as noticed in Vol. 27, No. 7, (February 16, 2001), Florida Administrative Weekly has been withdrawn.

The amended language was included in error.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 96-104R

RULE CHAPTER NO.: 62-701
 RULE CHAPTER TITLE: Solid Waste Management Facilities
 RULE NOS.: 62-701.220
 RULE TITLES: General Applicability
 62-701.300 Prohibitions
 62-701.320 Solid Waste Management Facility Permit Requirements, General

62-701.510 Water Quality and Leachate Monitoring Requirements

62-701.520 Special Waste Handling

62-701.530 Gas Management Systems

62-701.600 Landfill Final Closure

62-701.710 Waste Processing Facilities

62-701.730 Construction and Demolition

62-701.900 Debris Disposal and Recycling Forms

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. 27, No. 8, February 23, 2001 issue of the Florida Administrative Weekly:

62-701.220 General Applicability.

(2)(g) The collection and processing of soil, rocks, vegetative debris, asphalt, and similar materials normally associated with and actually from construction and routine maintenance of roads, as defined in Section 334.03(24), F.S., when such materials are beneficially used or reused by the generator as part of a road construction or maintenance project.

(7) There are several requirements in this chapter that stormwater be controlled in accordance with Part IV of Chapter 373 and the rules promulgated thereunder. Unless otherwise specifically provided, the referenced rules are Chapter 62-25, F.A.C., for facilities within the Northwest Florida Water Management District, and Chapter 62-330, F.A.C., for all other facilities.

62-701.300 Prohibitions.

(6)(a)2. The biomedical waste has been properly incinerated so that little or no organic material remains in the ash residue, or treated by a process approved by the Department of Health, and the provisions in Rule 62-701.520(5)(c), F.A.C., are complied with; or

62-701.320 Solid Waste Management Facility Permit Requirements, General.

(15)(e) Operators and spotters who received initial training prior to [eff date] will still be considered trained. Such persons shall complete the continued training requirements that were in effect prior to [eff date], after which they shall comply with the continued ~~continuing~~ training requirements of this subsection. Facilities operating on [eff date] shall modify their training plans to comply with this subsection by the time any operators or spotters employed by the facility are required to meet these requirements.

62-701.510 Water Quality and Leachate Monitoring Requirements.

(6)(d)(e) Routine monitoring well sampling. All detection wells, and a representative sample of background wells, shall be sampled and analyzed for the ground water parameters listed in paragraph (8)(a) of this section, in accordance with the water quality monitoring plan. For lined landfills, this shall be done at least semi-annually. Background wells may be sampled at a frequency other than semi-annually if approved by the Department in the permit. The owner or operator of a solid waste disposal unit may request a permit condition or modification from the appropriate District Office of the Department to use an alternate monitoring frequency for background wells. The Department will approve such condition or modification upon a demonstration that the alternate frequency is appropriate based upon site specific lithology of the aquifer and unsaturated zone, hydraulic conductivity of the aquifer and unsaturated zone, ground water flow rates, minimum distance of travel and the fate and transport of parameters detected.

(9)(a) The landfill owner or operator shall report all water quality and leachate monitoring results to the Department semi-annually, unless a different monitoring frequency is specified in the permit. Water quality data contained in the report may be submitted to the Department electronically, and may be used in place of written copies of the data, if approved by the Department in the permit. The Department shall approve such submittals if the permittee specifies in the operation plan a method of electronic submittals which is compatible with the Department's information systems. The operator of the landfill shall notify the Department at least 14 days before the sampling is scheduled to occur so that the Department may collect split samples. The report shall include at least the following:

62-701.520 Special Waste Handling.

(4) Contaminated soil. Soil which has been contaminated with petroleum products or any other products which are not hazardous wastes may be disposed of in permitted, lined landfills. Petroleum contaminated soil which has been treated pursuant to Chapter 62-713, F.A.C., may be disposed of at permitted disposal facilities and may, if it meets the criteria of Rules 62-701.200(39)(24), (59)(37), and (61)(38), F.A.C., be used as cover material at permitted landfills.

62-701.530 Gas Management Systems.

(2)(b) Soil monitoring probes. Soil monitoring probes shall be installed along each property boundary segment of the facility, particularly those adjacent to off-site occupied structures within 100 feet of the property boundary or where distressed vegetation is present, and shall be spaced as needed to detect gas migration. When locating the soil monitoring probes, the owner or operator shall also consider the location of facility structures and the soil conditions, hydrogeologic conditions and hydraulic conditions surrounding the facility. Soil monitoring probes shall extend to the depth of the base of waste fill or at least three feet below ground surface, whichever is deeper. Sampling shall be conducted in the headspace of the monitoring probe without purging the gas before collecting the sample. Where sand, gravel, or more gas permeable soil strata may interconnect the waste deposit and the property boundary, multiple depth monitoring probes, or a single monitoring probe extending from the soil surface to the water table, are necessary to draw gas samples from the permeable layers.

62-701.600 Landfill Final Closure.

(5)(g)3. If the barrier layer consists only of a geosynthetic clay liner (GCL), a protective soil layer at least 24 inches thick shall be placed on top of the GCL with the upper six inches being able to sustain vegetative growth. The GCL shall be placed on a protective soil layer at least six ~~12~~ inches thick. Material specifications and installation methods, which may include a drainage layer between the GCL and the protective soil layer over the GCL, shall be adequate to protect the barrier layer from root penetration, resist erosion, and remain stable on the final design slopes of the landfill.

62-701.710 Waste Processing Facilities.

(1)(a) This rule applies to solid waste management facilities which do not dispose of solid waste on-site. This includes materials recovery facilities, transfer stations, and volume reduction facilities, but does not include used oil processing facilities, waste tire processing facilities, soil treatment facilities, yard trash processing facilities that meet the registration requirements of Rule 62-709.320, F.A.C., incinerators or combustors, or solid waste composting facilities, each of which is regulated under separate rules.

However, in accordance with Rule 62-701.320(5)(c), F.A.C., owners or operators of facilities which manage several different types of wastes, including used oil, waste tires, contaminated soil, or compost, may apply for a single permit which addresses all applicable requirements.

(e) This rule shall not apply to the following:

1. No change.
2. Facilities owned or operated by local governments which serve as drop-off points for household waste, provided:
 - a. No change.
 - b. All putrescible waste, household garbage, yard trash, or other waste which may produce leachate is containerized; and
 - c. No change.
3. Household hazardous waste collection centers operated by or exclusively on behalf of a local government; and
4. Facilities at industrial operations where waste is stored prior to shipment to a solid waste management facility, or where industrial byproducts are segregated and managed, provided that the industrial operation is regulated under another Department permit or certification; and
5. ~~Facilities used solely for the management of yard trash, including mulching operations, composting operations, and yard trash transfer stations.~~

(9)(b) The owner or operator of any facility which recycles construction and demolition debris solid waste shall submit an annual report to the Department on Form 62-701.900(7). This report shall include a summary of the amounts and types of wastes ~~received and the amounts and types of wastes~~ disposed of or recycled. The county of origin of materials which are recycled, or a statement that the county of origin is unknown, shall be included in the report. The report shall be submitted no later than April 1 of each year ~~beginning in 1998~~, and shall cover the preceding calendar year.

62-701.730 Construction and Demolition Debris Disposal and Recycling.

(12) Annual Reports. The owner or operator of the facility shall submit an annual report to the Department on Form 62-701.900(7). This report shall include a summary of the amounts and types of wastes ~~received and the amounts and types of wastes~~ disposed of or recycled. The county of origin of materials which are recycled, or a statement that the county of origin is unknown, shall be included in the report. The report shall be submitted no later than April 1 of each year beginning in 1998, and shall cover the preceding calendar year. This provision applies to all facilities regardless of the compliance schedules in Rule 62-701.730(1), F.A.C.

62-701.900 Forms.

(7) Annual Report for a Construction and Demolition Debris ~~Disposal~~ Facility, effective _____ ~~12-23-96~~.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-7.007
RULE TITLE: Limited License as Allowed in Section 456.015, F.S.

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 11, March 16, 2001, issue of the Florida Administrative Weekly. The changes are in response to comments provided the staff of the Joint Administrative Procedures Committee.

Subsection (1) shall now read as follows:

(1) A limited license shall be issued by the Board of Dentistry to an applicant who has retired or intends to retire from the practice of dentistry or dental hygiene and intends to practice only pursuant to the restrictions of the limited license granted pursuant to 456.015, F.S., if the applicant:

(a) Has been licensed for practice in any jurisdiction in the United States for at least ten (10) years in the profession for which the applicant seeks a limited license.

(b) Has not committed or is not under investigation for prosecution for any act which would constitute the basis for discipline pursuant to the provisions of Chapter 466, F.S.

(c) Practices only in the employ of public agents of non-profit agencies or institutions which meet the requirements of 501(c)(3) of the Internal Revenue Code, are permitted under 64B5-7.006 and which provide professional liability coverage for acts or omissions of the limited licensee.

(d) Complies with all continuing education requirements of active licensees.

(e) Pays a fee of \$300. If the applicant for a limited license submits a notarized statement from the employer stating the applicant will not receive monetary compensation for any service involving the practice of dentistry or dental hygiene, the application and all licensure fees shall be waived.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-12.020
RULE TITLE: Courses Required of Dentists for Renewal and Reactivation

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 11, March 16, 2001, issue of the Florida Administrative Weekly. The changes are in

response to comments provided the staff of the Joint Administrative Procedures Committee. Subsection (2) shall now read as follows:

(2) Instruction in laws and rules governing the practice of dentistry and dental hygiene consisting of at least 2 hours of instruction in relevant topics including: professional responsibility and competence; legal standards; confidentiality; professional relationships; recordkeeping; common malpractice complaints; commonly reported violations reported to the Department; and relevant case studies. The requirements of this paragraph may be met by completion of a correspondence course.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-14.003
RULE TITLE: Training, Education, Certification, and Requirements for Issuance of Permits

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 11, March 16, 2001, issue of the Florida Administrative Weekly. The changes are in response to comments provided the staff of the Joint Administrative Procedures Committee. Subsection (3)(b) shall now read as follows:

(3)(b) A dentist utilizing pediatric conscious sedation and his assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one man CPR, two man CPR, infant resuscitation, and obstructed airway with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing pediatric conscious sedation must be currently trained in ACLS (Advanced Cardiac Life Support), PALS (Pediatric Advanced Life Support), or a course providing similar instruction which has been approved by the Board. An entity seeking approval of such a course shall appear before the Board and demonstrate that the content of such course and the hours of instruction are substantially equivalent to those in an ACLS or PALS course.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.205	Eligibility Determination Process
65A-1.602	Food Stamp Program Case Processing

CONTINUATION OF PROPOSED RULEMAKING

The Department of Children and Family Services announces a public hearing to which all persons are invited.

TIME AND DATE: 2:00 p.m., April 24, 2001

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

PURPOSE: To discuss changes to these rules in response to Florida Legal Services' February 8 written comments concerning rescheduling missed appointments, reactivating denied or withdrawn applications and Food Stamp forms for approval and denial of applications.

Any person desiring special accommodations under the Americans with Disabilities Act or desiring a copy of the agenda for this hearing should contact Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Program, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or telephone (850)488-3090. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-9.004	Permits for Hunting or Other Recreational Use on Type I Wildlife Management Areas

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subsection 68A-9.004(1)(b)1., (c)1. and (g) of this proposed rule which was published in Vol. 27, No. 8, Florida Administrative Weekly, February 23, 2001, so that when adopted these provisions relating to the Miami Corporation WMA will be deleted.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-12.010	Regulations Governing the Operation of Private Hunting Preserves

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subsection 68A-12.010(12)(a),(b),(c),(d) of this proposed rule which was published in Vol. 27, No. 8, Florida Administrative Weekly, February 23, 2001, so that when adopted, it will read as follows:

(12) Only mallards which are more than two generations removed from the wild may be released for shooting and only in accordance with the provisions of this paragraph. Such birds may not be handled so as to attract wild waterfowl. No person shall be permitted to shoot game farm ducks on any hunting preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if the operation of the preserve attracts concentrations of wild waterfowl. Mallards may be released for shooting on hunting preserves, including preserves denoted as either private or commercial on GFC Form 333, only until June 30, 2008, and only in accordance with the following:

- (a) Produce documentary evidence of having commercially released mallards for shooting during the period January 1, 1998, through December 31, 2000,
- (b) Have been continuously licensed per §372.661, F.S., since July 1, 2001; and
- (c) No more than 9,000 mallards shall be released by a permittee during the open season.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.065	Specific Regulations for Type I Wildlife Management Areas-Northeast Region

NOTICE OF CHANGE TO PROPOSED RULE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subsection 68A-15.065(2), F.S. of this proposed rule which was published in Vol. 27, No. 8, Florida Administrative Weekly, February 23, 2001, so that when adopted, the specific regulations relating to the Miami Corporation WMA will be deleted and subsequent subsections renumbered.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Florida Keys National Marine Sanctuary

RULE NOS.: 68B-6.002
 RULE TITLES: Designation of Boundaries of Ecological Reserve, Sanctuary

68B-6.003
 Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters

NOTICE OF CHANGES TO PROPOSED RULES

The Fish and Wildlife Conservation Commission announces changes to proposed amendments Rule Chapter 68B-6, F.A.C., as published in the February 23, 2001 issue (Vol. 27, No. 8) of the Florida Administrative Weekly. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on March 30, 2001, in Tallahassee, Florida. The proposed amendments to Rule 68B-6.002 and Rule 68B-6.003 were changed by the addition of a proposed effective date of July 1, 2001, in each. The proposed amendments to the rules will now read as follows:

68B-6.002 Designation of Boundaries of Ecological Reserve, Sanctuary Preservation Areas, and Special-use Area.

(1) WESTERN SAMBOS ECOLOGICAL RESERVE – For purposes of the restrictions specified in Rule 68B-6.003, the Western Sambos Ecological Reserve shall consist of all state waters located within the following geographic boundary coordinates:

Point	Latitude	Longitude
1	24°33.70'N	81°40.80'W
2	24°28.40'N	81°41.90'W
3	24°28.50'N	81°43.70'W
4	24°33.50'N	81°43.10'W

(2) SANCTUARY PRESERVATION AREAS – For purposes of the restrictions specified in Rule 68B-6.003, the respective sanctuary preservation areas shall consist of all state waters within the following sets of geographic boundary coordinates:

CHEECA ROCKS

Point	Latitude	Longitude
1	24°54.42'N	80°36.91'W
2	24°54.25'N	80°36.77'W
3	24°54.10'N	80°37.00'W
4	24°54.22'N	80°37.15'W

EASTERN DRY ROCKS

Point	Latitude	Longitude
1	24°27.92'N	81°50.55'W
2	24°27.73'N	81°50.33'W
3	24°27.47'N	81°50.80'W
4	24°27.72'N	81°50.86'W

HENS AND CHICKENS

Point	Latitude	Longitude
1	24°56.38'N	80°32.86'W
2	24°56.21'N	80°32.63'W
3	24°55.86'N	80°32.95'W
4	24°56.04'N	80°33.19'W

NEWFOUND HARBOR KEY

Point	Latitude	Longitude
1	24°37.10'N	81°23.34'W
2	24°36.85'N	81°23.28'W
3	24°36.74'N	81°23.80'W
4	24°37.00'N	81°23.66'W

ROCK KEY

Point	Latitude	Longitude
1	24°27.48'N	81°51.35'W
2	24°27.30'N	81°51.15'W
3	24°27.21'N	81°51.60'W
4	24°27.45'N	81°51.65'W

SAND KEY

Point	Latitude	Longitude
1	24°27.58'N	81°52.29'W
2	24°27.01'N	81°52.32'W
3	24°27.02'N	81°52.95'W
4	24°27.61'N	81°52.94'W

(3) EASTERN SAMBOS SPECIAL-USE AREA – For purposes of the restrictions specified in Rule 68B-6.003, the Eastern Sambos Special-use Area shall consist of all state waters located within the following geographic boundary coordinates:

Point	Latitude	Longitude
1	24°29.84'N	81°39.59'W
2	24°29.55'N	81°39.35'W
3	24°29.37'N	81°39.96'W
4	24°29.77'N	81°40.03'W

(4) TORTUGAS NORTH ECOLOGICAL RESERVE – For purposes of the restrictions specified in Rule 68B-6.003, the Tortugas North Ecological Reserve shall consist of all state waters located within the following geographic boundary coordinates:

<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>
<u>1</u>	<u>24°46.00'N</u>	<u>83°06.00'W</u>
<u>2</u>	<u>24°45.40'N</u>	<u>82°54.00'W</u>
<u>3</u>	<u>24°45.30'N</u>	<u>82°48.00'W</u>
<u>4</u>	<u>24°43.32'N</u>	<u>82°48.00'W</u>
<u>5</u>	<u>24°43.32'N</u>	<u>82°52.00'W</u>
<u>6</u>	<u>24°43.00'N</u>	<u>82°54.00'W</u>
<u>7</u>	<u>24°39.00'N</u>	<u>82°58.00'W</u>
<u>8</u>	<u>24°39.00'N</u>	<u>83°06.00'W</u>

PROPOSED EFFECTIVE DATE: JULY 1, 2001.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-97, Formerly 46-6.002, Amended 7-1-01.

