

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE TITLE: Discharge Gratuity RULE NO.: 33-601.502

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the Department's policy concerning payment of discharge gratuities. The proposed rule clarifies that payments will not be made to inmates who have account balances of \$200 or more at the time of release or who have previously maintained such balances and transferred money out of the account during the 180 days prior to release.

SUBJECT AREA TO BE ADDRESSED: Discharge gratuities. SPECIFIC AUTHORITY: 20.315, 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.502 Discharge Gratuity.

(1) The secretary shall authorize the payment of a discharge gratuity to inmates discharged from the custody of the Department of Corrections in such amounts as the Legislature may from time to time provide. A discharge gratuity check shall be provided to any inmate released on parole, expiration of sentence, pardon or permanent court order, except those inmates released in any of the following situations:

(a) through (c) No change.

(2) Should a review of inmate bank trust fund records disclose that an inmate has an account balance of \$200 or more at the time of release or has had previously maintained an account balance of \$200 or more at any time and transferred funds out of his account during the 180 days prior to his release date, the inmate shall may be denied a discharge gratuity, unless an exception is granted by the warden.

(3) In the case of an inmate who is reinstated or restored to supervision, a discharge gratuity check in an amount of \$15.00 will be provided.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History--New 10-8-76, Formerly 33-7.06, Amended 1-4-87, 1-1-89, 1-18-89, 12-20-91, 4-14-92, 4-28-99, Formerly 33-7.006, Amended _____.

DEPARTMENT OF THE LOTTERY

RULE TITLE: How to Play CASH 3 RULE NO.: 53-30.001

PURPOSE AND EFFECT: The purpose of this rule is to set forth the liability limit provisions for CASH 3.

SUBJECT AREA TO BE ADDRESSED: CASH 3 liability limit.

SPECIFIC AUTHORITY: 24.105(10)(a),(c),(j) FS.

LAW IMPLEMENTED: 24.105(10)(a),(c),(j), 24.115 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: Ken Hart, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-30.001 How to Play CASH 3.

(1) through (4) No change.

(5) A liability limit of \$10 million is established for CASH 3. When the play of a particular three digit number for a drawing reaches the Lottery's CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair plays that involve the first two or last two digits respectively of the three digit number will be allowed for that drawing.

Specific Authority 24.105(10)(a),(c),(j) FS. Law Implemented 24.105(10)(a),(c),(j), 24.115 FS. History--New 11-22-93, Amended _____.

DEPARTMENT OF THE LOTTERY

RULE TITLE: How to Play PLAY 4 RULE NO.: 53-31.001

PURPOSE AND EFFECT: The purpose of this rule is to clarify the liability limit provisions set forth for PLAY 4.

SUBJECT AREA TO BE ADDRESSED: PLAY 4 liability limit.

SPECIFIC AUTHORITY: 24.105(10)(a),(c),(j) FS.

LAW IMPLEMENTED: 24.105(10)(a),(c),(j), 24.115 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: Ken Hart, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-31.001 How to Play PLAY 4.

(1) through (4) No change.

(5) A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery's PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing. A liability limit of \$5 million is established by the Lottery which can result in one (1) or more number combinations being unavailable for further transactions for a particular draw. When the liability of the Lottery for a "straight" play of a particular four (4) digit number reaches \$5 million, no further "straight" play ticket sales for that four (4) digit number will be allowed for that draw.

Specific Authority 24.105(10)(a),(c),(f) FS. Law Implemented 24.105(10)(a),(c),(j), 24.115 FS. History--New 11-22-93, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Continuing Education RULE NO.: 61J1-4.003

PURPOSE AND EFFECT: The Board is considering amending the above referenced rule to revise provisions relating to obtaining continuing education credits for the attendance of Board meetings.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.618 FS.

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

TIME AND DATE: 1:30 p.m., or as soon thereafter as possible, June 5, 2001

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Public Meeting Room (Room 301 – North Tower), 400 West Robinson, Orlando, Florida, (407)245-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Thomas, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-25R

RULE CHAPTER TITLE: Noticed General Environmental Resource Permits RULE CHAPTER NO.: 62-341

RULE TITLE: General Permit for Installation of Fiber Optic Cables and Associated Conduits within the Territorial Sea, Including Associated Upland Landings RULE NO.: 62-341.625

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The Department is proposing to add a new Noticed General Environmental Resource Permit for installation of fiber optic cables and associated conduits located in the territorial seas (out to the state's territorial limits), including connections to a manhole landing in the first uplands reached by the cables and conduits. This new section also will establish and provide: limitations on allowable impacts; "best management practices" for directional drilling and cable laying operations; inspection and reporting requirements; mitigation requirements; and water quality and habitat protections.

This rulemaking is associated with amendments proposed in Chapter 18-21, F.A.C., regarding locating fiber optic cables on sovereign submerged lands and assessment of fees (Docket No. 01-10R). A notice of proposed rule development on that rule was published in Vol. 27, No. 7 of the February 16, 2001, Florida Administrative Weekly.

SPECIFIC AUTHORITY: 373.026(7), 373.043, 373.118(1), 373.406(5), 373.414(9), 373.418, 403.805(1) FS.

LAW IMPLEMENTED: 373.118(1), 373.406(5), 373.413, 373.414(9), 373.416, 373.418 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, May 22, 2001

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Carr Building, Room 170M, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jeanese McCree, Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, 2400 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, (850)921-9901, Fax (850)488-6579 or e-mail: Jeanese.McCree@dep.state.fl.us.

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

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: RULE NO.:

Licensure and Renewal Fees 64B5-15.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to increase the fees.

SUBJECT AREA TO BE ADDRESSED: Increase in fees.

SPECIFIC AUTHORITY: 456.013, 456.023, 466.013 FS.

LAW IMPLEMENTED: 456.013, 456.023, 466.013 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 DEVELOPMENT IS:

64B5-15.006 Licensure and Renewal Fees.

(1) The fee for biennial renewal of a dental license shall be ~~\$300~~ ~~\$200~~, and for a dental hygiene license, the renewal fee shall be ~~\$135~~ ~~\$90~~.

(2) No change.

Specific Authority 456.013, 456.023, 466.013 FS. Law Implemented 456.013, 456.023, 466.013 FS. History—New 4-1-80, Amended 1-25-82, 10-3-83, Formerly 21G-15.06, Amended 11-16-89, 8-13-92, Formerly 21G-15.006, 61F5-15.006, Amended 5-6-96, Formerly 59Q-15.006, Amended.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: RULE NO.:

Medicinal Drugs Which May be Ordered 64B15-18.003
by Pharmacists

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

SUBJECT AREA TO BE ADDRESSED: Medicinal drugs which may be ordered by pharmacists.

SPECIFIC AUTHORITY: 465.186(2) FS.

LAW IMPLEMENTED: 465.186 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: John Taylor, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Road, Bin C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-18.003 Medicinal Drugs Which May be Ordered by Pharmacists.

A Pharmacist may dispense from the following formulary, subject to the stated conditions:

(1) through (6) No change.

(7) Antihistamines and decongestants. The following, including their salts, either as a single ingredient product or in combination including nasal decongestants, may be ordered for patients above (6) years of age:

(a) through (b) No change.

(c) Loratadine (maximum 14 days supply only)
~~Clemastine—1.34 mg-~~

(d) No change.

(e) Azelastine ~~Chlorpheniramine~~

(f) through (g) No change.