68B-6.003 Florida Keys National Marine Sanctuary: Prohibited Activities in Specified State Waters.

(1) **ECOLOGICAL RESERVE AND SANCTUARY PRESERVATION AREAS** – The following activities are prohibited within the Western Sambos Ecological Reserve, Tortugas North Ecological Reserve, and the Cheeca Rocks, Eastern Dry Rocks, Hens and Chickens, Newfound Harbor Key, Rock Key, and Sand Key Sanctuary Preservation Areas, described in Rule 68B-6.002:

(a) Possessing, moving, harvesting, removing, taking, damaging, disturbing, breaking, cutting, spearing, or otherwise injuring any coral, marine invertebrate, fish, bottom formation, algae, seagrass or other living or dead organism, including shells, or attempting any of these activities. However, fish, invertebrates, and marine plants may be possessed aboard a vessel in an Ecological Reserve or Sanctuary Preservation Area, provided such vessel is in continuous transit through such reserve or area and such resources are stowed in a cabin, locker, or similar storage area prior to entering and during transit through such reserve or area.

(b) Except as provided in subparagraphs 1. And 2. below, fishing by any means. However, gear capable of harvesting fish may be aboard a vessel in an Ecological Reserve or Sanctuary Preservation Area (other than Sand Key), provided such gear is not available for immediate use when entering and during transit through such Ecological Reserve or Sanctuary Preservation Area. The following fishing activities are allowed as indicated:

1. Catch and release fishing by trolling is allowed in the Sand Key Sanctuary Preservation Area.

2. The harvest of baitfish species (ballyhoo, balao, halfbeaks, or herring only) is allowed in the Sanctuary Preservation Areas specified in Rule 68B-6.002(2), subject to the following conditions:

a. No person shall engage in such harvest except pursuant to a valid permit issued for such purpose by the National Marine Sanctuary Division of the National Ocean Service on behalf of the Florida Keys National Marine Sanctuary.

b. In the Newfound Harbor Key Sanctuary Preservation Area, harvest pursuant to this subparagraph shall only be by means of a cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) no greater than 14 feet. In the Cheeca Rocks, Eastern Dry Rocks, Hens and Chickens, Rock Key, and Sand Key Sanctuary Preservation Areas, harvest pursuant to this subparagraph shall only be by means of a cast net or modified lampara net.

c. All bycatch (species other than ballyhoo, balao, halfbeaks, or herring) shall be returned to the water alive.

d. Contact with or disturbance of the seabed is prohibited.

e. Harvest of baitfish in the Sanctuary Preservation Areas specified herein by the use of any gear other than those specifically allowed in this subparagraph is prohibited.

(c) Touching living or dead coral, including but not limited to, standing on a living or dead coral formation.

(d) Except for passage without interruption through the area, for law enforcement purposes, or for purposes of monitoring pursuant to 15 C.F.R. §922.164(d)(2), violating a temporary access restriction imposed by the Director of the Office of Ocean and Coastal Resource Management of the National Oceanic and Atmospheric Administration or designee pursuant to 15 C.F.R. §922.164(d)(2).

(2) **EASTERN SAMBOS SPECIAL-USE AREA** – The Eastern Sambos Special-use Area is a "research only area" set aside to provide for scientific research or education relating to protection and management, through the issuance of a National Marine Sanctuary General or Historical Resources Permit pursuant to 15 C.F.R. §922.166. Except as may be authorized pursuant to such a permit, within the Eastern Sambos Special-use Area described in Rule 68B-6.002, the following activities are prohibited:

(a) Possessing, moving, harvesting, removing, taking, damaging, disturbing, breaking, cutting, spearing, or otherwise injuring any coral, marine invertebrate, fish, bottom formation, algae, seagrass or other living or dead organism, including shells, or attempting any of these activities.

(b) Fishing by any means.

PROPOSED EFFECTIVE DATE: JULY 1, 2001.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-97, Amended 11-16-98, 12-2-99, Formerly 46-6.003, Amended 7-1-01.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 348, CRUISE & CASH RULE NO.: 53ER01-15
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 348, "CRUISE & 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:

53ER01-15 Instant Game Number 348, CRUISE & CASH.

(1) Name of Game. Instant Game Number 348, "CRUISE & CASH."

(2) Price. CRUISE & CASH tickets sell for \$2.00 per ticket.

(3) CRUISE & 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 Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning CRUISE & 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), Florida Administrative Code. In the event a dispute arises as to the validity of any CRUISE & CASH 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 "WINNING NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prizewinners.

(a) The holder of a ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall be entitled to the corresponding prize shown for that number. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$7.00, \$10.00, \$15.00, \$30.00, \$50.00, \$250, \$500, \$5,000, and \$10,000.

(b) The holder of a ticket which entitles the player to a prize of a "TICKET" shall be entitled to a prize of a \$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 CRUISE & CASH 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 an "anchor" symbol in the "YOUR NUMBERS" play area shall be entitled to a prize of one three-day Carnival® cruise for two persons. Embarkation must occur by December 15, 2002. Cruises will embark from the Port of Miami or Port Canaveral and will include: ocean view stateroom with a large picture window located within the top four guest decks; all on-board snacks and meals, all shipboard entertainment; use of all shipboard facilities; 24 hour stateroom service; all port charges and government fees; shipboard gratuities for the Waiter, Assistant Waiter, and Stateroom Steward; and applicable Federal Withholding Tax. Winners will be responsible for any additional federal, state, and/or local taxes or fees; additional cruise services requested such as upgrades, air-transfer, tour packages, personal purchases, and cancellation or change of reservations; and any expenses incurred traveling to or from the cruise port. The Lottery will not be responsible for the scheduling or payment of any additional services requested by a winner.

(9) The value, number of prizes, and odds of winning in Instant Game Number 348 are as follows:

MATCH ANY OF YOUR NUMBERS TO ANY OF THE WINNING NUMBERS. WIN PRIZE SHOWN FOR THAT NUMBER. GET AN "ANCHOR" SYMBOL. WIN A THREE-DAY CRUISE FOR TWO PERSONS. TICKET	WIN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS	PER POOL	ODDS
\$2	\$2	1,159,200	1,159,200	1 in 6.52
\$2 x 2	\$4	201,600	201,600	1 in 37.50
\$4	\$4	100,800	100,800	1 in 75.00
\$2 + (\$2 x 2) + \$1	\$7	201,600	201,600	1 in 37.50
\$3 + (\$2 x 2)	\$7	50,400	50,400	1 in 150.00
\$7	\$7	50,400	50,400	1 in 150.00
\$1 x 10	\$10	50,400	50,400	1 in 150.00
\$2 + \$3 + \$5	\$10	25,200	25,200	1 in 300.00
\$10	\$10	25,200	25,200	1 in 300.00
\$2 x 10	\$20	25,200	25,200	1 in 300.00
(\$2 x 3) + \$4 + (\$5 x 2)	\$20	12,600	12,600	1 in 600.00
\$10 x 2	\$20	12,600	12,600	1 in 600.00
\$3 x 10	\$30	12,600	12,600	1 in 600.00
\$15 x 2	\$30	12,600	12,600	1 in 600.00
\$4 x 10	\$40	9,660	9,660	1 in 782.61
\$30 + (\$5 x 2)	\$40	9,660	9,660	1 in 782.61
\$2 + (\$3 x 2) + (\$5 x 3) + \$7 + (\$10 x 2) + \$50	\$100	42	42	1 in 18,000.00
\$10 x 10	\$100	42	42	1 in 18,000.00
\$250 x 2	\$500	42	42	1 in 180,000.00
\$500	\$500	42	42	1 in 180,000.00
"Anchor" symbol	Cruise prize	750	750	1 in 10,080.00
\$5,000 x 2	\$10,000	2	2	1 in 3,780,000.00
\$10,000	\$10,000	2	2	1 in 3,780,000.00

(10) The overall odds of winning any prize in Instant Game Number 348 are 1 in 3.76.

(11) For reorders of Instant Game Number 348 the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(12) Procedures for Claiming a Cruise Prize Package. A player who has won a cruise prize package in accordance with the instant play features of Instant Game Number 348 described in paragraph (8)(c) above, shall claim his or her prize as follows. The player should complete the information section on the back of a winning CRUISE & CASH ticket. The player must present the winning ticket to any retailer or Florida Lottery office and obtain a Winner Claim Form DOL 173-2, Revised 02/01, or DOL 173-S, Revised 02/01. The forms are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32395-4045. At the time a cruise package prize is claimed, the terminal will produce two claim tickets: the player claim ticket and the Lottery claim ticket. The prize winner shall complete a Winner Claim Form in accordance with the instructions on it and either mail the Winner Claim Form, Lottery claim ticket and winning instant ticket ("claim package") to the Florida Lottery, Winner Validation, Capitol Complex, Tallahassee, Florida 32399-9939, or submit the claim package to any Florida Lottery office. Claims submitted

to a district office will be forwarded to Lottery Headquarters in Tallahassee. The prizewinner should retain a copy of the completed Winner Claim Form and the player claim ticket. Upon receipt of the claim package at Lottery Headquarters, the Lottery will complete the ticket validation process and mail the prizewinner a congratulatory letter that explains the cruise redemption process and a Release and Acceptance Form DOL-400 for execution. Release and Acceptance Form DOL-400, revised 3/01, is incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32395-4045. The risk of loss or late delivery of a claim submitted by mail remains with the player. Cruise prize packages must be claimed no later than February 26, 2002.

(13) Procedures for Awarding a Cruise Package.

(a) Upon the Lottery's receipt of the cruise winner's executed Release and Acceptance Form, the Florida Lottery will mail the winner a cruise prize package certificate. Winners will be responsible for making reservations directly with Carnival. Cruise reservations must be made at least thirty days prior to embarkation. Embarkation must occur by December 15, 2002. Carnival will honor scheduling dates on a space available basis. A winner who does not make his or her reservation for an available cruise as specified above will forfeit his or her right to the cruise prize package; however, the value of the cruise prize package will remain taxable income to the winner. Tax withholding on the value of the cruise prize package will be transmitted to the Internal Revenue Service. Certain dates associated with the following holiday blackout periods will apply: Valentine's Day, President's Day, Easter, Memorial Day, Labor Day, Thanksgiving, Christmas and New Year's. A winner may purchase an upgrade to cruise during the blackout dates. After a reservation is confirmed, the winner may cancel and change sailing dates if the cancellation occurs up to fifteen days prior to departure. A \$25 per guest service fee will be assessed for the cancellation and re-booking procedure. If a cancellation occurs within fifteen days of departure, Carnival will provide the winners a comparable future cruise on a space available basis with confirmation provided at Carnival's discretion. Cruise prize packages are not redeemable for cash. A winner may transfer the cruise to another person one time with a notarized letter identifying the certificate number and the name of the new recipient; however, the value of the cruise prize package will remain taxable income to the winner. The notarized letter must be received by Carnival at least thirty days prior to the planned departure date. A cruise certificate cannot be transferred if the winner has already secured reservations.

(b) Cash will not be awarded in lieu of cruise prize packages except as follows. The Florida Lottery reserves the right, if necessary, due to unforeseen circumstances beyond the control of the Lottery, to award cash prizes of \$1,736 instead of a cruise.

(c) In the event cash prizes are awarded, applicable Federal Withholding Tax shall be deducted from the cash prize and any other taxes shall be the responsibility of the winner.

(d) If the winner of a cruise prize package is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in lieu of award of the cruise prize package. If the debt is an amount less than \$1,736, the winner shall receive the excess amount once applicable Federal Withholding Tax has been deducted and the debt has been satisfied. If the debt is an amount greater than \$1,736, the amount of the prize remaining after deduction of applicable Federal Withholding Tax will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes.

(14) Carnival Special Discount Offer. From April 3, 2001, through February 26, 2002, a non-winning CRUISE & CASH instant ticket presented to Carnival is good for a \$50 discount on one stateroom on a three-, four-, or five-day Carnival cruise; or a \$100 discount on one stateroom on a seven-day or longer Carnival cruise. This offer applies to stateroom categories 6A-12, is for selected 2001 & 2002 sailings, and is not combinable with any other offers or group bookings. Only one ticket discount offer will be applied per stateroom. Certain other restrictions, including blackout dates, apply to this Discount Offer. Players should call 1-800-Carnival or contact a travel agent to make cruise reservations or to obtain further information. Players should request Fare Code CPFL.

(15) A winner's right to a merchandise prize is not assignable.

(16) Winners must be at least 18 years of age.

(17) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. By purchasing a CRUISE & CASH lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(18) A copy of the CRUISE & CASH instant game rules may be obtained by writing the Florida Lottery, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011, by calling (850) 487-7724, or by accessing the Lottery's website at www.flalottery.com.

Specific Authority 24.105(10)(a),(b),(c),(d),(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(10)(a),(b),(c),(d),(e), 24.115(1) FS. History—New 3-30-01.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 342,
HIGH CARD DOUBLER
RULE NO.: 53ER01-16

SUMMARY OF THE RULE: This emergency rule describes Instant Game 342, "HIGH CARD DOUBLER," 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:

53ER01-16 Instant Game Number 342, HIGH CARD DOUBLER.

(1) Name of Game. Instant Game Number 342, "HIGH CARD DOUBLER."

(2) Price. HIGH CARD DOUBLER tickets sell for \$1.00 per ticket.

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

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

INSERT SYMBOLS

(5) The "DEALER'S CARD" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners. There are five games on a ticket.

(a) The holder of a ticket having a card in the "YOUR CARD" play area in a game that is higher than the card in the "DEALER'S CARD" play area in the same game shall be entitled to the corresponding prize shown for that game. Prizes which may appear in the "PRIZE" area are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$200, \$1,000. The holder of a ticket which entitles the player to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a HIGH CARD DOUBLER 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.

(b) The holder of a ticket having an "A" in the "YOUR CARD" play area shall be entitled to a prize of double the corresponding prize amount.

(9) The value, number of prizes, and odds of winning in Instant Game Number 342 are as follows:

IF YOUR CARD BEATS THE DEALER'S CARD CARD. WIN PRIZE FOR THAT GAME. REVEAL AN "A", WIN DOUBLE THE PRIZE SHOWN. TICKET	WIN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL	ODDS
\$1	\$1	1,209,600	1 in 8.33
\$1 ("A")	\$2	336,000	1 in 25.00
\$1 + \$1 + \$1 + \$1 + \$1	\$5	168,000	1 in 30.00
\$2 ("A") + \$1	\$5	33,600	1 in 60.00
\$5	\$5	33,600	1 in 300.00
\$1 + \$2 ("A") + \$5	\$10	33,600	1 in 300.00
\$10	\$10	33,600	1 in 300.00
\$5 + \$5 + \$5 + \$5 + \$5	\$25	16,800	1 in 600.00
\$25	\$25	16,800	1 in 600.00
\$25 ("A")	\$50	8,400	1 in 1,200.00
\$10 + \$10 + \$10 + \$10 + \$10	\$50	6,160	1 in 1,636.36
\$20 ("A") + \$10	\$50	5,600	1 in 1,800.00
\$200	\$200	336	1 in 30,000.00
\$200 x 5	\$1,000	20	1 in 504,000.00
\$1,000	\$1,000	20	1 in 504,000.00

(10) The overall odds of winning any prize in Instant Game Number 342 are 1 in 4.37.

(11) For reorders of Instant Game Number 342, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(12) By purchasing a HIGH CARD DOUBLER 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 3-30-01.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Replacement of Obsolete Emergency Rules
RULE NO.: 53ER01-17

SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

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:

53ER01-17 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Lottery games and promotions are being replaced because the games and promotions have concluded or the rule provisions are obsolete. This rule shall replace the following rules: 53ER98-12, 53ER98-44, 53ER98-47, 53ER99-19, 53ER99-21, 53ER99-22, 53ER99-23, 53ER99-24, 53ER99-26, 53ER99-28, 53ER99-31, 53ER99-32, 53ER99-33, 53ER99-41, 53ER99-43, 53ER99-44, 53ER99-47, 53ER99-50, 53ER99-52, 53ER99-53, 53ER99-54, 53ER99-56, 53ER99-57, 53ER99-59, 53ER99-60, 53ER99-61, 53ER99-64, 53ER99-65, 53ER99-67, 53ER00-1, 53ER00-4, 53ER00-5, 53ER00-6, 53ER00-8, 53ER00-11, 53ER00-14, 53ER00-16, 53ER00-17, 53ER00-18, 53ER00-58, F.A.C.

Specific Authority 24.109(1) 24.105(2) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History--New 3-30-01. Replaces 53ER98-12, 53ER98-44, 53ER98-47, 53ER99-19, 53ER99-21, 53ER99-22, 53ER99-23, 53ER99-24, 53ER99-26, 53ER99-28, 53ER99-31, 53ER99-32, 53ER99-33, 53ER99-41, 53ER99-43, 53ER99-44, 53ER99-47, 53ER99-50, 53ER99-52, 53ER99-53, 53ER99-54, 53ER99-56, 53ER99-57, 53ER99-59, 53ER99-60, 53ER99-61, 53ER99-64, 53ER99-65, 53ER99-67, 53ER00-1, 53ER00-4, 53ER00-5, 53ER00-6, 53ER00-8, 53ER00-11, 53ER00-14, 53ER00-16, 53ER00-17, 53ER00-18, 53ER00-58, F.A.C.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: CASH 3 Rules and Prohibitions
RULE NO.: 53ER01-20

SUMMARY OF THE RULE: This emergency rule supersedes 53-30.004, F.A.C., to reflect an increase in the ticket cancellation period and to clarify other provisions in this section.

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:

53ER01-20 CASH 3 Rules and Prohibitions.

(1) By purchasing a CASH 3 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) CASH 3 prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(3) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(4) Subject to a retailer's hours of operation and on-line system availability, CASH 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(5) The scheduled time for the daily CASH 3 drawing is approximately 7:57 p.m., ET. Ticket sales for a specific CASH 3 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next CASH 3 draw date unless the player specifies another CASH 3 draw date within the selection parameters.

(6) Retailer cancellations of CASH 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no CASH 3 ticket can be cancelled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related CASH 3 close of game.

(7) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw dates(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(8) This emergency rule supersedes Section 53-30.004, Florida Administrative Code, CASH 3 Rules and Prohibitions.

Specific Authority 24.105(2), 24.109(1), 24.105(10) FS. Law Implemented 24.105(2), 24.105(10), 24.117(2) FS. History—New 3-30-01.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE:

PLAY 4 Rules and Prohibitions

RULE NO.:

53ER01-21

SUMMARY OF THE RULE: This emergency rule supersedes 53-31.004, F.A.C., to reflect an increase in the ticket cancellation period and to clarify other provisions in this section.

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:

53ER01-21 PLAY 4 Rules and Prohibitions.

(1) By purchasing a PLAY 4 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) PLAY 4 prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(3) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(4) Subject to a retailer's hours of operation and on-line system availability, PLAY 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(5) The scheduled time for the daily PLAY 4 drawing is approximately 7:57 p.m., ET. Ticket sales for a specific PLAY 4 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next PLAY 4 draw date unless the player specifies another PLAY 4 draw date within the selection parameters.

(6) Retailer cancellations of PLAY 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PLAY 4 ticket shall be cancelled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related PLAY 4 close of game.

(7) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw dates(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the

retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(8) This emergency rule supersedes Section 53-31.004, Florida Administrative Code, *PLAY 4 Rules and Prohibitions*.

Specific Authority 24.105(2), 24.109(1), 24.105(10) FS. Law Implemented 24.105(2), 24.105(10), 24.117(2) FS. History—New 3-30-01.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: FANTASY 5 Rules and Prohibitions

RULE NO.: 53ER01-22

SUMMARY OF THE RULE: This emergency rule replaces emergency Rule 53ER00-59, and supersedes Section 53-29.005, F.A.C., to reflect an increase in the ticket cancellation period and to clarify other provisions.

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:

53ER01-22 FANTASY 5 Rules and Prohibitions.

(1) By purchasing a FANTASY 5 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) FANTASY 5 prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(3) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(4) Subject to a retailer's hours of operation and on-line system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(5) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close approximately thirty-five minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date.

(6) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no FANTASY 5 ticket can be cancelled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the

selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FANTASY 5 close of game.

(7) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on ticket. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the "quick pick" method of number selection.

(8) This emergency rule replaces emergency Rule 53ER00-59, Florida Administrative Code, *FANTASY 5 Rules and Prohibitions*.

(9) This emergency rule supersedes Section 53-29.005, Florida Administrative Code, *FANTASY 5 Rules and Prohibitions*.

Specific Authority 24.109(1), 24.105(10)(a),(h),(j), 24.105(2)(a) FS. Law Implemented 24.105(10)(a),(h),(j), 24.117(2) FS. History—New 3-30-01, Replaces 53ER00-59, F.A.C.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: MEGA MONEY Rules and Prohibitions

RULE NO.: 53ER01-23

SUMMARY OF THE RULE: This emergency rule supersedes Section 53-32.006, F.A.C., to reflect an increase in the ticket cancellation period and to clarify other provisions.

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:

53ER01-23 MEGA MONEY Rules and Prohibitions.

(1) By purchasing a MEGA MONEY ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(2) MEGA MONEY prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(3) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(4) Subject to a retailer’s hours of operation and on-line system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(5) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:00 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close approximately twenty minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(6) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two hours after printing, except that no MEGA MONEY ticket can be cancelled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of on-line system availability, or the time of the related MEGA MONEY close of game.

(7) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the “quick pick” method of number selection.

(8) This emergency rule supersedes Section 53-32.006, Florida Administrative Code, MEGA MONEY Rules and Prohibitions.

Specific Authority 24.105(2), 24.105(10), 24.109(1) FS. Law Implemented 24.105(2), 24.105(10), 24.117(2) FS. History—New 3-30-01.

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

EFFECTIVE DATE: March 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: FLORIDA LOTTO
SUMMARY OF THE RULE: This emergency rule replaces 53ER99-58, F.A.C., and is being replaced to reflect an increase in the ticket cancellation period and to clarify other provisions.
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

RULE NO.: 53ER01-24

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-24 FLORIDA LOTTO.

(1) How to Play FLORIDA LOTTO.

(a) Players select six numbers from a field of one to fifty-three.

(b) Players can select their numbers by using a play slip or may receive their numbers by using the “quick pick” feature.

(c) There are five panels on a play slip. A player electing to use a play slip must select six numbers from each panel played, or allow the “quick pick” feature to select one or more of the six numbers. Each panel played must contain six number selections. Each panel played will cost one dollar per draw.

(d) Players must use only blue or black ballpoint pen or pencil for making selections.

(e) Play slips must be processed by an on-line retailer in order to obtain a ticket.

(f) Retailers can manually enter numbers selected by a player.

(2) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The drawing machine used for each drawing shall be determined by random selection. An employee of the Lottery's Security Division (“Draw Manager”) shall select two cards from a number of cards equivalent to the number of available drawing machines. Each card shall contain one number which shall correspond to the number assigned to one numbered drawing machine. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine, and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by acceptance testing or equipment failure.

(c) The ball set to be used in a drawing shall be determined by random selection. The Draw Manager shall select two cards from a number of cards equivalent to the number of available ball sets. Each card shall contain one number that shall correspond to the number assigned to one numbered ball set. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set, and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when there is question as to the reliability of the primary ball set. Each set contains fifty-three balls numbered one through fifty-three.

(d) The primary ball set shall be weighed and the weight recorded. A primary ball set that does not fall within the manufacturer's weight tolerances shall be rejected and the backup ball set shall be weighed using the procedures herein.

(e) The primary ball set shall be placed in the primary drawing machine and six test drawings shall be conducted, using the following testing criteria. If the same numbered ball is drawn four times in the six test drawings, four additional test drawings shall be conducted. If the same numbered ball is drawn two times in the four additional test drawings, the primary ball set shall be rejected. The backup ball set shall be weighed, and if it falls within the manufacturer's weight tolerance, placed in the primary drawing machine and tested using the testing criteria. If both the primary and backup ball set fail the test drawings, the backup drawing machine shall be used with the backup ball set and additional tests shall be conducted. If the backup ball set fails the additional tests, another ball set shall be selected and procedures shall be followed as set forth in paragraphs (c), (d), and (e) until a ball set passes all required tests and procedures.

(f) Once a ball set has satisfactorily passed the required testing, the selected drawing machine shall be loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(g) The fifty-three balls in the loading tubes of the FLORIDA LOTTO machine shall be dropped into the mixing chamber and mixed by the action of an air blower.

(h) Six of the fifty-three balls shall be drawn by vacuum action into the six display tubes. The numbers shown on the six balls, after certification by the Draw Manager and the accountant employed by the certified public accounting firm, are the official winning numbers for the drawing.

(i) Each drawing shall be witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(j) Equipment used in each drawing shall be inspected before and after each drawing and then secured. Ball sets used in each drawing shall be weighed and recorded before and after each drawing and then secured.

(k) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in paragraph (i). In using such substitute procedures the Lottery shall strive to maintain the highest level of public confidence and integrity in FLORIDA LOTTO drawings.

(l) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each draw, fifty percent of the gross revenue from the sale of lottery tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of the Jackpot, second prize, third prize and fourth prize.

(b) The Jackpot shall consist of 63.5 percent of the winning pool for the drawing plus any Jackpot money carried forward from the previous draws. The Jackpot shall be divided equally among the number of players matching all six official winning numbers. If there is not a Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) Second Prize shall consist of 12.3 percent of the winning pool for the drawing. The second prize shall be divided equally among the number of players matching five of the six official winning numbers. If there is not a winner in the second prize category, the second prize pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(d) Third Prize shall consist of 10 percent of the winning pool for the drawing. The third prize shall be divided equally among the number of players matching four of the six official winning numbers. If there is not a winner in the third prize category, the third prize pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(e) Fourth Prize shall consist of 14.2 percent of the winning pool for the drawing. The fourth prize shall be divided equally among the number of players matching three of the six official winning numbers. If there is not a winner in the fourth prize category, the fourth prize pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(f) Except for the Jackpot prize which will pay the exact amount, the second, third and fourth prizes shall be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$3.50. All rounding differences in the second, third and fourth prizes shall be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(4) Determination of Prize Winners. In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, or E) must match the official winning FLORIDA LOTTO numbers for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Jackpot Prize: Six of six official winning numbers.

(b) Second Prize: Five of six official winning numbers.

(c) Third Prize: Four of six official winning numbers.

(d) Fourth Prize: Three of six official winning numbers.

(5) FLORIDA LOTTO Odds of Winning. The odds of winning the prizes described above are as follows:

(a) Jackpot Prize – 1: 22,957,480.

(b) Second Prize – 1: 81,409.50.

(c) Third Prize – 1: 1,415.82.

(d) Fourth Prize – 1: 70.79.

(e) The overall odds of winning a prize in a FLORIDA LOTTO drawing are 1: 67.36.

(6) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) FLORIDA LOTTO prize payments shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(d) Subject to a retailer's hours of operation and on-line system availability, FLORIDA LOTTO tickets are available for purchase between the hours of 6:00 a.m. and 10:40 p.m., Eastern Time (ET) on Wednesday and Saturday, and between the hours of 6:00 a.m. and midnight, ET on Sunday, Monday, Tuesday, Thursday, and Friday.

(e) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:00 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close approximately twenty minutes prior to that drawing.

(f) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no FLORIDA LOTTO ticket shall be cancelled after game close for the related drawing. The two-hour cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FLORIDA LOTTO close of game.

(g) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the "quick pick" method of number selection.

(7) FLORIDA LOTTO Jackpot Pool. Each week the Lottery will announce the estimated deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by

projected and historical sales figures, interest rates, and funds from rollovers, if any. If the cash available in the Jackpot pool is insufficient to yield at least one million dollars over the designated deferred payment period for each winning ticket, the Lottery shall pay the Jackpot winner or winners in a single cash payment of their share of the amount in the Jackpot pool available immediately for investment, less applicable withholding taxes. In the event the cash available in the Jackpot pool is insufficient to yield the announced estimated Jackpot value over the designated deferred payment period, the Lottery may add prize money rendered unclaimable by Section 24.115, Florida Statutes, to the Jackpot pool to render it sufficient to yield the announced estimated Jackpot. Use of unclaimable prize money to increase the Jackpot pool for FLORIDA LOTTO shall only occur when the Lottery has determined in writing prior to the drawing that circumstances warrant the use of such funds to positively impact sales. Nothing in this rule shall be construed to prohibit a guaranteed Jackpot.

(8) FLORIDA LOTTO Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the FLORIDA LOTTO Jackpot prize. Payment options are "Cash Option" and "Annual Payment."

(b) Jackpot winners have sixty days after the winning draw date to choose between the two payment options. Once the jackpot winner signs the Winner Claim Form and exercises the winner's chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 02/01 and Spanish Winner Claim Form DOL 173-S, Revised 02/01, are incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, Capitol Complex, Tallahassee, Florida 32399-4027. In order to select the Cash Option, the winner must claim his or her prize within sixty days after the winning draw date; otherwise, the Annual Payment option will be applied.

(c) A jackpot winner who chooses the Cash Option for payment will receive one lump sum cash payment of his or her portion of the amount in the jackpot pool that is available immediately for investment, less applicable withholding taxes.

(d) A jackpot winner who chooses the Annual Payment option shall be paid his or her portion of the Jackpot prize in thirty annual payments. The Annual Payment option shall occur automatically if:

1. The Jackpot winner does not elect the cash option within sixty days after the winning draw date as provided in paragraph (b); and

2. The cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in thirty annual installments for each winning ticket.

(e) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(f) Any interest or earnings accrued on a Florida Lotto Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(9) This emergency rule replaces emergency Rule 53ER99-58, Florida Administrative Code.

Specific Authority 24.105(2), 24.109(1), 24.115(1), 24.105(10)(a),(b), (c),(d),(e),(f) FS. Law Implemented 24.115(1), 24.117(2), 24.105(10)(a),(b), (c),(d),(e),(f) FS. History—New 3-30-01. Replaces 53ER99-58, F.A.C.

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

EFFECTIVE DATE: March 30, 2001

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 an Amended Petition for Waiver on March 28, 2001, from the City of Oldsmar and Pinellas County. The petitioner seeks a waiver of a portion of Rule 9K-4.002, Fla. Admin. Code, for Florida Communities Trust Project #00-026-P10, the Mobbly Bayou Wilderness Preserve Addition.

A copy of the Petition, which has been assigned the number DCA01-WAI-052, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Bobby G. Paul on April 2, 2001, a petition for Variance or Waiver of Rule 11B-30.006(1)(a), Florida Administrative Code, pursuant to Section 120.542, Florida Statutes. Petitioner has requested that the Department waive the requirement that an officer candidate complete all coursework prior to sitting for the state licensing examination for a particular discipline.

Comments on this Petition should be filed with: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting Assistant General Counsel, Grace A. Jaye, at the above address, or by calling (850)410-7676.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Gem Estates Utilities, Inc. in Docket No. 010385-WU, seeking waiver from Rule 25-30.110(3) and (6), Florida Administrative Code.

A copy of the petition can be obtained from the Division of Records and Reporting. The rule addresses the filing of annual reports and provides for a penalty for noncompliance. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

For additional information, please contact Jennifer Brubaker, Staff Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that it has received a petition, filed on March 1, 2001, by Tammy Ellen Kushner, seeking a variance from and/or waiver of Rule 64B19-11.005(1)(d), F.A.C. which states: A supervisor is either a licensed Florida psychologist in good standing with the Board, or a psychologist licensed in good standing in another state providing supervision for licensure in that state.

Written comments on this petition should be filed with Board of Psychology, 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: Kay Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has issued a Final Order granting a Petition for Waiver of Rule 65E-5.350, Florida Administrative Code. The Petition was received by the Agency Clerk on October 27, 2000, by the Sexually Violent Predator's program and assigned Case No. 00-006W. The Final Order was issued on February 6, 2001.

A copy of the Final Order may be obtained by writing: Office of the Agency Clerk, 1317 Winewood Blvd., Bldg. 2, Room 202B, Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 29, 2001, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Waiver from the 1998 HOME Homeownership Rule 67-47.150(1), F.A.C., from Jubilee Community Development Corporation. ("Petition"). The Petition seeks

relief from Rule 67-47.150(1), Florida Administrative Code, which requires Construction loan proceeds to be disbursed during the construction phase in an amount per draw on a pro-rata basis with other financing.

A copy of the Petition can be obtained from: Jerry Lewis, Jr. Staff Attorney, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF INSURANCE

The **Department of Insurance** announces a public meeting of the Governor's Continuing Care Advisory Council to which all persons are invited.

DATE AND TIME: Friday, May 4, 2001, 10:00 a.m.