(h) Fexofenadine ~~Triprolidine~~

The patient should be warned that antihistamines should not be used by patients with bronchial asthma or other lower respiratory symptoms, glaucoma, cardiovascular disorders, hypertension, prostate conditions and urinary retention. Antihistamines shall be labeled to advise of drowsiness side effects and caution against use with alcohol or other depressants.

~~(i) Pseudoephedrine~~

~~(j) Phenylpropanolamine~~

(k) through (o) renumbered (i) through (m) No change.

Oral decongestants shall not be ordered for use by patients with coronary artery disease, angina, hyperthyroidism, diabetes, glaucoma, prostate conditions, hypertension, or patients currently using monoamine oxidase inhibitors.

(8) through (14) No change.

Specific Authority 465.186(2) FS. Law Implemented 465.186 FS. History—New 5-1-86, Formerly 21R-18.003, 61F9-18.003, 59W-18.003, Amended.

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: RULE NO.:

Description of Merchandise on 3F-8.006
Preneed Contracts

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify when merchandise is available for delivery.

SUMMARY: This rule sets forth available time merchandise is considered ready for delivery.

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: 487.103(1) FS.

LAW IMPLEMENTED: 497.333(6)(c) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

3F-8.006 Description of Merchandise on Preeed Contracts.

(1) through (5) No change.

(6) For the purposes of this rule, merchandise shall be considered available for delivery if the merchandise can be attained in the market place within twenty-four hours.

Specific Authority 497.103(1) FS. Law Implemented 497.333(6)(c) FS. History--New 4-10-97, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 20, 2001

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE TITLE: Citations RULE NO.: 3F-11.003

PURPOSE AND EFFECT: This rule is being amended to clarify the Department's authority to impose fines for each occurrence of the same violations, pursuant to Section 497.121, F.S.

SUMMARY: This rule clarifies the authority of the Department to impose fines for each occurrence of the same violation for those offenses that are not a substantial threat to the health, safety, and welfare of the public.

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: 497.103, 497.121 FS.

LAW IMPLEMENTED: 497.121, 497.421 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3F-11.003 Citations.

(1) Pursuant to Section 497.121, F.S., the Board sets forth in this rule those violations for which there is not substantial threat to the public health, safety, and welfare. The Department shall have the authority to issue citations for the violations set forth herein. ~~The licensee Prior to the issuance of the citations, the Department~~ must confirm that the violation has been corrected or is in the process of being corrected, upon acceptance of the citation. For each violation, there is a range of fines to be imposed depending upon whether the violation is the first ~~or~~ second, ~~or third~~ violation of the particular provision within the previous ~~six (6) three (3)~~ year period. (Multiple occurrences of a specific violation within an examination report will be cited as one violation.)

(2) The following violations with accompanying fines and conditions may be disposed of by citation:

(a) For each of the following violations, a range of fines is to be imposed depending upon whether the citation is the first ~~or~~ second, ~~or third~~ violation of the particular provision by the certificateholder, licensee or registrant. For each of the violations listed under this part, the fine to be imposed for the first violation shall be ~~\$200.00 \$50.00~~, and the fine to be imposed for the second violation shall be ~~\$400.00 \$100.00~~, and the fine to be imposed for the third violation shall be \$400.00.

~~1. Failing to display license, as provided in Section 497.301, F.S.~~

~~2. Unintentionally failing to remit 1% to <5% of the amounts required to be deposited to any trust fund for an examination period, as provided in Section 497.233(1)(d), F.S.~~

~~1.3.~~ Failing to provide to any person, upon request, a copy of the cemetery bylaws, as provided in Section 497.233(1)(s)(~~t~~), F.S.

~~2.4.~~ Failing to register a branch name for a common business enterprise, in violation of Section 497.407(4), F.S.

~~3.5.~~ Failing to have all financial records available at all reasonable times for examination by the Department, as provided in Section 497.309, F.S.

4. Failing to furnish, for retention, a printed or typewritten list of current retail prices for burial rights, burial merchandise, or burial services, as provided in Section 497.233(1)(q), F.S.

~~5.6.~~ Establishing a condition for entry on or access to cemetery property, as provided in Section 497.317(3), F.S.

~~6.7.~~ Failing to mark the place on a grave where a monument is to be installed and requiring any person who installs a monument to obtain insurance or post a bond as described in Section 497.317, F.S.

7. Failing to notify preneed purchasers that the merchandise purchased will be accepted in the cemetery of the purchaser's choice as required by Section 497.441, F.S.

8. Consistently failing to make timely deposits to any trust fund, in violation of Section 497.245(2), F.S.

9. Failing to state the type, size and design of merchandise and the description of the service to be delivered or performed as required by Section 497.333(6)(c), F.S. and Rule 3F-8.006, F.A.C.

10. Failing to maintain procedures for handling complaints as provided by Section 497.445(6), F.S.

11. Failing to comply with the filing and remittance of fee requirements as required by Section 497.407(12), F.S.

12. Failing to comply with the filing and remittance of fee requirements as required by Section 497.413(2), F.S.

13. Failing to provide a Good Faith Estimate of all fees and costs the consumer will incur to use any burial right, merchandise, or services purchased as provided in Section 497.333(4), F.S.

(b) For each of the following violations, a range of fines is to be imposed depending upon whether the citation is the first ~~or~~ second, ~~or third~~ violation of the particular provision by the certificateholder, licensee or registrant. For each of the violations listed under this part, the fine to be imposed for the first violation shall be ~~\$500.00~~ ~~\$100.00~~, and the fine to be imposed for the second violation shall be ~~\$1,000.00~~ ~~\$200.00~~, and the fine to be imposed for the third violation shall be ~~\$800.00~~.

1. Discouraging the purchase of any burial merchandise or burial service which is advertised or offered for sale, with the purpose of encouraging the purchase of any additional or more expensive burial merchandise or service, as provided in Section 497.233(1)(p)(~~e~~), F.S.

~~2. Failing to furnish, for retention, a printed or typewritten list of retail prices for burial rights, burial merchandise, or burial services, as provided in Section 497.233(1)(p), F.S.~~

~~2.3.~~ Assessing fees and costs which have not been disclosed to the customer as provided in Section 497.233(1)(~~t~~)(~~s~~), F.S.

3. Attempting to sell grave space tied to the purchase of a monument from or through the seller or any other designated person or corporation, as provided in Section 497.325(1)(a), F.S.

4. Requiring the payment of a setting or service charge, by whatever name known, from third party installers for the placement of a monument, as provided in Section 497.325(1)(c)1., F.S.

5. Refusing to provide care or maintenance for any portion of a gravesite on which a monument has been placed, as provided in Section 497.325(1)(c)2., F.S.

6. Attempting to waive liability with respect to damage to a monument after installation, where the monument or installation service is not purchased from the person, cemetery company or other entity authorized to sell or to provide grave space, as provided in Section 497.325(1)(c)3., F.S.

7. Conditioning any program offering free burial rights by any requirement to purchase additional burial rights or burial merchandise, as provided in Section 497.325(2), F.S.

~~8. Failing to disclose all fees and costs the customer may incur to use the burial rights or burial merchandise purchased as provided in Section 497.515(3), F.S.~~

~~9. Failing to disclose information to the public, as provided in Section 497.333(1), (2), (4), (5), (7), or (8), F.S.~~

~~8.10.~~ Unintentionally failing to remit 1% to <5% ~~5% to <10%~~ of the amounts required to be deposited to any trust fund for an examination period, as provided in Section 497.233(1)(d), F.S.