PLACE: Instructions on how to participate in the telephone conference can be obtained by writing or calling the Department of Insurance, Division of Insurer Services, 200 East Gaines Street, Room 601-B, Larson Building, Tallahassee, Florida 32399-0300, (850)922-3144, Extension 2492

PURPOSE: To discuss various issues, which are currently challenging the Continuing Care Retirement Communities in Florida and to make a written recommendation.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Department at least 5 calendar days before the meeting by contacting Mr. Gary Mills, (850)413-2476.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Steering Committee of the **Turfgrass Best Management Practices Working Group** announces a meeting to which all interested persons are invited.

DATE AND TIME: May 14, 2001, 9:00 a.m.

PLACE: Hurston South Tower, 400 West Robinson Street, Orlando, Florida 32801

PURPOSE: To work on developing Best Management Practices for Turfgrass.

Those desiring more information may contact: Erica Santella, (407)678-0972, Extension 232, e-mail address: emsantella@aol.com

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Florida Forestry Council which is open to all interested persons.

DATE AND TIME: Thursday, April 26, 2001, 9:30 a.m.

PLACE: Florida State Fairgrounds, Administration Building, Tampa, Florida

PURPOSE: Updates on Division of Forestry Programs.

A copy of the agenda may be obtained by contacting: L. Earl Peterson, Director, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274.

DEPARTMENT OF EDUCATION

The public is invited to a telephone conference call meeting of the Florida **Board of Regents**.

DATE AND TIME: April 27, 2001, 9:00 a.m.

PLACE: Conference Room, 15th Floor, Florida Education Center, Tallahassee, Florida

PURPOSE: To consider legislative issues and updates; and other matters pertaining to the State University System.

A copy of the agenda may be obtained by writing: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950.

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

The **Rehabilitation Council for the Blind** gives notice that committee meetings and conference calls will be conducted at various times throughout the year; the dates and times will be posted at least seven days prior to the meeting/call:

DATE AND TIME: TBA

PLACE: Florida Division of Blind Services, 2551 Executive Center Circle, West, Suite 200, Lafayette Bldg., Koger Center, Tallahassee, Florida 32399

Persons who want to be notified of such meetings/calls may request to be put on the mailing list by writing to Phyllis Dill at the above address or calling (850)488-1330 or through the Florida Telephone Relay System at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Bylaws Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: April 23, 2001, 10:30 a.m. – 3:00 p.m.
 PLACE: Marriott Tampa Airport, Lobby Level Meeting Room, Tampa International Airport, Tampa, Florida 33607, 1(800)228-9290, (813)879-5151

PURPOSE: To review the previous meeting’s revisions of the OAOC’s Bylaws and Policies and Procedures.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission State Plan Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 4, 2001, 10:00 a.m. – 1:00 p.m.
 PLACE: Division of Vocational Rehabilitation Services’ Headquarters, Room 214, 2002 Old Saint Augustine Road, Building A, Tallahassee, Florida 32301, (850)488-0059

PURPOSE: To guide the development of the Federal State Plan.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Field Services Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 10, 2001, 9:00 a.m. – 12:00 Noon
 PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To discuss the regular business of the Field Services Committee.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Compliance and Oversight Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 10, 2001, 9:00 a.m. – 11:00 a.m.
 PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To conduct the regular business of the Compliance and Oversight Committee.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Government and Customer Relations Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 10, 2001, 1:00 p.m. – 3:00 p.m.
 PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To discuss the regular business of the Government and Customer Relations Committee.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Budget, Policy and Planning Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 10, 2001, 3:00 p.m. – 5:00 p.m.
 PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To discuss Vocational Rehabilitation Services’ budget, policy, planning, and/or contract management issues.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Executive Committee to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 10, 2001, 5:00 p.m. – 7:30 p.m.
 PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To conduct the regular business of the Executive Committee.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: May 11, 2001, 9:00 a.m. – 4:30 p.m.
PLACE: Doubletree Guest Suites, 701 N. W. 53rd Street, Boca Raton, FL 33487, 1(800)222-8733

PURPOSE: To discuss the regular business of the Occupational Access and Opportunity Commission (morning) and participate in an OAOC/Partner Workshop (afternoon).

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, three days before the meeting.

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: April 18, 2001, 10:00 a.m. – 4:00 p.m.
PLACE: Holiday Inn Capital, 1355 Apalachee Parkway, Tallahassee, Florida 32301

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

- 1) DOE’s Strategic Plan
- 2) Status of Legislative Activities
- 3) Alternative Fuel Long Range Plan Development
- 4) Future Strategies for Alternative Fuel Policy

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 Emily Cook, Administrative Assistant, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces an Executive Planning Committee (EPC) Conference Call to review and discuss issues relating to the training and certification of criminal justice officers. All parties are invited to participate.

MEETING NAME: Executive Planning Committee (EPC) Conference Call

DATE AND TIME: Thursday, April 26, 2001, 10:00 a.m.
PLACE: Telephone Number: Please call (850)414-1706 or Suncom 994-1706 to participate in the telephone conference. Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Criminal Justice Professionalism Program, Conference Room B1055, 2331 Phillips Road, Tallahassee, Florida 32308

PURPOSE: The Executive Planning Committee will be reviewing and discussing issues relating to the training and certification of criminal justice officers.

EPC MEETING AGENDA: A copy of the EPC agenda may be obtained by contacting: Research and Training Specialist, Jay Preston, (850)410-8658 or via e-mail at jaypreston@fdle.state.fl.us. If you wish to write the Commission for a copy of this issue, please write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Research and Training Specialist, Jay Preston.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Jay Preston, (850)410-8658, at least two (2) weeks prior to the meeting.

The **Criminal Justice Professionalism Program** announces the following meeting dates and times for the Criminal Justice Standards and Training Commission and Commission-related meetings: The Quarterly Criminal Justice Standards and Training Commission meeting, Training Center Directors’ Committee and Business meetings, Commission Workshop and presentation of Officer Discipline Cases for final disposition. These meetings are held to discuss issues relating to standards, training, certification, de-certification, record management for law enforcement, correctional and correctional probation officers and issues concerning certification and recertification of Commission-certified criminal justice training schools. All parties are invited to attend.

Training Center Directors’ Committee Meetings
DATE AND TIME: Tuesday, May 1, 2001, 4:00 p.m.

Training Center Directors’ Business Meeting
DATE AND TIME: Wednesday, May 2, 2001, 8:30 a.m.

Probable Cause Determination Hearings

DATE AND TIME: A probable cause determination hearing will not be held at the May, 2001 commission meeting

Commission Workshop

DATE AND TIME: Wednesday, May 2, 2001, 2:00 p.m.

Criminal Justice Standards and Training Commission Meeting Business Agenda

DATE AND TIME: Thursday, May 3, 2001, 8:30 a.m. – 1:00 p.m.

Officer Discipline Case Proceedings

DATE AND TIME: Thursday, May 3, 2001, 1:00 p.m. – Open

PLACE: Adams Mark Resort, 100 North Atlantic Avenue, Daytona Beach, Florida 32118, telephone number for Hotel Reservation, (904)254-8200

PURPOSE: To discuss standards and training for criminal justice officers, certification and decertification of criminal justice officers, final agency action on officer discipline cases and certification and re-certification of Commission-certified criminal justice training schools. The Commission Workshop agenda: Federal Law Enforcement Training Center meeting, How to access the Criminal Justice Standards and Training Commission Policies and Procedures Manual on CD, and a Criminal Justice Agency Profile Presentation.

COMMISSION MEETING AGENDAS: A copy of the May 2001 Commission Meeting agenda may be obtained by contacting Donna Hunt, (850)410-8615, and a copy of the Officer Discipline Agenda may be obtained by contacting Brenda Presnell, (850)410-8648. If you wish to write the Commission for a copy of the above agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to call or write for a copy of the Training Center Directors' Association agenda, please write or call Training Center Director Association Chairman, Ed Mandt, (954)475-6788, Broward Community College, Criminal Justice Institute, 3501 Southwest Davie Road, Fort Lauderdale, FL 33314.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact Donna Hunt, (904)410-8615, at least two (2) weeks prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: May 15, 2001, 7:00 p.m.

PLACE: Beauclerc Elementary School, Auditorium, 4555 Craven Road, West, Jacksonville, Duval County, Florida

PURPOSE: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, environmental

effect and the Access Management Reclassification of Financial Project ID 2095151, 2095152, 2095161; otherwise known as State Road 5 (US-1), Philips Highway, from SR-9A to Emerson Street (SR-126) in Jacksonville, Duval County, Florida. The Department will present the Project Development and Environmental Study findings concerning alternatives for widening the corridor from a 4 lane rural roadway to a 6 lane urban roadway, with intersection improvements, and a major intersection improvement at Bowden Road. The project is approximately 10 miles in length. Additional right of way will be required. In addition to roadway improvement discussions, the Department will discuss the Access Management Reclassification proposal for the segment of Philips Highway from SR-9A to SR-109 (University Avenue), pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code and Section 335.18, Florida Statutes.

This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act. Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call telephone number (386)758-3700 or 1(800)749-2967.

A copy of the agenda may be obtained by writing: Mr. Aage Schroder, District Secretary, Florida Department of Transportation, District 2, Post Office Box 1089, Lake City, Florida 32056-1089.

Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

NOTICE IS HEREBY GIVEN that a Public Workshop will be held as follows:

DATE AND TIME: May 1, 2001, 6:00 p.m.

PLACE: The Boca Grande Community Center The Women's Club Room, 131 First Street, Boca Grande, Florida 33921

PURPOSE: To discuss the proposed erosion control project known as Lee County Florida Shore Protection Project – Gasparilla Island Segment, and the establishment of an Erosion Control Line for said project. The location of the proposed erosion control project is as follows:

Sections: 11, 14, 23 and 26, Township: 43 South, Range: 20 East, Lee County, Florida

For further information contact: Steve Boutelle, Lee County Division of Natural Resources, 1500 Monroe Street, Fort Myers, FL 33901, (941)479-8128 or Kenneth K. Humiston, P. E., Humiston & Moore Engineers, 5679 Strand Court, Naples, FL 34110, (941)594-2021

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing to which all interested persons are invited.

DATE AND TIME: May 1, 2001, 7:00 p.m.

PLACE: The Boca Grande Community Center, The Women's Club Room, 131 First Street, Boca Grande, Florida 33921

PURPOSE: For the purpose of considering evidence bearing on the necessity or propriety of an erosion control project known as Lee County Florida Shore Protection Project – Gasparilla Island Segment and on the location of a proposed Erosion Control Line for said project, the location of which is as follows:

The proposed Erosion Control Line lies along Gasparilla Island fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in Sections 11, 14, 23 & 26 Township 43 South, Range 20 East, being more particularly described as follows:

FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) PERMANENT REFERENCE MONUMENT (PRM) 12-81-A11 HAVING STATE PLANE COORDINATES N 883905.8354-E 569855.7322 IN THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE 902 NAD 1983-90 RUN S. 26°25'11"W. FOR 685.85 FEET TO FDEP PRM R10; THENCE RUN S. 32°02'01" W. FOR 302.88 FEET TO A POINT ON THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO, ELEVATION 1.41 FEET NGVD 1929 DATUM, SAID POINT HAVING COORDINATES N 883035.3108 E. 569390.1404 AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EROSION CONTROL LINE.

FROM SAID POINT OF BEGINNING RUN ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING COURSES THE ELEVATION OF THE MEAN HIGH WATER LINE DECREASING TO 1.10 FEET NGVD 1929, S. 04°50'46" E. FOR 153.87 FEET; S. 06°58'33" E. FOR 200.11 FEET; S. 09°44'59" E. FOR 200.68 FEET; S. 09°48'35" E. FOR 200.69 FEET; S. 08°54'09" E. FOR 200.45 FEET; S. 10°14'06" E. FOR 200.82 FEET; S. 09°22'29" E. FOR 200.57 FEET TO A POINT, SAID POINT BEING S. 15°32'35" W. 81.30 FEET FROM FDEP PRM R-11, THENCE S. 10°39'42" E. FOR 200.96 FEET; S. 09°37'16" E. FOR 200.64 FEET; S. 08°45'52" E. FOR 200.42 FEET; S. 05°10'47" E. FOR 200.00 FEET; S. 06°25'52" E. FOR 200.06 FEET; S. 04°28'53" E. FOR 200.01 FEET TO A POINT, SAID POINT BEING S. 26°52'34" W. 98.07 FEET FROM FDEP PRM R-12, THENCE S. 05°18'24" E. FOR 200.00 FEET; S. 04°14'41" E. FOR 200.02 FEET; S. 01°57'59" E. FOR 200.29 FEET; S. 02°35'49" E. FOR 200.18 FEET; S. 04°31'59" E. FOR 200.01 TO A POINT, SAID POINT BEING S. 15°55'21" W. 87.08 FEET FROM FDEP

PRM R-13, THENCE S. 03°57'46" E. FOR 200.04 FEET; S. 02°09'48" E. FOR 200.25 FEET; S. 00°13'25" E. FOR 200.71 FEET; S. 05°34'00" E. FOR 200.01 FEET TO A POINT, SAID POINT BEING S. 57°08'17" W. 468.95 FEET FROM FDEP PRM 12-81-A14 AND N. 05°39'56" W. 137.11 FEET FROM FDEP PRM R-14, THENCE S. 02°47'03" E. FOR 200.16 FEET; S. 03°01'45" E. FOR 200.12 FEET; S. 02°25'31" W. FOR 201.71 FEET; S. 01°38'57" E. FOR 200.35 FEET; S. 01°07'28" E. 200.47 FEET TO A POINT, SAID POINT BEING N. 06°50'12" W. 140.43 FEET FROM FDEP PRM R-15, THENCE S. 01°37'23" E. FOR 200.36 FEET; S. 00°29'14" E. FOR 200.63 FEET; S. 00°50'01" E. FOR 252.29 FEET; S. 09°21'57" E. FOR 39.11 FEET; S. 68°22'43" E. FOR 55.42 FEET; S. 12°09'26" E. FOR 90.24 FEET; S. 58°22'07" E. FOR 45.43 FEET; S. 07°03'11" E. FOR 200.12 FEET; S. 01°09'38" E. FOR 200.46 FEET TO A POINT, SAID POINT BEING N. 87°17'50" W. 171.28 FEET FROM FDEP PRM R-16, THENCE S. 00°34'05" E. FOR 200.61 FEET; S. 00°23'46" E. FOR 200.66 FEET; S. 00°51'42" W. FOR 201.07 FEET; S. 00°46'55" W. FOR 201.04 FEET; S. 02°23'20" W. FOR 201.70 FEET TO A POINT SAID POINT BEING N. 86°00'26" W. 204.15 FEET FROM FDEP PRM R-17, THENCE S. 02°20'05" W. FOR 201.67 FEET; S. 00°19'54" W. FOR 200.88 FEET; S. 00°19'54" W. FOR 200.88 FEET; S. 00°19'54" W. FOR 200.88 FEET TO A POINT, SAID POINT BEING N. 77°46'51" W. 345.94 FEET FROM FDEP PRM R-18, THENCE S. 00°08'15" E. FOR 200.74 FEET; S. 00°37'50" E. FOR 200.60 FEET; S. 00°37'50" E. FOR 200.60 FEET; S. 00°37'50" E. FOR 200.60 FEET; S. 00°17'19" E. FOR 200.69 FEET; S. 00°15'25" E. FOR 200.70 FEET; S. 00°15'25" E. FOR 200.70 FEET; S. 00°15'25" E. FOR 200.70 FEET TO A POINT, SAID POINT BEING N. 81°33'19" W. 433.50 FEET FROM FDEP PRM R-20, THENCE S. 00°39'14" E. FOR 200.59 FEET; S. 01°03'28" E. FOR 200.49 FEET; S. 01°03'28" E. FOR 200.49 FEET; S. 00°45'10" E. FOR 200.56 FEET TO A POINT, SAID POINT BEING S. 76°38'12" W. 299.89 FEET FROM FDEP PRM R-21, THENCE S. 00°10'30" E. FOR 200.73 FEET; S. 00°10'30" E. FOR 200.73 FEET; S. 00°10'30" E. FOR 200.73 FEET; S. 00°10'30" E. FOR 200.73 FEET; S. 01°16'11" E. FOR 200.44 FEET; S. 01°20'11" E. FOR 200.42 FEET; S. 01°31'53" E. FOR 200.38 FEET; S. 01°32'17" E. FOR 200.38 FEET TO A POINT, SAID POINT BEING N. 65°16'45" W. 195.80 FEET FROM FDEP PRM R-23, THENCE S. 00°38'57" E. FOR 200.59 FEET; S. 01°06'41" E. FOR 200.47 FEET; S. 01°32'15" E. FOR 200.38 FEET; S. 00°41'10" E. FOR 200.58 FEET; S. 02°02'44" W. FOR 201.54 FEET TO A POINT, SAID POINT BEING N. 86°08'44" W. 162.46 FEET FROM FDEP PRM R-24, THENCE S. 06°52'00" W. FOR 204.40 FEET; S. 07°00'54" W. FOR 204.51 FEET; S. 02°22'30" W. FOR 201.69 FEET; S. 00°34'35" E. FOR 114.24 FEET; S. 22°53'12" W. FOR 225.42

FEET; S. 00°57'24" W. FOR 127.28 FEET; S. 45°23'02" E. FOR 235.11 FEET; S. 45°46'54" E. FOR 236.88 FEET; S. 17°07'31" E. FOR 236.59 FEET; S. 14°20'05" E. FOR 359.97 FEET AND S. 54°21'08" E. FOR 119.84 FEET TO THE POINT OF TERMINATION (P.O.T.) FOR THE EROSION CONTROL LINE, SAID POINT HAVING FLORIDA STATE PLANE COORDINATES N. 866621.8386-E 570518.5160, SAID POINT BEING S. 19°26'43" W 341.55 FEET FROM FDEP PRM R-26 AND S. 80°34'22" W. 235.34 FEET FROM FDEP PRM 12-81-A20-A.

Written objections to, or inquires regarding, the proposed the Erosion Control Line should be submitted to the Bureau of Beaches and Coastal Systems, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA JEB BUSH, GOVERNOR

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 25, 2001, 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.

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

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). In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida **Public Service Commission** that an Issues Identification Conference has been scheduled in Docket No. 960786-TP, Consideration of BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996 for the following date and time:

DATE AND TIME: Tuesday, April 24, 2001, 1:00 p.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399

PURPOSE: The purpose is to identify the issues to be addressed in this proceeding. The prehearing officer may rule from the bench on any disputed issues. Parties must file in the Docket their proposed list of issues by April 13, 2001.

For additional information, please contact: Beth Keating, Division of Legal Services, (850)413-6212.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *April 30, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Room 140, 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: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the 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 May 1, 2001, immediately following the Commission Conference, in Room 140.

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 981609-WS – Emergency petition by D. R. Horton Custom Homes, Inc. to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County.

Docket No. 980992-WS – Complaint by D. R. Horton Custom Homes, Inc. against Southlake Utilities, Inc. in Lake County regarding collection of certain AFPI charges.

DATE AND TIME: April 30, 2001, 1:30 p.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the

identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: May 1, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, FAC.), by contacting the Division of Records and Reporting, (850)413-6770, or writing 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, (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 hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 001097-TP – Request for arbitration concerning complaint of BellSouth Telecommunications, Inc. against Supra Telecommunications and Information Systems, Inc. for resolution of billing disputes.

DATE AND TIME: May 3, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To permit parties to present testimony and exhibits relative to the request for arbitration concerning complaint of BellSouth Telecommunications, Inc. against Supra Telecommunications and Information Systems, Inc. for resolution of billing disputes, 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 April 6, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, FAC.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the 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. 001305-TP – Petition by BellSouth Telecommunications, Inc. for arbitration of certain issues in interconnection agreement with Supra Telecommunications and Information Systems, Inc.

DATE AND TIME: May 4, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: April 26, 2001, 6:00 p.m.

PURPOSE: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: April 26, 2001, 6:30 p.m.

PURPOSE: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: April 26, 2001, 8:00 p.m.

PURPOSE: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Holiday Inn Restaurant, I-75 and U.S. 90, Lake City, Florida

A copy of any of these agendas may be obtained by writing: NCFRPC, 2009 N. W. 67th Place, Suite A, Gainesville, Florida 32653.

Any person deciding to appeal any decision of the Council or its committees with respect to any matter considered at the meeting, may need to ensure that a verbatim record of the proceedings is made.

REGIONAL TRANSPORTATION AUTHORITIES

The **Central Florida Regional Transportation Authority (LYNX)** announces the following meeting of the Governmental, Marketing and Community Relations Committee, a Committee appointed by the Governing Board of the Authority to which all interested persons are invited.

DATE AND TIME: April 26, 2001, 1:30 p.m. – 2:30 p.m.

PLACE: LYNX Offices, Board Room, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: Meeting of the Governmental, Marketing and Community Relations Committee.

A copy of the agenda may be obtained by contacting: Carol Frahn, Assistant Secretary, Central Florida Regional Transportation Authority, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

The **Central Florida Regional Transportation Authority (LYNX)** announces the following public meeting of the Governing Board of the Authority to which all interested persons are invited.

DATE AND TIME: April 26, 2001, 2:30 p.m. – 4:30 p.m.

PLACE: LYNX Offices, Board Room, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: Board of Directors' Meeting

1. Call to Order
2. Approval of Minutes
3. Chairman's Report
4. Accessibility Advisory Committee Report
5. Public Comments
6. Action Consent
7. Action Discussion
8. Work Session
9. Information Items
10. Other Business

A copy of the detailed agenda may be obtained by contacting: Carol Frahn, Assistant Secretary, Central Florida Regional Transportation Authority, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, April 26, 2001, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. to 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such

purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all person are invited. DATE AND TIME: April 26, 2001, 1:00 p.m. – 3:00 p.m.

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltime National Drive, Orlando, FL, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contracting: Patti Brannon, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(800)399-5524 or e-mail: patti.brannon@dot.state.fl.us

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a meeting of the Governing Board to which all persons are invited.

DATE AND TIME: April 26, 2001, 4:00 p.m. – 7:00 p.m. PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltime National Drive, Orlando, FL, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Patti Brannon, MPOAC, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, 1(800)399-5524 or e-mail: patti.brannon@dot.state.fl.us

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following public meetings to which all persons are invited.

DATE AND TIME: April 26, 2001, 10:30 a.m. – 11:30 a.m. (EDT)

PURPOSE: Governing Board Workshop to discuss water resource issues.

DATE AND TIME: April 26, 2001, 11:30 a.m. – 12:30 p.m. (EDT)

PURPOSE: Lands Committee meeting to discuss District issues.

DATE AND TIME: April 26, 2001, 1:00 p.m. (EDT)

PURPOSE: Governing Board meeting – to consider District business.

DATE AND TIME: April 26, 2001, 1:15 p.m. (EDT)

PURPOSE: Public Hearing on consideration of Regulatory Matters.

DATE AND TIME: April 26, 2001, 1:30 p.m. (EDT)

PURPOSE: Public Hearing on Consideration of Land Acquisition Matters.

PLACE: District Headquarters, 10 miles West of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following Facilities/Planning/Construction Committee telephone conference call.

DATE AND TIME: Thursday, April 26, 2001, 10:00 a.m.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177

PURPOSE: To discuss project construction and contractual matters of the District.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Mrs. Sharon Whitener, Administrative Support Coordinator, Department of Operations and Land Resources, (904)329-4281.

NOTE: If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least

48 hours before the meeting by contacting Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, April 24, 2001, 9:00 a.m.

PLACE: SWFWMD, Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Meeting, Public Hearing and Committee Meetings. GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, April 25, 2001, 9:00 a.m.

PLACE: SWFWMD, Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Meeting and Public Hearing.

Members of the Hillsborough County Commission and the SWFWMD Governing Board will meet informally:

HILLSBOROUGH COUNTY/SWFWMD GOVERNING BOARD

DATE AND TIME: Thursday, April 26, 2001, 9:00 a.m.

PLACE: Offices of the Hillsborough County Commission, 601 E. Kennedy Blvd., County Center, 2nd Floor, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Water management issues of mutual concern.

BASIN BOARD EDUCATION COMMITTEE MEETING

DATE AND TIME: Friday, April 27, 2001, 9:30 a.m. – 11:30 a.m.

PLACE: Museum of Science and Industry, 4901 Fowler Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Committee business.

WITHLACOCHEE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, May 1, 2001, 8:30 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, May 1, 2001, 1:00 p.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, May 2, 2001, 1:00 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

ALAFIA RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, May 8, 2001, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, May 9, 2001, 9:00 a.m.

PLACE: Clearwater City Hall, 112 South Osceola Avenue, Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

PINELLAS COUNTY COMMISSION/SWFWMD PINELLAS-ANCLOTE RIVER BASIN BOARD LUNCHEON MEETING

DATE AND TIME: Tuesday, May 15, 2001, 11:30 a.m.

PLACE: Pinellas County Technical Services, 440 Fort Harrison Avenue, Room 111, Clearwater, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Water management issues of mutual concern.

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, May 16, 2001, 9:30 a.m.

PLACE: Sarasota County Administrative Center, 1660 Ringling Blvd., Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

NORTHWEST HILLSBOROUGH BASIN BOARD

DATE AND TIME: Thursday, May 17, 2001, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, May 18, 2001, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Blvd., Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including discussion of the Fiscal Year 2002 budget and adoption of tentative millage. The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a Public meeting to which all interested parties are invited.

DATE AND TIME: April 17, 2001, 10:00 a.m. – 3:00 p.m.

PLACE: Pine Jog Environmental Education Center, 6301 Summit Boulevard, West Palm Beach, FL 33415

PURPOSE: Regulatory Workshop for Water Preserve Areas Feasibility Study.

Tentative agenda includes: Review of project components.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680. Those who desire more information may contact: Max Day, (561)682-6247, mday@sfwmd.gov.

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.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATES AND TIMES: May 17, 2001, 12:30 p.m. – 5:00 p.m.; May 18, 2001, 7:30 a.m. – 5:00 p.m.; May 19, 2001, 8:00 a.m. – 3:00 p.m.

PLACE: Riverwoods Field Lab, 100 Riverwoods Circle, Lorida, FL 33857

PURPOSE: Peer Review and Scientific Advisory Panel Workshop for Kissimmee River Restoration Evaluation Studies.

Tentative Agenda includes: May 17, 2001 – Discussion of hydrology, geomorphology and water quality studies; May 18, 2001 – Discussion of vegetation, invertebrate, fish, herpetological and avian studies; May 19, 2001 – Panel working session – panel deliberation and writing of draft Report (session is open to the public but is not a venue for interaction with the panel).

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. Those who desire more information may contact Lou Toth, (561)682-6615.

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.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited.

DATE AND TIME: April 23, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Osceola County Library, Buenaventura Lakes Branch, 405 Buenaventura Lakes Boulevard., Kissimmee, FL 34744, (407)348-8767

DATE AND TIME: April 25, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Ft. Lauderdale Service Center, 2535 Davie Road., Davie, FL 33317, (954)452-4814, Suncom 459-4814, Fax (954)452-4825

DATE AND TIME: April 26, 2001, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District, Miami/Dade Regional Service Center, 172A W. Flagler Street, Miami, FL 33130, (305)377-7274, Toll Free 1(800)250-4300, Suncom 452-7274, Fax (305)377-7293

PURPOSE: The proposed rule development concerns changes to the South Florida Water Management District's (District) existing Chapter 40E-7, Part VI, FAC. Supplier Diversity and Outreach M/WBE Contracting Rule. Specific Authority s. 373.607, F.S., Law Implemented s. 373.607, F.S.

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.

Those who desire more information, or those wishing to submit written or physical evidence may contact Sandra Hammerstein, Procurement Division, (561)682-2847, Internet: shammer@sfwmd.gov, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited.

DATE AND TIME: April 18, 2001, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, Conference Room 3A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Budget and Finance Advisory Commission meeting to discuss SFWMD budget and finance-related matters. All those wishing to attend may do so at the location listed above.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact Marcie Daniel, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited.

DATE AND TIME: May 10, 2001, 8:30 a.m.

PLACE: South Florida Water Management District Headquarters, B-1 Building, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: General Subject matter to be considered: Florida Forever Work Plan Public Hearing and Plan Approval.

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.

Those who desire more information, or those wishing to submit written or physical evidence may contact Patti Nicholas, Budget Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 27, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: Area 7 Medicaid Office, South Hurston Tower, First Floor, Conference Rooms B and C, 400 W. Robinson Street, Orlando, Florida 32801

PURPOSE: Certificate of Need (CON) Workgroup as authorized by Chapter 2000-318, Laws of Florida.

A copy of the agenda may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308. Agendas can also be requested via e-mail at colvin1@fdhc.state.fl.us.

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)922-0791.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services, State Technology Office** announces a workshop on the progress of the Joint Task Force Radio Communications System to which all persons are invited.

DATE AND TIME: April 17, 2001, 1:00 p.m.

PLACE: Department of Management Services, State Technology Office, 4030 Esplanade Way, Room 225A, Tallahassee, FL 32399

PURPOSE: To discuss and take action on the items included in the meeting agenda.

A copy of the agenda may be obtained by writing: Nick Adams, Department of Management Services, State Technology Office, 4030 Esplanade Way, Suite 235H, Tallahassee, Florida 32399-0950.

If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure 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 some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7506, at least five calendar days prior to the meeting. If you are hearing or speech-impaired, please contact the State Technology Office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **Department of Management Services, State Technology Office** announces a public meeting of the Board of Directors of the Joint Task Force on State Agency Law Enforcement Communications to which all persons are invited. DATE AND TIME: April 17, 2001, immediately following the workshop

PLACE: 4030 Esplanade Way, Room 225A, Tallahassee, FL 32399

PURPOSE: To discuss and take action on the items included in the meeting agenda.

A copy of the agenda may be obtained by writing: Nick Adams, Department of Management Services, State Technology Office, 4030 Esplanade Way, Suite 235H, Tallahassee, Florida 32399-0950.

If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure 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 some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7506, at least five calendar days prior to the meeting. If you are hearing- or speech-impaired, please contact the State Technology Office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The Americans with Disabilities Act Working Group, which is administered by the **Department of Management Services** announces a meeting of the Americans with Disabilities Act Working Group Executive Board Committee Meeting, to which all interested persons are invited.

DATE AND TIME: April 18, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Department of Management Services, ADA Working Group Conference Room (Americans with Disabilities Act Working Group), 4040 Esplanade Way, Suite 180, Tallahassee, Florida 32399-7016

PURPOSE: To facilitate the mission of this Working Group.

A copy of the agenda may be obtained by writing or calling: The American with Disabilities Act Working Group, 4040 Esplanade Way, Ste. 180, Tallahassee, Florida 32399-7016, Voice (850)487-3423, TTY (850)410-0684.

For those people unable to attend in person, you may participate in the meeting via Teleconference call by dialing (850)921-6513 or Suncom 291-6513.

Should you require accommodations or materials in alternative formats, please contact Doris Farmer, Voice (850)487-3423, TTY (850)410-0684.

The Americans with Disabilities Act Working Group, which is administered by the **Department of Management Services** announces a meeting of the Americans with Disabilities Act Working Group Education, Advocacy and Awareness Committee to which all interested persons are invited.

DATE AND TIME: April 25, 2001, 9:30 a.m. – 12:00 Noon

PLACE: Department of Management Services, ADA Working Group Conference Room (Americans with Disabilities Act Working Group), 4040 Esplanade Way, Suite 180, Tallahassee, Florida 32399-7016

PURPOSE: To facilitate the mission of this Working Group.

A copy of the agenda may be obtained by writing or calling: The American with Disabilities Act Working Group, 4040 Esplanade Way, Ste. 180, Tallahassee, Florida 32399-7016 Voice (850)487-3423, TTY (850)410-0684.

For those people unable to attend in person, you may participate in the meeting via Teleconference call by dialing (850)921-6513 or Suncom 291-6513.

Should you require accommodations or materials in alternative formats, please contact Doris Farmer, Voice (850)487-3423, TTY (850)410-0684.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: May 9, 2001, 9:00 a.m. or soon thereafter

PURPOSE: Architecture Committee, Interior Design Committee, Rules Committee and Educators Committee.

DATE AND TIME: May 10, 2001, 9:00 a.m. or soon thereafter

PURPOSE: General Board and Business Meeting.

PLACE: Doubletree Guest Suites, Ft. Lauderdale Galleria, 2670 East Sunrise Boulevard, Ft. Lauderdale, FL 33304

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-6685, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Building Code Administrators and Inspectors Board** announces a Probable Cause Panel Meeting via telephone conference call portions of which will be closed to the public.

DATE AND TIME: May 1, 2001, 10:00 a.m. (EST)

PLACE: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211, Access Number: (850)921-6433 or Suncom 291-6433

PURPOSE: Probable Cause Panel Meeting.

For further information, contact: Florida Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meeting of the Minority Scholarship Council to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2001, 10:00 a.m.

PLACE: Conference call

PURPOSE: To consider applications for scholarships. This is a public meeting.

A copy of the agenda may be obtained by writing: Sherri E. Viscione, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

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

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting by contacting Sherri E. Viscione, (352)333-2500, Ext. 112. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Clean Boating Partnership announces a pre-meeting for the purpose of discussing items to be further discussed and acted upon at its second quarterly meeting for 2001 to which all persons are invited. The pre-meeting is scheduled:

DATE AND TIME: Wednesday, April 25, 2001, 6:00 p.m. – 9:00 p.m.