~~11. Failure to make disclosures on insurance funded preneed contracts as required by Rule 3F-8.005.~~

~~9.12.~~ Failing to maintain cemetery grounds in reasonable condition as required by Rule 3F-6.002.

~~13. Failure to comply with the filing and remittance of fee requirements as required by Section 497.407(12), F.S.~~

~~14. Failure to comply with the filing and remittance of fee requirements as required by Section 497.413(2), F.S.~~

~~10.15.~~ Failing to deliver monuments in a timely manner as required by Section 497.361(5), F.S.

~~16. Failure to notify preneed purchasers that the merchandise purchased will be accepted in the cemetery of the purchaser's choice as required by Section 497.441, F.S.~~

~~11.17.~~ Assessing other charges in violation of Section 497.313, F.S.

12. Selling a preneed contract or permitting a person to sell a preneed contract without being registered as a preneed sales agent or being exempted as provided by Section 497.439, F.S.

~~18. Failing to have preneed contracts and related forms filed with and approved by the Board, as required by Section 497.409, F.S.~~

~~19. Failure to state the type, size and design of merchandise and the description of the service to be delivered or performed as required by Section 497.425(9), F.S.~~

(c) For each of the following violations, a range of fines is to be imposed depending upon whether the citation is the first ~~or~~ second, ~~or third~~ violation of the particular provision by the certificateholder, licensee or registrant. For each of the violations listed under this part, the fine to be imposed for the first violation shall be ~~\$800.00~~ \$200.00, and the fine to be imposed for the second violation shall be ~~\$1,600.00~~ \$400.00, and the fine to be imposed for the third violation shall be \$1600.00.

1. Failing to furnish, for retention, to each purchaser of burial rights, burial merchandise, or burial services a written agreement, the form of which has been approved by the Board, as provided in Section 497.233(1)(~~r~~)(~~q~~), F.S.

2. Unintentionally failing to remit ~~5% to <10%~~ 40% to <15% of the amounts required to be deposited to a trust fund for an examination period, as provided in Section 497.233(1)(d), F.S.

~~3. Failing to meet the time requirements for deposits to the care and maintenance trust fund, as provided in Section 497.245(2), F.S.~~

~~4. Attempting to sell grave space tied to the purchase of a monument from or through the seller or any other designated person or corporation, as provided in Section 497.325(1)(a), F.S.~~

~~5. Failing to disclose information to the public, as provided in Section 497.333(3) or (6), F.S.~~

~~3.6.~~ Requiring lot owners or current customers to make unnecessary visits to the cemetery company office for the purpose of solicitation, as provided in Section 497.515(1), F.S.

~~4.7.~~ Failing to maintain accurate burial records as required by Section 497.309, F.S.

~~5.8.~~ Failing to honor cancellations and to issue refunds, as provided by Sections 497.419, F.S., and 497.515(5), F.S.

~~9. Misrepresenting any burial merchandise or burial service when offered for sale to the public, as provided in Section 497.515(6), F.S.~~

~~6.10.~~ Knowingly disclosing to the department or an employee thereof any false report made pursuant to this chapter as stated in Section 497.519, F.S.

~~11. Selling a preneed contract or permitting a person to sell a preneed contract without being registered as a preneed sales agent or being exempted as provided by Section 497.439, F.S.~~

~~12. Engaging in any misrepresentation, false advertising, presentation of false information, unfair claim settlement practices, failing to maintain procedures for handling complaints, or discriminatory refusal to issue a contract, as provided in Section 497.445, F.S.~~

~~7.13.~~ Failing to honor the preneed contract cancellation request by the heirs of a contract purchaser as provided in Section 497.421, F.S.

~~8.14.~~ Failing to meet the construction timeframes, as provided in Section 497.257(1)-(8), F.S.

9. Failing to have preneed contracts and related forms filed with and approved by the Board, as required by Section 497.409, F.S.

~~15. Requesting disbursement of funds from the preneed or merchandise trust funds when the contract has not been fulfilled as described in Section 497.421, F.S.~~

Specific Authority 497.103, 497.121 FS. Law Implemented 497.121 FS. History—New 1-24-95, Amended 5-19-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 20, 2001

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE TITLES:	RULE NOS.:
Definitions	4A-2.002
Manufacture; License Required	4A-2.004
Storage; Shortages or Thefts; Reports Required	4A-2.012
Use; General	4A-2.019
All Investigative Reports Must be Filed	4A-2.022

PURPOSE AND EFFECT: This rule is being amended to delete the duplicative language as a result of the section 120.536(2)(b), F.S. review.

SUMMARY: Deletion of duplicative language.

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: 552.13 FS.

LAW IMPLEMENTED: 552.081, 552.091, 552.113, 552.12, 552.13, 552.241, 633.01(2) FS.

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

TIME AND DATE: 9:30 a.m., June 7, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gabe Mazzeo, Division of Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0320

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 FULL TEXT OF THE PROPOSED RULES IS:

4A-2.002 Definitions.

~~(1) "Explosive materials," as defined in Section 552.081(1), Florida Statutes, means explosives, blasting agents, or detonators.~~

~~(2) "Explosives," as defined in Section 552.081(2), Florida Statutes, means any chemical compound, mixture, or device, the primary purpose of which is to function by explosion. The term "explosives" includes, but is not limited to, dynamite, nitroglycerin, trinitrotoluene, other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, and igniters. "Explosives" does not include cartridges for firearms, and does not include fireworks as defined in Chapter 791, Florida Statutes.~~

~~(3) "Blasting agent," as defined in Section 552.081(3), Florida Statutes, means any material or mixture, consisting of fuel and oxidizer, intended for blasting and not otherwise defined as an explosive, provided the finished product, ready for use or shipment, cannot be detonated by means of a number eight (8) test blasting cap when unconfined.~~

~~(4) "Detonator," as defined in Section 552.081(4), Florida Statutes, means any device containing a detonating charge that is used for initiating detonation of an explosive and includes, but is not limited to, blasting caps and electric blasting caps of instantaneous and delay types.~~

~~(5) "Person," as defined in Section 552.081(5), Florida Statutes, means any natural person, partnership, association or corporation.~~

~~(6) "Manufacturer distributor," as defined in Section 552.081(6), Florida Statutes, means a person engaged in the manufacture, compounding, combining, production, or distribution of explosives.~~

~~(7) "Dealer," as defined in Section 552.081(7), Florida Statutes, means a person engaged in the wholesale or retail business of buying and selling explosives.~~

~~(8) "User," as defined in Section 552.081(8), Florida Statutes, means a dealer or manufacturer distributor who uses an explosive as an ultimate consumer or a person, who, as an ultimate consumer of an explosive, purchases such explosive from a dealer or manufacturer distributor.~~

~~(9) "Blaster," as defined in Section 552.081(9), Florida Statutes, means a person employed by a user who detonates or otherwise effects the explosion of an explosive.~~

~~(10) "Sale," as defined in Section 552.081(10), Florida Statutes, and its various forms includes delivery of an explosive with or without consideration.~~

~~(11) "Highway," as defined in Section 552.081(11), Florida Statutes, means any public highway in this state, including public streets, alleys, and other thoroughfares, by whatever name, in any municipality.~~

~~(12) "Manufacturer's mark," as defined in Section 552.081(12), Florida Statutes, means the mark placed on each carton of and each individual piece of explosive by the manufacturer to identify the manufacturer and the location, date and shift of manufacture.~~

~~(13) "Two component explosives," as defined in Section 552.081(13), Florida Statutes, means any two inert components which, when mixed, become capable of detonation by a number 6 (6) blasting cap, and shall be classified as a Class "A" explosive when so mixed.~~

~~(14) "Division," as defined in Section 552.081(14), Florida Statutes, means the Division of State Fire Marshal of the Department of Insurance.~~

~~(15) "Purchase," as defined in Section 552.081(15), Florida Statutes, and its various forms means acquisition of any explosive by a person with or without consideration.~~

~~(16) through (25) renumbered (1) through (10) No change.~~

Specific Authority 552.13 FS. Law Implemented 552.081, 552.13 FS. History—Amended 6-25-66, 10-18-67, Repromulgated 12-24-74, Amended 2-1-79, Formerly 4A-2.02, Amended _____.