PLACE: Restaurant, Renaissance Orlando Hotel, Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and further develop Clean Marina Program policy and implementation strategy recommendations for the second quarterly meeting of 2001 taking place the following day.

The second quarterly meeting for 2001 of the Clean Boating Partnership is scheduled for:

DATE AND TIME: Thursday, April 26, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: London Room, Renaissance Orlando Hotel, Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review, discuss and further develop policy and implementation strategy recommendations for the Department's Clean Marina Program.

A copy of the agendas may be obtained by contacting: Jan R. De Laney, (850)488-5757, Extension 178, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

In accordance with the Americans With Disabilities Act, if you need a special accommodation to attend you should contact our office immediately at (850)488-5757, Extension 178 or call 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), via Florida Relay Service.

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces the Women and Heart Disease Task Force meeting to which all persons are invited.

DATE AND TIME: Friday, April 23, 2001, 10:00 a.m. – 3:00 p.m.

PLACE: Orlando Regional Medical Center, Conference Room, Orlando, Florida

PURPOSE: The Florida Governor's Office appointed 28 persons to serve as representatives on a Women and Heart Disease Task Force. The task force will report to the Governor and Legislature by January 15, 2002, on specific tasks detailed in SB-352 relating to women and heart disease. These meetings will be held to continue work outlined in previously developed action plans to accomplish the objectives of the legislation.

For further information contact: Susan Allen, Bureau of Chronic Disease, HSFCB BIN #A18, 2020 Capital Circle, S. E., Tallahassee, Florida 32399-1744, (850)245-4369.

If you require special accommodations, please contact Susan Allen, at least 48 hours prior to the meeting date.

The **Department of Health**, Dietetics and Nutrition Practice Council, under the **Board of Medicine** announces a meeting to which all persons are invited.

DATE AND TIME: May 15, 2001, 10:00 a.m. or soon thereafter

PLACE: The Marriott, Tampa International Airport, Tampa, FL 33607, (813)874-6080

PURPOSE: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the council office, (850)245-4373.

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Department of Health**, Electrolysis Council, under the **Board of Medicine** announces a conference call to which all persons are invited.

DATE AND TIME: May 21, 2001, 9:00 a.m. or soon thereafter

PLACE: Number – Nonsuncom (850)488-5776, Suncom 278-5776

PURPOSE: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Electrolysis Council, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the council office, (850)245-4373.

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Board of Optometry**, Rules Committee will hold a duly noticed conference call meeting to which all persons are invited to attend.

DATE AND TIME: Friday, April 20, 2001, 10:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, FL, at Meet Me Number (850)488-5776

PURPOSE: Discussion of proposed Rule 64B13, Florida Administrative Code.

A copy of the agenda item may be obtained by writing: Sherra W. Causey, Board of Optometry, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Physical Therapy Practice** announces a conference call meeting to which all persons are invited.

DATE AND TIME: May 24, 2001, 8:30 a.m. or soon thereafter

PLACE: Number – Nonsuncom (850)487-8856, Suncom 277-8856

PURPOSE: Full Board Quorum Call

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255 or by calling (850)245-4373.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Department of Health, Board of Psychology**, Credentials Committee announces a conference call of the committee to which all persons are invited.

DATE AND TIME: May 11, 2001, 8:00 a.m. or soon thereafter

PURPOSE: For the consideration and review of applications for examination and licensure.

PLACE: Numbers – Nonsuncom (850)488-5778, Suncom 278-5778

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Department of Health, Board of Psychology** announces a conference call of the board to which all persons are invited.

DATE AND TIME: May 15, 2001, 8:00 a.m. or soon thereafter

PLACE: Numbers – Nonsuncom (850)487-8856, Suncom 277-8856

PURPOSE: Quorum meeting

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF CHANGE – The Orange County Alliance and the **Department of Children and Family Services**, District 7 announces the following meeting location change.

DATE AND TIME: April 11, 2001, 11:30 a.m.

PLACE: 201 South Rosalind Avenue, 5th Floor, Administrative Conference Room, Orlando, Florida

For more information, please contact: Keith Carpenter, CBC Liaison, 400 W. Robinson Street, Suite S-1129, Orlando, Florida 32801, (407)245-0400.

The Osceola Alliance for Children and Families and the **Department of Children and Family Services**, District 7 announces the following public meeting to which all interested persons are invited.

Community Based Care – Alliance Meeting

DATE AND TIME: April 24, 2001, 11:30 a.m.

PLACE: Department of Children and Family Services, Administrator's Conference Room, Kissimmee Family Safety Service Center, 2540 Michigan Avenue, Suite A, Kissimmee, Florida

For more information, please contact: Keith Carpenter, CBC Liaison, 400 W. Robinson Street, Suite S-1129, Orlando, Florida 32801, (407)245-0400.

The Florida **Department of Children and Family Services** announces the next scheduled conference call meetings of the following workgroups of the Governor's Task Force on Domestic Violence. All interested people are invited to participate.

Court System Committee

DATE AND TIME: April 23, 2001, 12:00 Noon – 1:00 p.m.

PLACE: Conference Call #: (850)921-5320, Suncom 291-5320
 SUBJECT: Finalize Committee Report
 Executive Committee

DATE AND TIME: April 19, 2001, 8:45 a.m. – 10:00 a.m.
 PLACE: Conference Call #: (850)487-8620, Suncom 277-8620
 SUBJECT: Committee Issues
 Education Committee

DATE AND TIME: April 19, 2001, 10:00 a.m. – 11:30 a.m.
 PLACE: Conference Call #: (850)487-8856, Suncom 277-8856
 SUBJECT: Committee Issues
 Cultural Diversity

DATE AND TIME: April 19, 2001, 1:30 p.m. – 3:00 p.m.
 PLACE: Conference Call #: (850)921-2548, Suncom 291-2548
 SUBJECT: Committee Issues
 Executive Committee

DATE AND TIME: May 2, 2001, 9:00 a.m. – 10:30 a.m.
 PLACE: Conference Call #: (850)487-8620, Suncom 277-8620
 SUBJECT: Committee Issues
 Governor’s Task Force on Domestic Violence Meeting

DATE AND TIME: May 11, 2001, 10:00 a.m. – 5:00 p.m.
 PLACE: Conference Call #: (850)921-6433, Suncom 291-6433
 SUBJECT: Conclude Committee Work/Annual Report Draft.

To participate in the conference calls simply dial the conference call number at the designated time. First, you will hear a tone and then will be connected to the conference call. Please identify yourself once you are connected. If you do not hear any participants’ voices, it simply means no one has called in. Stay on the line to allow others to call in and connect. If you have any trouble, call (850)488-1234 and tell the operator the trouble you are experiencing and reference confirmation number 20G0129. This is not a toll-free call.

Further information may be obtained by contacting: Prevention of Domestic and Sexual Violence Section, Florida Department of Children and Family Services, (850)414-8316, Mary Lay or Bonnie M. Flynn, (850)414-8317.

The **Department of Children and Family Services**, District 4 announces the following public meetings to which all persons are invited.

WHAT: Children and Families Community Alliance of NEFL
 DATE AND TIME: April 30, 2001, 9:30 a.m.
 PLACE: Roberts Building Auditorium, 5920 Arlington Expressway, Jacksonville, FL 32211

PURPOSE: Regular meeting of the 4 County Alliance.

WHAT: Nassau County Community Alliance
 DATE AND TIME: April 30, 2001, 2:00 p.m.
 PLACE: Nassau Children and Families Education Center, 479 Felmore Road, Yulee, FL

PURPOSE: Regular meeting of the Alliance.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083 (Attention: Debbi Thomas).

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Debbi Thomas, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

The **Department of Children and Family Services**, District 12 announces the following public meetings to which all persons are invited.

Community Based Care Workgroup Meetings
 DATES AND TIMES: Every Tuesday and Thursday, May 15, – November 29, 2001 except for state holidays, 10:00 a.m. and 2:00 p.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Avenue, Conference Room 440, Daytona Beach, Florida

Information on the meetings and their specific subject matter may be obtained by writing a request: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn.: Andrew DeCandis).

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.), please notify Andrew DeCandis, (904)226-7828, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, April 21, 2001, 8:30 a.m.
 PLACE: The Harbourside Inn, 300 Clubhouse Drive, Palm Coast, Flagler County, Florida

PURPOSE: A meeting and workshop of the Board of Commissioners to conduct the regular business of the District. Additionally, the Manatee Sign and the Land Acquisition and Management Committees will meet.

Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all interested persons are invited.

DATE AND TIME: Monday, April 23, 2001, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, Seltzer Room, Tallahassee, Florida 32301

DATE AND TIME: Tuesday, April 24, 2001, 10:00 a.m.

PLACE: Winter Park Civic Center, 1050 W. Morse Boulevard, Ballroom, Winter Park, Florida 32789

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

PLACE: U.S. Department of Housing and Urban Development, Brickell Plaza Federal Building, 909 S. E. First Avenue, Conference Room, Miami, Florida 33131

PURPOSE: To conduct Application Workshops for those persons or entities wishing to apply for financing under the 2001 HOME Home Ownership Program.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend.

DATE AND TIME: Monday, April 23, 2001, 11:00 a.m.

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2000/05 for Home Ownership Purchase Price Market Study services.

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend.

DATE AND TIME: Monday, April 23, 2001, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2001/02 for Hearing Officer services.

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Housing Finance Corporation**, Predevelopment Loan Program announces a Review Committee meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, April 25, 2001, 2:00 p.m. (Prior to the meeting, interested parties are advised to confirm the meeting date and time by calling Florida Housing, (850)488-4197 or checking Florida Housing's website at www.floridahousing.org.)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Formal Conference Room, 5th Floor, Tallahassee, Florida 32301-1329

PURPOSE: To conduct discussions and reviews and make decisions in reference to the confirmation, rejection, approval or request for revision of PLP 2000 Applications and/or Development Plans.

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, April 26, 2001, 10:00 a.m.
 PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Qualifications #2001/02 for Guaranteed Investment Contract Broker services. If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DUVAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Duval County Research and Development Authority** announces a business meeting to be held on:

DATE AND TIME: April 23, 2001, 12:00 Noon
 PLACE: City Hall Annex, 220 East Bay Street, 14th Floor Conference Room, Jacksonville, FL
 PURPOSE: Regular Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Robert F. Fagin, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a Claims Committee meeting to which all persons are invited.

DATE AND TIME: April 24, 2001, 4:00 p.m.
 PLACE: Hyatt Regency Airport Hotel, Orlando, FL
 PURPOSE: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: April 25, 2001, 9:00 a.m.
 PLACE: Hyatt Regency Airport Hotel, Orlando, FL
 PURPOSE: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The **Florida Local Government Finance Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, April 27, 2001, 10:30 a.m.
 PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607
 PURPOSE: Meeting of the Commission relating to its statewide pooled commercial paper program.

CANCER CONTROL RESEARCH ADVISORY BOARD

The **Cancer Control Research Advisory Board (CCRAB)** announces a meeting to which all persons are invited.

DATE AND TIME: May 2, 2001, 1:00 p.m. – 4:00 p.m.
 PLACE: Tampa Airport Marriott, Tampa, FL

A copy of the agenda may be obtained: Brian J. Calkins, Moffitt Cancer Center, (813)632-1309 or calkinbj@moffitt.usf.edu.

FLORIDA HEALTHCARE PURCHASING COOPERATIVE

The **Florida Healthcare Purchasing Cooperative** announces a meeting of the FHPC Board of Directors to which the public is invited.

DATE AND TIME: Wednesday, May 9, 2001, 10:00 a.m. (Eastern Daylight Time)

PLACE: St. Augustine, Florida (exact location TBA)

PURPOSE: To discuss pending business and final procedures for closure of the Cooperative.

Call 1(904)471-2400 for an agenda and meeting location.

FLORIDA MUNICIPAL INSURANCE TRUST

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Fla. Stat. 768.28 and 163.01, announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, May 18, 2001, 9:30 a.m. – 4:00 p.m.; Saturday, May 19, 2001, 9:00 a.m. – 12:00 Noon

PLACE: J. W. Marriott Hotel, 3300 Lenox Road, Atlanta, Georgia 30326, (404)262-3344

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Struense, Florida League of Cities, Inc., Tallahassee, Florida, (850)222-9684.

If any person desires 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 based.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed March 27, 2001, from Wesley W. Hayes, Fire Marshal, on behalf of the City of Bartow. The Petition is seeking the Department's interpretation of Sections 633.025 and 633.081, Florida Statutes, and Sections 633.521 through 633.547, Florida Statutes, and Section 4A-46.041, Florida Administrative Code, as they apply to Petitioner's circumstances. Specifically, Petitioner is asking:

- A. Is it permissible for certified firesafety inspectors to conduct NFPA 25 inspections of fire protection systems under Section 633.541, Florida Statutes, and Section 4A-46.041, Florida Administrative Code?
- B. If the answer to the question in 5.A. is no, can the certified firesafety inspector lose his or her certification as a firesafety inspector for performing inspections for which he or she is not certified?

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney for the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on March 28, 2001 from Michael Newell. Petitioner is seeking amendment of Rule 33-103.014, Florida Administrative Code, to include a provision permitting for the appeal of grievances that are returned without processing.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on March 26, 2001 from James Quigley. Petitioner is seeking amendment of Chapter 33-103, Florida Administrative Code, to include provisions for access to the inmate grievance process by Florida prisoners who are confined in out of state 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 a Petition to Initiate Rulemaking from James Harkleroad. The Petitioner requested that the Department of Corrections amend Rule 33-602.201, Appendix One, FAC., to require the Department to add the following items to the approved property list: clip-on sunglass lenses, denture toothpaste, a package of sewing needles, sewing thread, a plastic thimble, a pen and pencil case and a shaving bag.

Petitioner also sought to increase the number of permitted items in the following categories: pencil refills, raincoats, batteries, breath mints, cotton swabs, cream rinse and conditioner, shampoo, cosmetics, drinking cups, cuticle remover, dental floss, denture adhesive, deodorant, emery boards, envelopes, feminine hygiene products, hairnets, health

aids, insect repellent, lighters, lip balm, makeup bags, moisturizer, mouthwash, sheets of paper, roller caps, shaving cream, shoe laces, shoe wax, bars of soap, plastic spoons, sunscreen, talcum powder, toothbrush, toothpaste, laundry soap, shower caps, shower slides and athletic shoes.

The Department denied Inmate Harkleroad's Petition to Initiate Rulemaking. The addition of clip-on sunglasses and denture toothpaste to the property list is unnecessary as neither is prohibited. Sewing needles and thread are prohibited for security reasons; thimbles are therefore unnecessary. Because mechanical pencils are not permitted, refills are unnecessary. Shaving bags are also unnecessary. The remainder of the petition, which deals with increasing the number or quantity of permitted items, is also denied as the approved quantity is felt to be sufficient.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Mark Osterback. The Petitioner requested that the Department of Corrections amend Chapter 33-103, Florida Administrative Code, to provide a procedure to review grievances relating to the operation of the Financial Service Center by defining the term "Financial Service Center Grievance;" expand the definition of reviewing authority to include designated Financial Service Center staff; provide for mandatory training of new and existing staff; exempt grievances relating to the Financial Service Center from submission at the institutional level; establish separate mailing procedures for grievances relating to the Financial Service Center; establish time frames for grievances relating to the Financial Service Center; and either create a separate form for Financial Service Center grievances or revise existing Form DC1-303.

The Department denied Inmate Osterback's Petition to Initiate Rulemaking. While the Department declined to amend Rule 33-103.002, FAC., to create a definition for Financial Service Center grievances, since the rule currently has a system for classifying grievances, it agreed to take the matter under advisement.

The Department declined to amend Rule 33-103.002, FAC., to include Financial Service Center staff as part of the reviewing authority for grievances and appeals as these staff members are routinely contacted by institutional staff and the Bureau of Inmate Grievances for input on grievances concerning that area.

The petitioner's request to amend Rule 33-103.003, FAC., to require mandatory training for new and existing staff was denied as unnecessary. A grievance training program is

currently available to institution, service center, and central office staff and imposition of mandatory training is unwarranted.

The Department declined to amend Rules 33-103.006 and 33-103.015, FAC., to exclude Financial Service Center grievances from review at the institutional level, since these requested amendments are contrary to the intent of the inmate grievance process, which is to resolve grievances at the lowest possible level.

Amendment of Rule 33-103.006, FAC., to establish separate mailing procedures for Financial Service Center grievances was deemed unwarranted, as no reason exists to treat this type of grievance differently than other types of grievances.