4A-2.004 Manufacture; License Required.

Specific Authority 552.13 FS. Law Implemented 552.081, 552.13 FS. History—Amended 6-25-66, Repromulgated 12-24-74, Formerly 4A-2.04, Repealed _____.

4A-2.012 Storage; Shortages or Thefts; Reports Required.

Specific Authority 552.13 FS. Law Implemented 552.113, 552.13 FS. History—Amended 6-25-66, Repromulgated 12-24-74, Formerly 4A-2.12, Repealed _____.

4A-2.019 Use; General.

Specific Authority 552.13 FS. Law Implemented 552.12, 552.13, 552.241, 633.01(2) FS. History—Amended 6-25-66, 10-18-67, Repromulgated 12-24-74, Formerly 4A-2.19, Repealed _____.

4A-2.022 All Investigative Reports Must be Filed.

Specific Authority, 552.13 FS. Law Implemented 552.113 FS. History—Amended 6-25-66, Repromulgated 12-24-74, Formerly 4A-2.22, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gabe Mazzeo, State Fire Marshal, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Goodloe, State Fire Marshal, Department of Insurance
DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: April 12, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2001

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE TITLES: DEFINITIONS: RULE NOS.:
Definitions 4A-50.013
Minimum Fireworks Safety Standards 4A-50.020
PURPOSE AND EFFECT: This rule is being amended to delete the duplicative language as a result of the section 120.536(2)(b), F.S. review.

SUMMARY: To delete duplicative language.
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: 633.01(1), 791.012 FS.
LAW IMPLEMENTED: 791.01, 791.015, 791.02, 791.04, 791.012, 791.013 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., June 7, 2001
PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gabe Mazzeo, Senior Attorney, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0300, phone number (850)413-3604

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:

4A-50.013 Definitions.

- (1) No change.
- (2) ~~“Sparkler” means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand held or ground based, cannot propel itself through the air, and that contains not more than 100 grams of the chemical compound which produces sparks upon burning. Any sparkler that is not approved by the division is classified as fireworks.~~

(3) through (4) renumbered (2) through (3) No change.

~~(5) “Explosive compound” means any chemical compound, mixture, or device the primary or common purpose of which is to function by the substantial instantaneous release of gas and heat. For purposes of this rule, an explosive compound can be a chemical compound, but not all chemical compounds are explosive compounds. “Sparklers” shall not contain any more than 100 grams of a chemical compound, which is not an explosive compound, which produces sparks upon burning.~~

(6) through (11) renumbered (4) through (9) No change.

Specific Authority 624.308(1) FS. Law Implemented 791.01, 791.015, 791.02, 791.04 FS. History—New 6-1-88, Amended _____.

4A-50.020 Minimum Fireworks Safety Standards.

Specific Authority 624.308(1), 791.012 FS. Law Implemented 791.01, 791.015, 791.02, 791.04, 791.012, 791.013 FS. History—New 10-2-96, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gabe Mazzeo, Senior Attorney, State Fire Marshal, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles D. Clark, Division Director, State Fire Marshal, Department of Insurance
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2001

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 amendment 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 provide an updated application form for individuals pursuing a teaching certificate.

SUMMARY: The rule adopts by reference the form to be used by persons desiring to register for the Florida Teacher Certification Examination.

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), 231.15(1), 231.17(1) FS.

LAW IMPLEMENTED: 229.053, 231.145, 231.15, 231.17 FS.
A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., June 12, 2001

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE 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 is Florida Teacher Certification Examination Registration Application and Form CG-22-00, FTCE/FELE Supplemental Registration Application, effective October, 2000~~ are 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.

b. through (10) No change.

(11) Score reports for the reading, writing, mathematics, professional skills, and subject area subtests.

(a) No change.

(b) The examinee shall be sent two (2) authenticated score reports as described in Rule 6A-4.0021(11)(a), F.A.C. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on the ~~CG-20-01, CG-20, Registration Application: Certification Examinations for Florida Educators Florida Teacher Certification Examination Registration Application~~.

(c) through (15) No change.

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, Amended 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00,_____.

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: April 30, 2001

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: April 13, 2001

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Educational Leadership Examination RULE NO.: 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt an updated examination application form for persons registering for the Florida Educational Leadership Examination. The effect will be the availability of an updated form for persons applying to take Florida Educational Leadership Examination.

SUMMARY: This rule is amended to adopt the updated application form for the Florida Educational Leadership Examination.

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: 231.15(1), 231.17(8),(11), 231.0861(3), 231.30(1) FS.

LAW IMPLEMENTED: 231.0861, 231.15, 231.17, 231.30 FS.
A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., June 12, 2001

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

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

a. A completed application Form CG-20-01, Registration Application: Certification Examinations for Florida Educators CG-30-00, Florida Educational Leadership Examination Registration Application or Form CG-22-00, FTCE/FELE Supplemental Registration Application, as incorporated by reference in Rule 6A-4.0021, F.A.C., which includes the applicant's signature. Form CG-20-01, Registration Application: Certification Examinations for Florida Educators CG-30-00, Florida Educational Leadership Examination Registration Application is hereby incorporated by reference and made a part of this rule to become effective July 2001 October 2000. ~~This~~ These forms may be obtained without cost from the Bureau of Educator Teacher Certification, Department of Education, 325 West Gaines Street, Turlington Building, Tallahassee, Florida 32399-0400.

b. through (8) No change.

(9) Score reports.

(a) No change.

(b) The examinee shall be sent two (2) authenticated score reports. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on the CG-20-01, Registration Application: Certification Examinations for Florida Educators CG-30, Florida Educational Leadership Examination Registration Application.

(c) through (10) No change.

Specific Authority 231.15(1), 231.17(8)(11), 231.0861(3), 231.30(1) FS. Law Implemented 231.0861, 231.15, 231.17, 231.30 FS. History—New 12-25-86, 1-11-89, 5-19-98, 10-5-99, 7-17-00,_____.

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: April 30, 2001

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: May 4, 2001

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Illumination of the State Highway System

RULE CHAPTER NO.: 14-64

RULE TITLE: Illumination of the State Highway System

RULE NO.: 14-64.0011

PURPOSE AND EFFECT: The rule on the illumination of the state highway system is considered to be obsolete. A Department procedure will be used to administer the highway lighting program.

SUMMARY: The rule is being repealed because it is considered to be obsolete.

SPECIFIC AUTHORITY: 334.044(2), 337.401 FS.

LAW IMPLEMENTED: 337.401, 339.08(2)(c) FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been prepared at this time.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-64.0011 Illumination of the State Highway System.

Specific Authority 334.044(2), 337.401 FS. Law Implemented 334.03, 337.401, 339.08(2)(c) FS. History—New 12-31-96, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Albaugh, Highway Operations Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas F. Barry, Jr., P.E., Secretary

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: ADA Provisions for Inmates

RULE NO.: 33-210.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish guidelines with regard to ADA provisions for inmates.

SUMMARY: The proposed rule provides relevant definitions; establishes procedures for accommodation requests by inmates; establishes procedures and guidelines for the approval or denial of accommodation requests; provides procedures relating to the approval, possession, and maintenance of health care appliances; and, establishes guidelines for the maintenance of health accessible features and equipment.

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, 958.04 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 Lylen 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:

33-210.201 ADA Provisions for Inmates.

(1) Policy. In accordance with the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et. seq., the Department of Corrections does not discriminate, on the basis of a disability, against any inmate with regard to its programs, services, or activities for which the inmate is otherwise qualified. Inmates shall be provided the opportunity to identify the nature of any disability and to request an accommodation or auxiliary aids. Additional information on the ADA is available from the chief administrator or the impaired inmate coordinator of any department facility.

(2) Definitions.

(a) ADA Coordinator – the central office employee assigned to implement provisions of Title I and Title II of the ADA and Section 504 of the 1973 Rehabilitation Act.

(b) Direct threat – refers to a health or safety risk in which an inmate poses a significant likelihood of substantial harm to department staff, the public, other inmates, or herself or himself.

(c) Equally effective communication – communication with inmates with various disabilities that is equal to communication with inmates without any documented disabilities.

(d) Health care appliance – refers to devices or medical support equipment prescribed for a disabled inmate and approved by the Office of Health Services or its designee.

(e) Individual with a disability – refers to an inmate, as determined by department medical staff, who has a physical or mental impairment that substantially limits one or more major life activities.

(f) Intake officer – refers to the staff member at an institution who is designated to respond to inmate grievances alleging a violation of the ADA and to requests for accommodation.

(g) Major life activities – activities that an average person can perform with little or no difficulty, such as walking, speaking, performing manual tasks, hearing, learning, and seeing.

(h) Mental impairment – any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities.

(i) Other permanent disability – refers to a disability other than a mobility, hearing, vision or speech impairment that may require the inmate to be placed in a designated facility due to the severity of the disability.

(j) Permanent disability – an impairment that is not expected to improve within six months.

(k) Qualified inmate with a disability – refers to a person who meets the essential eligibility requirements of the department and Title II of the ADA of 1990 and whose access to the department's programs, services, or activities can be accomplished by reasonable accommodation.

(l) Reasonable accommodation – refers to any modification or adjustment that will allow a qualified individual to participate in, or benefit by, the programs, services, or activities of a department institution or facility.

(m) Substantially limited – refers to an individual who is unable to perform, or is significantly limited in the ability to perform, a major life activity compared to an average person in the general population.

(n) Undue hardship – refers to an action that is excessively costly, extensive, substantial, or disruptive to the business being conducted at a facility or that would fundamentally alter the nature or operation of the facility.

(o) Youthful offender – refers to the category of individual set forth in Rule 33-506.101, F.A.C.

(3) Accommodation Request Procedure.

(a) The determination of whether an inmate is disabled shall be made by department medical staff, either at reception or at the institution where the inmate is assigned, based upon the inmate's record of impairment or some other qualified evaluation of the inmate's impairment.

1. The nature and extent of the disability will be assessed during the evaluation process.

2. In determining if a person's impairment substantially limits a major life activity, the following factors shall be considered:

a. The nature and severity of the impairment;

b. The length of time the impairment is expected to last; and,

c. The expected, permanent, or long-term impact of the impairment.

(b) All department and privately operated facilities shall furnish to any inmate, upon request, a Reasonable Modification or Accommodation Request, Form DC2-530. Form DC2-530 is hereby incorporated by reference. Copies of this form are available 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 _____.

(c) Individuals requesting an accommodation or modification shall submit a request in writing on the Reasonable Modification or Accommodation Request, Form

DC2-530, specifying the type of accommodation requested and why it is necessary. Any supporting documentation must be attached to Form DC2-530.

1. The Reasonable Modification or Accommodation Request, Form DC2-530, shall be submitted to the designated intake officer. This staff member shall be:

a. The assistant warden for programs (AWP) or the assistant warden (AW) at major department institutions, in the event the institution does not have an AWP;

b. The correctional officer major at work release centers;

c. The facility chief for community facilities; or

d. The facility supervisor for contract facilities.

2. Inmates who cannot put their requests in writing shall make their verbal requests to classification, security, or library staff or to the intake officer who shall reduce the request to writing and have the inmate sign or otherwise acknowledge it.

(d) The intake officer shall review the DC2-530 and approve, give modified approval of, or deny the inmate's request for an accommodation.

1. If the intake officer approves the request for accommodation, the inmate shall be notified by memo, with the anticipated completion date, if necessary, of the accommodation.

2. If the intake officer denies or grants a modified approval of the request, she or he shall forward the form, and any supporting documents, to the central office ADA coordinator within ten days, including a justification or reason for the denial or modification. The requesting inmate shall be notified of the action taken by memo.

(e) The central office ADA coordinator shall review the request received and note whether she or he concurs or disagrees with the intake officer's decision.

1. If the ADA coordinator disagrees with the intake officer's recommendation, she or he will consult with the central office director for the program area in which the accommodation is requested to obtain input.

2. If, after consulting with the central office director for the program area in which the accommodation is requested, the recommendation of the ADA coordinator is a reversal of the intake officer's decision, the form shall be returned to the intake officer with a memorandum stating the reasons for this action.

(f) Once the institution receives this information, it will take steps to comply with the recommendations of the ADA coordinator and notify the inmate of the actions to be taken by memo.

(g) The intake officer will complete an "Inmate Request for Accommodation Log," Form DC2-529 for each Form DC2-530 received. Form DC2-529 is hereby incorporated by reference. Copies of this form are available 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 _____ . Form DC2-259 shall include:

1. The name of the requesting inmate;

2. The inmate's Florida Department of Corrections identification number;

3. The date the request was received;

4. The disposition of the request, (approved, modified, or denied);

5. The name of the individual making the decision;

6. Whether an appeal was filed;

7. The resolution of the appeal, if any; and,

8. The date of the final decision.

(h) The intake officer will forward each Form DC2-529 to the ADA coordinator by the fifth day of each month.

(i) Copies of the requests, logs, and all other documentation shall be placed in the inmate's medical record and in the department's confidential ADA file located in the central office.

(4) Justification for Denial of Requests for Accommodation. A request for accommodation shall be denied for any of the following reasons:

(a) A legitimate penological interest:

1. A request for accommodation shall be denied when it would pose a risk to the safety or security of the institution, staff, or the public, or when the request would adversely impact other penological interests, including deterring crime and maintaining inmate discipline.

2. In all determinations of reasonable accommodation, public safety and the health, safety, and security of all inmates and staff shall remain the overriding considerations.

(b) The department need not take an action to provide accessibility to a service, program or activity if the action would impose or require:

1. An undue financial burden on the agency where, in a cost benefit analysis, its costs would be an unjustifiable use of public funds. The ADA coordinator shall consult with the Office of the General Counsel to make a determination if an accommodation would result in an undue financial burden.