The Department declined to amend Rule 33-103.011, FAC., to create time frames for the filing of, and response to, Financial Service Center grievances. Time frames for filing and response at all levels of the grievance process are set forth in the existing rules and no purpose is to be served by establishing separate time frames for grievances relating to Financial Service Center grievances.

Finally, modification of Form DC1-303 is unnecessary for purposes of processing of grievances.

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Electrical Contractors' hereby gives notice that it received a petition for declaratory statement filed by Gary A. Colley, Nassau Electric Corporation. The Petitioner sought a declaratory statement based on the following:

- (1) Whether Electric Cooperatives, that distribute electricity and that are not a municipal or public utility must have an Electrical Contractor's License to install, service or remove load management equipment by Cooperative employee's, in residential homes. The equipment is 240 volts and hard wired to water heaters, pool pumps, and air conditioners.
- (2) Whether Electric Cooperative that distribute electricity and that are not a municipal or public utility must have an Electrical Contractor's license to market and have employee's of the cooperative install meter based, and main panel surge suppressors in and out of their service area. The surge suppressors are installed in residential and commercial applications. The meter sockets and panels are not owned by the Cooperative.

Based on its review of the facts and circumstances presented in the petition, the Board concludes that the requests of Gary A. Colley, or the corporation Nassau Electric Corporation fail to adhere to the requirements set forth in the statutes and rules, in so far as:

- a. Failure to specify the statutory provision rule or order to the interpreted pursuant to §120.565(2), F.S.
- b. Failure to set forth how or why and interpretation of such statute rule or order would apply to either petitioner pursuant to §120.565(2), F.S.
- c. Failure to indicate the potential impact of statutes, rules or orders on either petitioner's interest; pursuant to Rule 29-105.001, FAC., and
- d. Failure to comply with each of the requirements set forth in Rules 28-105.002(6) and (7), FAC., in presenting its request.

For a copy of the order, contact: Anthony Spivey, Executive Director, Board of Board of Electrical Contractors' licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

The Board of Electrical Contractors' hereby gives notice that it received a petition for declaratory statement filed by Wal-Mart, Inc. The Petitioner sought a declaratory statement regarding Section 489.505(7) and (21), F.S. and Rule 61G6-5.001, FAC., with respect to Wal-Mart's need for licensure so its employees can conduct the support activities set forth in 1(a) through (g) of the petition.

Based on its review of the facts and circumstances presented in the petition, the Board concludes that Wal-Mart Stores, Inc., must be licensed in order for its employees to layout, fabricate, install, maintain, alter, repair, monitor, inspect, replace or service any type of alarm system without regard to the Wal-Marts ownership interest or lack thereof in the alarm system or the building in which it is installed under Section 478.505(7) and (21), F.S. and Rule 61G6-5.001, FAC.

For a copy of the order, contact: Anthony Spivey, Executive Director, Board of Board of Electrical Contractors' licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

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

This notice is being published in accordance with the guidelines set forth in the World Trade Organization Government Procurement Agreement. The University of Florida, on behalf of the Board of Regents, a public corporation of the State of Florida, hereby notifies all interested parties that the contract for the following project has been awarded within the past 72 days:

Project Number: BR-103
 Project Name: Hume Residence Hall
 Type of Service: General Contractor services
 Date of Award: February 1, 2001
 Name and Address of successful firm:
 R. Hyden Construction, Inc.
 4128 N. W. 13th Street
 Gainesville, Florida 32609

NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of the State of Florida, Board of Regents announces that Construction Management services will be required for the project listed below:

Project No.: BR-688, School of Business Pavilion located at Florida Atlantic University's Boca Raton Campus.

This project consists of site development and construction of a 12,000 GSF multi-story structure to house the DeSantis Center, and additional space for FAU's College of Business. The estimated construction cost is \$1,497,500.00.

The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, Phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager's contract.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's Construction Management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents "Construction Manager Qualifications Supplement" forms and the Project Fact Sheet may be obtained by contacting: Carla Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Building T-10, Boca Raton, Florida 33431, (561)297-2663, Fax (561)297-0224.

Five (5) bound copies of the required proposal data shall be submitted to: Associate Vice President's Office, Florida Atlantic University, 777 Glades Road, Building T-10, Room 16, Boca Raton, Florida 33431.

Submittals must be received at Facilities Planning Department, at the above address, by 5:00 p.m. (Local Time), Thursday, May 14, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that continuing professional services for certain projects are required in the following discipline: Campus Service Interior Designer.

The projects will consist of Interior Design Services for educational (university) buildings and developing interior design standards for the University. These standards will be applied to both new and existing buildings. These services will also include developing and coordinating furniture selection standards and procurement procedures for the University and working with Architects employed by the University's Facilities Planning Department.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$40,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1 – June 30. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. The September, 1999 version of the Board of Regents "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of

application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Cheryl Colvin, A & I Manager, Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, (407)823-2058, Fax (407)823-4499

Submittals must be received in the Physical Plant Building, University of Central Florida, P. O. Box 163600, Orlando, Florida 32816-3600, by 4:00 p.m. (Local Time), May 11, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-917, Library Addition

Project and Location: University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224.

The project consists the design and construction of a 115,000 GSF addition to the existing library. The estimated total construction cost of the project is \$14,895,000. The selected firm will provide design, construction documents prepared on AutoCAD (version to be compatible with University Facility Planning Department) and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.00 and will be provided as a part of Basic Services. Award will be subject to the availability of PECO funding.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Board of Regents "Professional Qualifications Supplement" (9/99) completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice 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 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained by contacting:

Elizabeth Jones, Coordinator, Facilities Planning
University of North Florida, 45467 St. Johns Bluff Road,
South, Jacksonville, Florida 32224, (904)620-2016

Submittals must be received in the Facilities Planning Office, University of North Florida, J. J. Daniel Hall, Room 2026, by 5:00 p.m. (Local Time), Monday, May 14, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS

- BID FOR SNACK PRODUCTS BID NO. 22-005
- BID FOR GROCERIES, FROZEN FOODS AND
NON-FOOD SUPPLIES BID NO. 22-003
- BID FOR MILK AND ICE CREAM (DAIRY)
PRODUCTS BID NO. 22-001

SEALED BIDS TO BE RECEIVED NOT LATER THAN SNACKS, BID NO. 22-005 – Tuesday, May 1, 2001, 9:00 a.m.
ESTIMATED VALUE: \$20,000.00;
GROCERY BID NO. 22-003 – Monday, May 7, 2001, 2:00 p.m.
ESTIMATED VALUE: \$300,000.00, ALL-OR-NONE BID;
DAIRY PRODUCTS, BID NO. 22-001 – Tuesday, May 8, 2001, 9:00 a.m.
ESTIMATED VALUE: \$100,000.00

All bids will be opened at the district building in the Purchasing Office, Conference Room, Baker County School District, 392 South Boulevard, East, Macclenny, Florida 32063 THE PERFORMANCE PERIOD IS July 1, 2001 – June 30, 2002, for all bids listed.

FOR FURTHER INFORMATION OR A BID PACKAGE, CONTACT: Cindy Ball or Cathy Golon, (904)259-4330.

METROPOLITAN PLANNING ORGANIZATIONS

NOTICE TO PROFESSIONAL CONSULTANTS

PURPOSE: Pursuant to law and regulations, the Pinellas County Metropolitan Planning Organization (MPO) in conjunction with the Florida Department of Transportation, hereinafter referred to as the Department, request that qualified consultants submit Letters of Response for consideration in the competitive selection of professional services on the following project:

MAJOR TYPE OF WORK: 13.3, 13.4, 13.5 Planning

PROJECT: General Planning Services to include all or part of the following: Long Range transportation planning, financial planning, major investment and corridor studies, congestion and other management systems planning, air quality planning, bicycle and pedestrian planning, transit services planning, transportation disadvantaged planning and traffic circulation studies.

RESPONSE EVALUATION: All respondents will be evaluated in accordance with Section 287.055(4), Florida Statutes, and must be determined by the Metropolitan Planning Organization and the Department to be qualified to do business in Florida and qualified to perform the advertised work requirements. The above project falls into the selection process so indicated in Florida Administrative Code Rule 14-75, FAC., wherein at least three (3) firms will be requested to submit technical proposals. The contract fee will be negotiated in accordance with Section 287.055, Florida Statutes.

SUBCONSULTANT OPPORTUNITY: Subconsultants that are not pre-qualified by the Department shall be subject to compensation restrictions as specified in Florida Administrative Code, Rule 14-75. Any such subconsultant utilized must be technically qualified by District Seven before work may commence.

NOTIFICATION OF CRIME CONVICTION: Each applicant shall notify the Department within 30 days after a conviction of a contract crime applicable to it or any officers, directors, executive, shareholders active in management, employees or agents of its affiliates. Under Section 337.164, Florida Statutes, the privilege of conducting business with the Department shall be denied to applicants so convicted until such applicant is properly reinstated pursuant to Section 337.165, Florida Statutes, and Rule Chapter 14-75, Florida Administrative Code.

FEDERAL DEBARMENT: By signing and submitting a Letter of Response/Proposal the consultant certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

EQUAL OPPORTUNITY STATEMENT: Pinellas County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Statute 252, 42 U.S.C. 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all respondents that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to respond to this advertisement and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

RESPONSE PROCEDURE: Consultants who are interested in these projects may obtain a copy of the Scope of Services outlined by contacting David McDonald, (727)464-4751. Consultants are required to submit a Letter of Response to the Pinellas County Metropolitan Planning Organization indicating their desire to be considered for these projects. The letter must be brief (no more than two pages) and should as a minimum, include the following information:

1. Name and Address of Firm
2. Contact person for the project and telephone number
3. Key personnel and their titles and/or classification (do not include resumes)
4. Subconsultant that may be used for the project
5. Relevant past experiences

SHORTLIST SELECTION PROCESS: The listed projects are covered by the selection process detailed in the Rule Chapter 14-75, Florida Administrative Code. From the Letters of Response received, the MPO shall shortlist a minimum of three (3) firms. Shortlist selection consideration will be given only to those firms who are qualified pursuant to law and who have been pre-qualified by the Department to perform the indicated Type of Work. Any Firm who has not been qualified by the Department and would like to be considered for this project must submit a Request for Qualification Package from Contractual Services Office in Tallahassee, (850)487-3487, prior to the response deadline.

REQUESTING UNITS: The Pinellas County MPO and FDOT, District VII, Tampa, Florida

LETTERS OF RESPONSE ADDRESS:

Three (3) copies to: Pinellas County Metropolitan Planning Organization

Attention: David McDonald, Program Planner
14 South Fort Harrison Avenue
Clearwater, Florida 33756
Telephone: (727)464-4751

One (1) Copy To: Florida Department of Transportation
 District VII, Tampa, Florida
 Attention: Edward McKinney
 Consultant Contracts Administrator
 11201 North McKinley Drive
 MS #7-700
 Tampa, Florida 33612-6403
 Telephone: (813)675-6469
 LETTER OF RESPONSE: 5:00 p.m. (EST), April 27, 2001

Transportation in accordance with Rule Chapter 14-22, F.A.C. or certified with the Miami-Dade County on the date of the Bids submittal in order to submit a Bid. A Bidder that is not prequalified in accordance with Rule Chapter 14-22, F.A.C. or certified with Miami-Dade County on the date of the Bids submittal, shall be declared "NON RESPONSIVE" and the Bid will be REJECTED.

Copies of the Plans, Specifications and the Bid Blank book will be available on Wednesday, April 25, 2001 after 12:00 Noon, at MDX Headquarters Building located at 3790 N. W. 21st Street, Miami, Florida. The cost of these documents is \$20.00 per set. Make checks payable to the Miami-Dade Expressway Authority. No refunds will be made for the above charges for any of the documents.

The construction cost estimate for the Project is \$125,000 (One Hundred and Twenty Five Thousand Dollars) and Contract time for this Project is set for 60 calendar days from the Notice to Proceed.

MDX has scheduled a Mandatory Pre-bid Conference to discuss the Project with interested Bidders on Tuesday, May 1, 2001, 2:00 p.m., at the MDX Headquarters Building located at 3790 N. W. 21st Street, Miami, Florida. Please be advised that this is a Mandatory Pre-Bid Conference. Any Bidder not attending the Mandatory Pre-Bid Conference will be declared "Non-Responsive".

If you have any questions regarding this notice, or would like to additional information, please contact:

Ms. Helen M. Cordero
 MDX Procurement Officer
 Ph. (305)637-3277
 Fax (305)637-3283

All sealed bids must be received by MDX at 3790 N. W. 21st Street, Miami, Florida 33142, no later than 2:00 p.m., Thursday, May 10, 2001.

Equal Employment Opportunities. The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et seq., Fla. Stat. (1996), and other Federal and State discrimination statutes. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the

WATER MANAGEMENT DISTRICTS

INVITATION TO BID
 SITE PREPARATION 2001 PROJECT
 (BID NUMBER 01B-005)

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed bids up to the 2:00 p.m. (EDT), opening time, May 8, 2001, for the aerial application of chemical herbicide for vegetation management purposes to conduct site preparation and pine release activities on approximately 801.5 acres in Bay, Okaloosa, and Washington counties.

All bids must conform to the instructions in the Invitation to Bid. Interested prospective bidders may obtain a copy of the complete Invitation to Bid package at the above address or by calling (850)539-5999.

The bid opening is open to the public. Provisions will be made to accommodate the handicapped (if requested) provided the District is given at least 72 hours advance notice.

All bids must comply with applicable Florida Statutes.

EXPRESSWAY AUTHORITIES

NOTICE OF INVITATION TO BID
 MDX PROJECT NO. 924-003

The Miami-Dade Expressway Authority ("MDX") is seeking the services of a contractor ("Bidder") for construction related to the installation of two (2) SunPass™ dedicated lanes at the Gratigny Parkway (SR 924) Toll Plaza (the "Project"). The Work for the Project consists of, but is not limited to, providing all labor, Materials, Equipment and incidentals necessary for the installation of roadway and toll plaza signage, electrical work, roadway pavement markings, miscellaneous concrete work, attenuator installation and maintenance of traffic operations. The Bidder should be aware that the majority of the installation work associated with the Project shall be done during off-peak hours (9:30 a.m. to 3:30 p.m.; and 9:00 p.m. to 6:00 a.m.).

Sealed Bids will be received in the Headquarters Building of the Miami-Dade Expressway Authority ("MDX" or the "Authority"), located at 3790 N. W. 21st Street, Miami, Florida 33142, until 2:00 p.m., Thursday, May 10, 2001. A Bidder must be prequalified by the State of Florida Department of

aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDRS 61-00/01

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Alteration and Additions to Ravine Gardens Community Center

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to construct an addition with a second floor and alterations to the existing Community Center throughout, including a new metal roof system and reworking of existing utilities for the entire building.

PARK LOCATION: Ravine Gardens State Park
On Twigg Street
Palatka (Putnam County), Florida

PROJECT MANAGER: Marvin H. Allen
Bureau of Design and Recreation Services
Telephone Number: (850)488-5372
Fax Number: (850)488-1411

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their

INSTRUCTIONS:

eligibility to submit bids five (5) calendar days prior to the opening date.

Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on Friday, April 13, 2001 at:

Ravine Gardens State Park
P. O. Box 1096
Palatka, Florida 32177
Attention: Bob Rundle, Park Manager
Telephone Number: (904)329-3721

ADA

REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-5372, at least five (5) workdays prior to openings.

BID SUBMITTAL

DUE DATE: No later than 2:00 p.m., Monday, May 14, 2001 to the below address:
Florida Department of
Environmental Protection
Bureau of Design and Recreation Services
3540 Thomasville Road
Tallahassee, Florida 32308

The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS

LETTER OF INTEREST

Hillsborough County, Florida is interested in obtaining letters of interest for the beneficial use of landfill gas collected from the Hillsborough Heights Landfill. The County currently collects and flares the gas from the Landfill, which was closed in 1984, through a landfill gas migration and odor control system which was completed in 1988. The landfill gas migration and odor control system consists of extraction wells,

header and lateral piping, a blower station, utility flare and condensate management system. Currently, the County has an agreement with a developer, Toro Energy, Inc., to utilize a portion of the landfill gas. However, additional landfill gas is available for energy recovery projects.

It is expected that the selected firm or firms will be responsible for all costs associated with gas analysis and designing, permitting, constructing and operating any new systems that may connect into the County's existing landfill gas collection system for landfill gas utilization. In addition, the County will retain the sole right to operate the existing landfill migration and odor control system in such a manner as to comply with regulatory requirements.

The County reserves all rights to reject any or all letters of interest or to award one or more license or leases as may be in its best interest. However, the County will give preference to proposals with firm commitments for the end use of the collected landfill gas, proposed royalty payments which will reduce the County's overall landfill maintenance costs, and a favorable proposed implementation schedule.

Interested firms should submit their letter of interest to: Walter J. Gray, Hillsborough County Solid Waste Management Department, P. O. Box 1110, Tampa, Florida 33601, (813)276-2926, Fax (813)276-2960, within three (3) weeks of this request.

The County may require further submittals to determine the selection of the most beneficial gas utilization arrangement or arrangements for the County. While this initial request closes within three (3) weeks of advertisement, the County will continue to consider letters of interest beyond the closing date, subject to the availability of the landfill gas.

ST. PETERSBURG COUNTY BUILDING DEMOLITION PROJECT

NOTICE OF REQUEST FOR PROPOSAL

Peter R. Brown Construction, Inc. (CG-C061419), the Construction Manager for the St. Petersburg County Building Demolition Project; hereby solicits sealed proposals for all trades for the referenced project in accordance with the proposal documents to include the following:

Proposal Package 2A – Demolition
 2B – Landscaping and Irrigation
 15A – Mechanical Work

The Construction Manager will accept sealed proposals until April 24, 2001, 2:00 p.m. (Local Time), at their offices located at 1475 South Belcher Road, Largo, Florida. All proposals will be publicly opened and read aloud.

The Proposal Documents will be available and may be reviewed or picked up at the office of the Construction Manager on April 2, 2001. Please call Sandy Kamin, (727)535-6407, to obtain documents. A Mandatory

Pre-proposal Conference will be held at the jobsite on April 10, 2001, 10:00 a.m., in front of the building. The jobsite is located at 150 5th Street, North, St. Petersburg, FL 33701.

The Construction Manager reserves the right to reject any and all proposals, and to waive any informality in any proposal.

All questions regarding the work should be directed to the Construction Manager. The Owner and Architect will not accept calls regarding this project.

CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

**** FIRST NOTICE ****

REQUEST FOR PROPOSALS

“Water Quality Data Analysis and Report for the Charlotte Harbor National Estuary Program”

Proposals for this service must be received by the Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (Local Time), Friday, June 1, 2001. The Charlotte Harbor National Estuary Program reserves the right to reject any or all proposals.

Scope of Service: The Charlotte Harbor National Estuary Program is considering proposals for a status and trends analysis and report of all surface and groundwater quality data within the study area collected and analyzed under institutionalized standard operating procedures. The study area entails coastal Venice, Lemon Bay, Charlotte Harbor, Pine Island Sound and on south to Estero Bay, including the watersheds of the Peace, Myakka and tidal Caloosahatchee rivers. Data for the CCMP-listed core parameters will be compiled from Charlotte Harbor NEP member agencies and STORET, both legacy and current format, analyzed and synthesized into both a hard copy and CD-format report. The final report will analyze these water quality parameters collected through 2000 for the major Charlotte Harbor water bodies and compare the results to existing analyses of those water bodies to provide a long-term composite of the analyzed parameters. If additional information is needed to provide a complete analysis for a specific water body that is not currently being collected, the report will describe the type of information necessary to complete the analysis in similar future endeavors. This report will provide the basis for prospective biannual water quality status and trends updates.

INVITATION TO PROPOSE: The program hereby solicits proposals for the project “Water Quality Data Analysis and Report for the Charlotte Harbor National Estuary Program.” The Program anticipates awarding only one contract. The Program reserves the right to reject any or all proposals. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION: All requests for information, instructions and applications for submitting a proposal must be submitted in writing to Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917-3909, Fax (941)656-7724 or email: ccorbett@swfrpc.org. All requests for clarification or additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m., Friday, May 4, 2001.

HOW TO APPLY: A Request for Proposals document may be obtained by contacting, in writing, Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, Fax (941)656-7724 or email: ccorbett@swfrpc.org. All requests for clarification or additional information on RFP must be submitted in writing to same by no later than 5:00 p.m., Friday, May 4, 2001. Proposals must then be received by the Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (Local Time), Friday, June 1, 2001.

Section XII Miscellaneous

DEPARTMENT OF STATE

The Department of State, Division of Cultural Affairs, announces the new deadline for the 2002-2003 Challenge Grant Program of November 1, 2001 for the period July 1, 2002 – June 30, 2003. Grant applications must be received in the office of the Division of Cultural Affairs (or the Department of State) by 5:00 p.m. of the deadline date. However, any application postmarked by the U.S. Postal Service no later than midnight of the deadline date shall be deemed to have been timely received. Note: The former Challenge Grant Program grant application deadline of July 16, 2001 is no longer valid.

For more information, please contact Linda Downey, Bureau Chief, Bureau of Grant Services, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250 or (850)487-2980.

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notices. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by

filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 4, 2001):

APPLICATION WITHDRAWN

Application for a New Financial Institution
 Applicant and Proposed Location: Garden Savings Bank, Palm Beach Gardens, Palm Beach County, Florida
 Correspondent: Cherry Strickland, Law Offices of Raymond B. Vickers, P. A., 424 East Call Street, Tallahassee, Florida 32301

Withdrawn: March 30, 2001

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: FairWinds Credit Union, 3075 North Alafaya Trail, Orlando, Florida 33826
 Expansion Includes: Residents of and people working in Osceola County, Florida.
 Received: March 29, 2001

Name and Address of Applicant: Power 1 Credit Union, 6450 West 21st Court, Hialeah, Florida 33016-3950

Expansion Includes: Individuals who work, live or worship in Weston, Pembroke Pines, Sunshine Ranches, Davie, Cooper City, Coral Springs, Plantation, Parkland, Sunrise, Tamarac, and the Unincorporated Broward County residents bordering these cities and enclosed within the following boundaries: West Boundary – Everglades; East Boundary – Highway 441; South Boundary – Pembroke Road; and North Boundary – Palm Beach County Line.

Received: April 2, 2001

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-0701-001
 DATE RECEIVED: April 2, 2001
 DEVELOPMENT NAME: GARY'S GRADING, INC.
 DEVELOPER/AGENT: Gary's Grading, Inc.
 DEVELOPMENT TYPE: 28-24.019, FAC.
 COUNTY LOCATION: Polk
 LOCAL GOVERNMENT: Polk County

DEPARTMENT OF LAW ENFORCEMENT

**NOTICE OF FUNDING AVAILABILITY
EDWARD BYRNE MEMORIAL STATE AND
LOCAL LAW ENFORCEMENT ASSISTANCE
FORMULA GRANT PROGRAM**

The State of Florida, Department of Law Enforcement (FDLE), anticipates an award from the United States Department of Justice for \$14,162,217 in Local Share Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant funds. This announcement is to notify eligible applicants of program requirements.

Eligible Applicants

Units of local government are eligible to receive subgrants from FDLE. "Units of local government" means any city, county, town, township, borough, parish, village or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Application Requirements and Deadlines

Chapter 9B-61, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subgrant funds.

The Department must receive two (2) copies of each application for funding (both with original signatures) no later than 5:00 p.m., Tuesday, June 19, 2001. A separate application must be submitted for each proposed project. Applications should be mailed or hand delivered to the following:

Mr. Clayton H. Wilder
Community Program Administrator
Florida Department of Law Enforcement
Office of Criminal Justice Grants
1819 Miccosukee Commons Drive
Tallahassee, Florida 32308

Questions regarding this Program announcement should be directed to Clayton Wilder, Florida Department of Law Enforcement, (850)410-8700.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

**Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, Daimler Chrysler Motors Corporation, intends to allow the establishment of CarMax Auto Superstores, Inc., d/b/a CarMax Chrysler Plymouth Jeep of Orlando as a dealership for the sale of Chrysler and Jeep vehicles, at 6375 Semoran Blvd., Orlando (Orange County), Florida 32822, on or after May 29, 2001.

The name and address of the dealer operator(s) and principal investor(s) of CarMax Auto Superstores, Inc., d/b/a CarMax Chrysler Plymouth Jeep of Orlando are: dealer operator: Dugald Yska, 7530 South Orange Blossom Trail, Orlando, FL 32809; principal investor(s): CarMax Inc. and Dugald Yska, 7530 South Orange Blossom Trail, Orlando, FL 32809.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, Daimler Chrysler 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 Less
than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that American Honda Motor Co., Inc., intends to allow the establishment of Direct Line Parts, Inc., as a dealership for the sale of Honda motorcycles, All Terrain vehicles and motor scooters, at 408 Southwest Old Dixie Highway, Vero Beach (Indian River), Florida 32960, on or after May 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Direct Line Parts, Inc. are: dealer operator: Direct Lane Parts, Inc., James R. Davis, Joseph P. Akra, 408 Southwest Old Dixie Hwy., Vero Beach, FL 32960; principal investor(s): James R. Davis, 11888 Winged Foot Terrace, Coral Springs, FL 33071 and Joseph P. Akra, 10434 S. W. 26th Street, Davie, FL 33324.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

4	4 Flagler, East Volusia	0
4	5 West Volusia	14
5	1 West Pasco	0
5	2 East Pasco	0
5	3 North Pinellas	0
5	4 South Pinellas	0
6	1 Hillsborough	0
6	2 Polk	0
6	3 Manatee	0
6	4 Hardee	0
6	5 Highlands	18
7	1 Brevard	30
7	2 Orange	0
7	3 Osceola	13
7	4 Seminole	9
8	1 Charlotte	0
8	2 Collier	7
8	3 DeSoto	2
8	4 Glades, Hendry	1
8	5 Lee	0
8	6 Sarasota	0
9	1 Indian River	0
9	2 Martin, St. Lucie	0
9	3 Okeechobee	7
9	4 North Palm Beach	0
9	5 South Palm Beach	0
10	Broward	0
11	1 Dade	0
11	2 Monroe	0
	STATE TOTAL	151

The person to be contacted concerning this notice is: Laura MacLafferty, Certificate of Need Office, 2727 Mahan Drive, Tallahassee, Florida 32308, telephone (850)922-7760.
Purchase Order Number: S 5900 I00310

NOTICE OF NURSING HOME FIXED NEED POOL

The Agency for Health Care Administration has established projected net bed need figures for nursing homes for January 2004 by subdistrict pursuant to the provisions of Rule 59C-2.200, FAC. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Office, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308, on or before 5:00 p.m., April 30, 2001.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs in the error, the fixed need pool number will be adjusted prior to or during the grace period for this cycle. Failure to notify the agency of the error during this time period will result in no adjustment to the fixed need pool number for this cycle. Any

other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, F.S., your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Nursing Home Need Projections

District	Subdistrict	Net Need
1	1 Escambia, Santa Rosa	0
1	2 Okaloosa	0
1	3 Walton	0
2	1 Gadsden, Holmes, Jackson, Washington	41
2	2 Bay	0
2	3 Calhoun, Franklin, Gulf, Liberty, Wakulla	0
2	4 Leon	0
2	5 Jefferson, Madison, Taylor	0
3	All Counties	0
4	1 Nassau, North Duval	50
4	2 Baker, Clay, Southwest Duval	103
4	3 St. Johns, Southeast Duval	0
4	4 Flagler, Volusia	159
5	1 Pasco	32
5	2 Pinellas	0
6	1 Hillsborough	149
6	2 Manatee	0
6	3 Hardee	0
6	4 Highlands	3
6	5 Polk	0
7	1 Brevard	0
7	2 Orange	0
7	3 Osceola	0
7	4 Seminole	0
8	1 Charlotte	10
8	2 Collier	43
8	3 DeSoto	0
8	4 Glades, Hendry	0
8	5 Lee	0
8	6 Sarasota	0
9	1 Indian River	0
9	2 Martin	17
9	3 Okeechobee	0

9	4 Palm Beach	0
9	5 St. Lucie	0
10	Broward	0
11	1 Dade	0
11	2 Monroe	0
	STATE TOTAL	607

The person to be contacted concerning this notice is: Laura MacLafferty, Certificate of Need Office, 2727 Mahan Drive, Tallahassee, Florida 32308, telephone (850)922-7760.
Purchase Order Number: S 5900 I00310

DEPARTMENT OF JUVENILE JUSTICE

NOTIFICATION OF FUNDING OPPORTUNITIES

The Florida Department of Juvenile Justice (DJJ) announces the Funding Opportunity:

Juvenile Accountability Incentive
Block Grant Neighborhood Accountability
Board (NAB) Planning Grants

These are planning grants to establish Neighborhood Accountability Boards. Boards should promote neighborhood ownership for the juvenile justice system by implementing the restorative justice concept and involving its citizens in the juvenile justice process and to develop meaningful neighborhood-driven consequences for juvenile criminal/delinquent actions.

Eligible Applicants:

1. Only units of general local government may apply for these funds. However, the applicant may sub-contract with a community-based organization. If a sub-grantee is responsible for implementing this project, the implementing agency must be identified in the letter of intent and application.
2. Applicants must target neighborhoods with high juvenile crime rates.
3. Neighborhoods should have pre-established neighborhood councils or associations that are willing to actively participate in developing a NAB.
4. Neighborhoods that have already developed plans that address implementing Restorative Justice will be given highest priority.

Time Frame of Program:

Program period is from April 2001 – June 30, 2001.

Application process:

Units of general local government must submit a letter of intent to apply to the Department of Juvenile Justice by April 20, 2001.

Specific Instruction is available by contacting the Department of Juvenile Justice at (850)488-3302 or visiting the D.J.J. Website at <http://www.djj.state.fl.us/funding.html>

D.J.J. Bureau of Victim Services will schedule a technical assistance conference call on April 20, 2001. Interested parties must contact (850)488-3302 to RSVP for time and phone number.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**RULES FILED BETWEEN March 26, 2001
and March 30, 2001**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
University of South Florida

6C4-11.002	3/30/01	4/19/01	Newspaper	
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WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

40D-2.091	3/29/01	4/18/01	27/8	
40D-4.051(12),(13)	3/29/01	4/18/01	27/8	

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Tampa Palms Community Development District

42C-1.002	3/30/01	4/19/01	27/5	
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DEPARTMENT OF MANAGEMENT SERVICES
Florida Commission on Human Relations

60Y-3.001	3/28/01	4/17/01	26/15	26/33
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

61G3-16.009	3/28/01	4/17/01	27/4	
61G3-20.017	3/28/01	4/17/01	27/4	

Electrical Contractors' Licensing Board

61G6-9.002	3/28/01	4/17/01	27/8	
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Board of Professional Engineers

61G15-18.011	3/30/01	4/19/01	26/51	27/8
61G15-35.003	3/30/01	4/19/01	27/3	27/8

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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62-4.510	3/27/01	4/16/01	27/7	
62-210.200	3/27/01	4/16/01	27/7	
62-210.300	3/27/01	4/16/01	27/7	
62-210.360	3/27/01	4/16/01	27/7	
62-210.900	3/27/01	4/16/01	27/7	
62-213.205	3/27/01	4/16/01	27/7	
62-213.300	3/27/01	4/16/01	27/7	
62-213.410	3/27/01	4/16/01	27/7	
62-213.415	3/27/01	4/16/01	27/7	
62-213.420	3/27/01	4/16/01	27/7	
62-213.430	3/27/01	4/16/01	27/7	

62-213.440	3/27/01	4/16/01	27/7	
62-214.320	3/27/01	4/16/01	27/7	
62-214.360	3/27/01	4/16/01	27/7	
62-214.370	3/27/01	4/16/01	27/7	

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel

64B3-11.003	3/27/01	4/16/01	27/3	27/9
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Board of Medicine

64B8-1.007	3/28/01	4/17/01	26/15	27/9
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Board of Optometry

64B13-15.009	3/28/01	4/17/01	27/8	
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Board of Pharmacy

64B16-26.100	3/28/01	4/17/01	27/7	
64B16-26.401	3/30/01	4/19/01	27/4	27/8

Division of Environmental Health and Statewide Programs

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64E-2.004	3/26/01	4/15/01	27/2	
64E-2.005	3/26/01	4/15/01	27/2	27/9
64E-2.008	3/26/01	4/15/01	27/2	27/9
64E-2.009	3/26/01	4/15/01	27/2	
64E-2.0095	3/26/01	4/15/01	27/2	
64E-2.013	3/26/01	4/15/01	27/2	
64E-2.026	3/26/01	4/15/01	27/2	
64E-2.035	3/26/01	4/15/01	27/2	
64E-2.036	3/26/01	4/15/01	27/2	27/9

Division of Family Health Services

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64F-12.002	3/28/01	4/17/01	26/51	
64F-12.003	3/28/01	4/17/01	26/51	
64F-12.004	3/28/01	4/17/01	26/51	
64F-12.005	3/28/01	4/17/01	26/51	
64F-12.006	3/28/01	4/17/01	26/51	
64F-12.008	3/28/01	4/17/01	26/51	
64F-12.009	3/28/01	4/17/01	26/51	
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64F-12.013	3/28/01	4/17/01	26/51	
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64F-12.024	3/28/01	4/17/01	26/51	