2. An administrative burden on the agency; or,

3. A fundamental alteration of the nature of the service, program, or activity. The ADA coordinator shall consult with the Office of the General Counsel to make a determination if an accommodation would constitute a fundamental alteration.

(c) Direct Threat. The ADA coordinator, in consultation with the Office of the General Counsel and the central office director for the program area in which the accommodation is requested, shall make a final determination on whether a requested accommodation poses a direct threat.

(d) Equally Effective Means. A request for accommodation shall be denied if equally effective access to a program, service, or activity can be afforded through an

alternate method which is less costly or intrusive. Alternative methods that are less costly or intrusive to the existing operation or program shall be utilized to provide reasonable access in lieu of modifications requested by the inmate so long as they are equally effective.

(5) Inmates shall appeal the denial of requests for accommodation by following the guidelines set forth in Rule 33-103.001, F.A.C.

(6) Effective Communication. Reasonable accommodation shall be afforded to inmates with disabilities to ensure equally effective communication with staff, other inmates, and, where applicable, the public.

(a) Auxiliary aids which are reasonable, effective, and appropriate to the needs of the inmate, shall be provided to ensure equal access to programs, services, or activities offered by the department when simple written or oral communication is not effective.

(b) Auxiliary aids include bilingual aids or qualified interpreters, readers, sound amplification devices, captioned television or text displays, telecommunication devices for the deaf (TDD), audiotaped texts, Braille materials, large-print signs and materials, or the assignment of an inmate aid for work, training, and school.

(c) When an auxiliary aid is deemed necessary to provide an inmate with an equal opportunity to participate in a program, service or activity, it shall be provided at the expense of the department.

(7) Health Care Appliances.

(a) Prescription and approval.

1. A physician or clinical associate shall prescribe and approve health care appliances for eligible inmates if these devices meet medical necessity, safety, and security requirements. Health care appliances include orthopedic prostheses, orthopedic braces or shoes, crutches, canes, walkers, wheelchairs, hearing aids, and other items which are necessary to accommodate the inmate's needs.

2. If security staff denies a health care appliance to an inmate for safety or security reasons, the Chief of Security, or his or her designee, shall immediately consult with the Chief Health Officer, or his or her designee, to determine necessary action to accommodate the inmate's needs.

3. Accommodations shall include modifying the appliance or substituting a different appliance at state expense, as long as, its function is equivalent or superior.

(b) Possession of Health Care Appliances.

1. Health care staff shall identify health care appliances as property of the inmate and appropriately document them as such in accordance with Rule 33-602.201, F.A.C.

2. Any health care appliance the disabled inmate has properly obtained while in the department's custody shall not be removed unless there are legitimate documented safety or security reasons.

3. Health care appliances shall be removed if a physician or dentist determines that the appliance is no longer medically necessary or appropriate.

(c) Maintenance of Health Care Appliances.

1. When an appliance, other than a wheelchair, is in need of repair or replacement, the inmate shall notify health care staff of his or her needs by a medical call-out or a request to see a doctor.

a. Health care staff shall schedule the inmate for an appointment and evaluate the condition of the appliance.

b. Once the need for repair or replacement is verified, the inmate shall be issued an appropriate appliance or accommodation.

2. A non-indigent inmate shall be financially responsible for damage, repair and replacement of appliances, or parts and batteries and shall be charged for the cost thereof in accordance with Rule 33-601.308(4), F.A.C.

(8) Maintenance of Accessible Features and Equipment. The department shall maintain necessary equipment in operable working condition and necessary structural features of buildings to make its services, programs, and activities accessible to disabled inmates. If maintenance or repairs are required, service or access shall be temporarily interrupted for no longer than 30 days duration.

(9) Educational and work programs. Inmates with disabilities shall have the opportunity to participate in educational and work programs.

(a) Inmates shall be evaluated to participate in an educational or work program on a case-by-case basis.

(b) Eligibility to participate in any program is dependent on the inmate's ability to perform the essential functions of the program with, or without, reasonable accommodation and on meeting the department's requirement for the program.

Specific Authority 944.09 FS. Law Implemented 944.09, 958.04 FS. History—
New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martie Taylor

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2001

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLE: Florida Workers' Compensation Reimbursement Manual for Hospitals
RULE NO.: 38F-7.501

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt by reference replacement pages 4, 9 and 22 for the 1999 Florida Workers' Compensation Reimbursement Manual for Hospitals, which contains reimbursement policies and per diem rates for hospital services and supplies. It is essential for all users of the UB-92 manual to have all the updates in order to have a complete manual. Hospitals follow the data elements provided in the manual to report the services rendered and to process hospital bills for payment. Payers need the complete manual to know what data the Florida workers' compensation program requires hospitals to complete before hospitals forward bills to payers for reimbursement.

SUMMARY: This rule sets forth reimbursement policies and per diem rates in the Florida Workers' Compensation Reimbursement Manual for Hospitals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is anticipated to have no cost to the agency other than the normal expenses incurred in the promulgation of administrative rules; will have no special or particular impact upon small businesses, counties, or cities; and will not adversely impact competition and the open market for employment.

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: 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) FS.

LAW IMPLEMENTED: 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE NOTICED IN A FUTURE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy M. Rice, Registered Nurse Consultant, Suite 101, Forrest Building, 2728 Centerview Drive, Tallahassee, FL, (850)410-1093

THE FULL TEXT OF THE PROPOSED RULE IS:

38F-7.501 Florida Worker' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 Edition, and replacement pages 4, 9, and 22 are is adopted by reference as part of this rule. The manual contains reimbursement policies and per diem rates for hospital services and supplies as well as basic instructions and information for all hospitals and carriers in the preparation and reimbursement of bills for hospital services.

(2) LES Form DWC-90, also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule.

(3) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 1999 Edition, and LES Form DWC-90, are available for inspection during normal business hours, at the Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, ~~101 400~~ Forreest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0664, or via the Division's home page at <http://www2.myflorida.com.les/wc/> ~~http://www.wc.les.state.fl.us/DWC/~~.

Specific Authority 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) FS. Law Implemented 440.13(4)(b), 440.13(6), 440.13(11), 440.13(12), 440.13(14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99,

NAME OF PERSON ORIGINATING PROPOSED RULE: William A. Wood, WC Deputy Chief

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Williams, Director, Division of Workers' Compensation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2001, Vol. 27, No. 17, page 2032

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: Provider Requirements **RULE NO.:** 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, May 2001. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, May 2001, which contains current provider enrollment policies and numerous technical changes.

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: 409.902, 409.906, 409.907, 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., June 4, 2001

PLACE: Agency for Health Care Administration, Conference Room C, Building 3, 2727 Mahan Drive, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Angela Smith, Medicaid Contract Management, 2308 Killearn Center Blvd., Suite 200, Tallahassee, Florida 32308, (850)922-7344

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-5.020 Provider Requirements.

All advanced registered nurse practitioners; ambulatory surgery centers; audiologists; birthing centers; child health check-up providers; chiropractors; community mental health services providers; county health departments; county health department certified match providers; dentists (when submitting claims on the HFCA-1500 claim form); durable medical equipment and medical supply providers; early intervention service providers; federally qualified health centers; freestanding dialysis centers; hearing aid specialists; home health agencies; independent laboratories; licensed midwives; Medicaid certified school match providers; medical foster care providers; opticians; optometrists; physicians; physician assistants; podiatrists; portable x-ray providers; prescribed pediatric extended care centers; registered nurse first assistants; rural health clinics; therapists; and visual services providers enrolled in the Medicaid program and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, updated May 2001 July 1999, which is incorporated by reference and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Angela Smith

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2001

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Continuing Professional Education
 RULE NO.: 61H1-33.003

PURPOSE AND EFFECT: The Board proposes to amend this rule to correct the example in (4) wherein the rule states ... or two (2) all technical ... which should have read ... or eight (8) all technical ..., and to add the reference to 61H1-27.001(1) which defines accredited institution.

SUMMARY: This rule sets forth the continuing professional educational requirements necessary to maintain a CPA license. It explains courses required for continuing education credits and how the credit is given.

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: 120.55(1)(a)4., 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite 1, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-33.003 Continuing Professional Education.

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

(4) Credit may be prorated by the sponsor for courses that cover more than one area of study by (1) prorating the amount of time spent in each area or (2) awarding credit based on the lowest topic covered with accounting and auditing being the highest and behavioral the lowest. Therefore an eight (8) hour course that was 75% accounting and auditing and 25% management would receive six (6) hours of accounting and auditing credit and two (2) hours of technical business or eight (8) ~~two (2)~~ hours of all technical business. Hours cannot be prorated in less than one hour increments.

(5) In order for a licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses taken from an accredited institution as defined in 61H1-27.001(1) shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the

classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. through (7) No change.

Specific Authority 120.55(1)(a)4., 473.304, 473.312 FS. Law Implemented 473.312 FS. History--New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 7-7-85, 8-20-85, 9-18-88 Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

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

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Citation Authority RULE NO.: 64B5-13.0046

PURPOSE AND EFFECT: The Board has determined that this rule should be amended to conform to recent amendments to Section 456.072(3)(a), F.S.

SUMMARY: Due to recent amendments to Section 456.072(3)(a), F.S., the Board is amending the rule text, and it has been determined that the administrative fines for dentists and dental hygienists for failure to complete the required amount of continued education shall be increased as well.

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: 456.077, 466.004(4) FS.

LAW IMPLEMENTED: 456.072(3)(a), 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-13.0046 Citation Authority.

(1) Pursuant to Section 456.077, Florida Statutes (2000), (1991), 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 ~~\$100.00~~ \$150.00 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 ~~required~~ request 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 _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 13, 2001

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Reef Fish

RULE TITLE: Commercial Harvest Requirements; Licenses, Season Closures, Special Restrictions

RULE NO.: 68B-14.0045

PURPOSE AND EFFECT: Amendment 15 of the Federal Gulf of Mexico Fishery Management Council's Reef Fish Fishery Management Plan deleted the requirement that a federal permit be obtained to fish commercially for sea basses and red porgy in federal waters of the Gulf of Mexico. The purpose of this rulemaking is to delete the same requirement from rules of the Fish and Wildlife Conservation Commission governing waters of the State of Florida. The effect of this rulemaking will be to make uniform the requirements for commercial harvest of these species in both state and federal waters of the Gulf of Mexico.

SUMMARY: Subparagraph (1)(a)2. of Rule 68B-14.0045, F.A.C., is amended to state that the federal Gulf reef fish permit is not required for the commercial harvest of bank sea bass, black sea bass, rock sea bass, or red porgy from the Gulf of Mexico.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), FLORIDA STATUTES.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

Substantially affected persons may, within 14 days of the date of this notice, file an objection to this rulemaking with the agency. The objection shall specify the portions of the proposed rule to which the person objects and the specific reasons for the objection.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Special Restrictions.

(1) Licenses.

(a) Each person harvesting any of the species listed in Rule 68B-14.001(4) for commercial purposes in state waters shall possess a valid saltwater products license with a restricted species endorsement and

1. If fishing in state waters of the Atlantic Ocean, either a valid transferable commercial permit or a trip-limited commercial permit for South Atlantic snapper-grouper;

2. If fishing in state waters of the Gulf of Mexico, a valid commercial vessel permit for Gulf reef fish, and if fishing for red snapper, a Class 1 or Class 2 Gulf red snapper license. The requirement of a valid commercial vessel permit for Gulf reef fish shall not apply to the harvest of bank sea bass, black sea bass, rock sea bass, or red porgy for commercial purposes in the Gulf of Mexico.

(b) No person harvesting for commercial purposes pursuant to this subsection shall sell or attempt to sell any of the indicated species, or any part of the indicated species, without possessing and presenting to the purchaser the state and federal licenses and permits specified in paragraph (a). No wholesale dealer, as defined in Section 370.07(1), Florida Statutes, shall purchase any of these species, or any part thereof, without confirming that the seller thereof possesses the state and federal licenses and permits specified in this rule.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History-New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, 1-1-00, 3-6-00, 1-1-01, 3-1-01, Formerly 46-14.0045, Amended

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER NO.: RULE CHAPTER TITLE:

9K-7 Florida Forever Program

RULE NOS.: RULE TITLES:

9K-7.008 Ranking and Selection of Applications

9K-7.009 Conceptual Approval of Projects

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published April 6, 2001, in Vol. 27, No. 14 of the Florida Administrative Weekly.

9K-7.008 Ranking and Selection of Applications.

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

(c) After a final determination of the scoring of each Application, the Governing Board shall consider the point totals ~~and, as well as any other relevant factors not considered directly in the assignment of point totals, including~~ the statutory requirements of this rule chapter, and rank the Applications in descending order, with the highest ranking Application being given highest funding priority.

1. through 3. No change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New _____.

9K-7.009 Conceptual Approval of Projects.

(1) Following the ranking and selection of Applications described above but prior to the conceptual approval meeting, the Trust staff shall conduct site visits or other investigations. If such visits or investigations reveal undisclosed facts or erroneous evaluation conclusions, the Trust staff shall report such findings to the Governing Board. The Trust shall impose conditions relevant to these findings, ~~or any other conditions deemed necessary to protect the interests of the State.~~ Such conditions will be imposed on the Applicant by the Conceptual Approval Agreement at the conceptual approval meeting. Applicants will be advised of the conditions prior to the conceptual approval meeting. Any such conditions must be met by the Applicant prior to receiving Project Plan approval. Further, the Trust shall have the right to alter the ranking of Applications based on the site visit or investigation findings.

(2) through (4) No change.

(5) The established time frame for conceptual approval for funding shall be for a period not to exceed 12 months from the conceptual approval meeting. Conceptual approval shall be evidenced by an executed Conceptual Approval Agreement between the Trust and the Recipient. When the established time frame has expired and a conceptually approved project has not received Project Plan approval, conceptual approval shall be terminated and Trust funds committed to the project shall then be committed to Applications that are conceptually approved in subsequent funding cycles. The Trust may extend the Conceptual Approval Agreement beyond the established time frame if the Recipient demonstrates that significant progress is being made toward Project Plan approval or that extenuating circumstances warrant an extension of time. All requests for extensions shall be made in writing to the Executive Director, prior to the expiration of the established timeframe, fully explaining the reason for the delay and why the extension is necessary.

(6) through (7) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New _____.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES IS: Janice Browning, Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
38F-7.522	Definitions
38F-7.523	Carrier Responsibilities

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a hearing has been requested on the above-referenced rule repeal, as noticed in the March 9, 2001 issue of the Florida Administrative Weekly (Vol. 27, No. 10). The hearing will be held on Thursday, May 31, 2001, 9:30 a.m., Suite 317, Conference Room, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy Staff Terrel, Suite 307, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, Florida, (850)488-9370

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
38F-55	Reemployment Services

NOTICE OF CHANGE

NOTICE IS HEREBY GIVEN, in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the above-referenced proposed rules which were published in the April 6, 2001 issue of the *Florida Administrative Weekly* (Vol. 27, No. 14). Said changes were made as a result of comments made by the Joint Administrative Procedures Committee.

38F-55.001 Definitions.

(7) "Individualized written rehabilitation program" (IWRP) is an individualized written rehabilitation program as defined in the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq.

38F-55.002 Rehabilitation Provider Qualifications.

(2) Applicants applying for renewal shall submit a non-refundable \$25.00 biennial renewal fee, and a signed, typed and completed qualified rehabilitation provider application on form DWC-96, which is incorporated by reference into this rule, and a copy of current certification and applicable licensure.

(3) Each applicant shall submit a signed, typed and completed form DWC-96, proof of attendance at a division sponsored or approved qualified rehabilitation provider

workshop, and a non-refundable check or money order in the amount of \$25.00 payable to Workers' Compensation Administrative Trust Fund to the Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, Provider Relations Section, 2728 Centerview Drive, 101 Forrest Building, Tallahassee, Florida 32399-0664. Illegible or unsigned applications and applications submitted without the application fee shall be returned. ~~Form DWC-96 is incorporated by reference into Rule 38F-55.014, Florida Administrative Code.~~

38F-55.013 Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities.

(3) Any qualified rehabilitation provider providing any employer or carrier or Division sponsored reemployment services, reemployment assessments or medical care coordination shall submit with each DWC-21, which is incorporated by reference into this rule, a written report which reports services provided and expected outcomes, covering the following points:

~~(12) Form DWC-21 is incorporated by reference in Rule 38F-55.014, Florida Administrative Code.~~

38F-55.014 List of Forms.

(2) A copy of the forms and accompanying instructions incorporated by Rule 38F-55.014(1) may be obtained from the Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, 2728 Centerview Drive, Suite 101, Forrest Building, Tallahassee, Florida 32399-0664. Copies of the forms are also available on the Division's web page on the Internet, at <http://www2.myflorida.com/les.wc/>.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-9.017	Certification and Audit Procedures
59B-9.018	Ambulatory Patient Data Format – Data Elements and Codes
59B-9.019	Ambulatory Patient Data Format – Record Layout
59B-9.020	Data Standards

NOTICE OF CHANGE

The proposed amendments were originally published in Vol. 27, No. 10 of the Florida Administrative Weekly, dated March 9, 2001. Proposed amendments to Rule 59B-9.017 are being changed to address comments from staff of the Joint Administrative Procedures Committee (JAPC). The JAPC has indicated that the agency does not have an express grant of statutory authority to limit the time available for a desk or field audit as proposed in Section 59B-9.017(4).

Proposed amendments to Rules 59B-9.018, 59B-9.019, and 59B-9.020 are being changed to address comments from HCA-The Healthcare Company. HCA-The Healthcare

Company has requested clarification regarding the definition of KidCare in Section 59B-9.018(2)(i). HCA-The Healthcare Company has requested that the effective date for all data reporting changes in the rule amendments be January 1, 2002 with the exception of those changes which have an effective date of January 1, 2003. Accordingly, these sections have been changed so that when adopted they will read as follows:

59B-9.017(4) The agency shall to the extent practical, apply the same audit standards and use the same audit procedures for all ambulatory centers or audit a random sample of ambulatory centers. The agency will notify each ambulatory center of any possible errors discovered by audit and request that the ambulatory center either correct the data or verify that the data is complete and correct. The notice shall indicate that the ambulatory center must return corrected data if there are errors and certify the data within ninety (90) days of receipt of the notice, or the ambulatory center Chief Executive Officer must verify by signature that the previously submitted and certified data is complete and correct within ninety (90) days of receipt of the notice. The notice shall clearly indicate that the ambulatory center may be subject to penalties pursuant to Rule 59B-9.022. ~~The agency shall not conduct a desk audit or field audit of a report more than thirty-six (36) months following the initial submission of data.~~

59B-9.018(2)(i) Principal Payer Code. A one character field as follows:

A through N No change.

O – KidCare (Report Healthy Kids, MediKids and Children's Medical Services, ~~excluding Medicaid~~. Required for ambulatory visits occurring on or after January 1, 2003.)

59B-9.018(4) The effective date of all data reporting changes in 59B-9.018, as amended after 12-28-98, shall be for discharges occurring on or after January 1, 2002 unless a later date is indicated in Rule 59B-9.018.

59B-9.019(4) The effective date of all data reporting changes in 59B-9.019, as amended after 12-28-98, shall be for discharges occurring on or after January 1, 2002 unless a later date is indicated in Rule 59B-9.019.

59B-9.020(37) The effective date of all data reporting changes in 59B-9.020, as amended after 12-28-98, shall be for discharges occurring on or after January 1, 2002 unless a later date is indicated in Rule 59B-9.020.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Care and Cost Containment Board

RULE NOS.:	RULE TITLES:
59E-7.012	Reporting and Audit Procedures
59E-7.014	Data Elements and Formatting Requirements

NOTICE OF CHANGE

The proposed amendments were originally published in Vol. 27, No. 10 of the Florida Administrative Weekly, dated March 9, 2001. Proposed amendments to Rule 59E-7.012 are being

changed to address comments from staff of the Joint Administrative Procedures Committee (JAPC). The JAPC has indicated that the agency does not have an express grant of statutory authority to limit the time available for a desk or field audit as proposed in Section 59E-7.012(12). Proposed amendments to Rule 59E-7.014 are being changed to address comments from HCA-The Healthcare Company. HCA-The Healthcare Company has requested clarification regarding the definition of KidCare in Section 59E-7.014(1)(b)17. HCA-The Healthcare Company has requested that the effective date for all data reporting changes in the rule amendments be January 1, 2002 with the exception of those changes which have an effective date of January 1, 2003. Accordingly, these sections have been changed so that when adopted they will read as follows:

59E-7.012(12) The agency shall to the extent practical, apply the same audit standards and use the same audit procedures for all hospitals or audit a random sample of hospitals. The agency will notify each hospital of any possible errors discovered by audit and request that the hospital either correct the data or verify that the data is complete and correct. The notice shall indicate that the hospital must return corrected data if there are errors and certify the data within ninety (90) days of receipt of the notice, or the hospital Chief Executive Officer must verify by signature that the previously submitted and certified data is complete and correct within ninety (90) days of receipt of the notice. The notice shall clearly indicate that the hospital may be subject to penalties pursuant to Rule 59E-7.013. ~~The agency shall not conduct a desk audit or field audit of a report more than thirty-six (36) months following the initial submission of data.~~

59E-7.014(1)(b)17. Principal Payer Code. A one character alpha field as follows:

A through N No change.

O – KidCare (Report Healthy Kids, MediKids and Children's Medical Services, ~~excluding Medicaid~~. Required for discharges occurring on or after January 1, 2003.)

59E-7.014 (4) The effective date of all data reporting changes in 59E-7.014, as amended, shall be for discharges occurring on or after January 1, 2002 unless a later date is indicated in Rule 59E-7.014.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.060
RULE TITLE: Dental Services

SECOND 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. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Dental Handbook The procedure codes listed in this chapter are Health Care Financing Administration Common

Page 3-1

Procedure Coding System (HCPCS) Levels 1, 2, and 3. Dental codes are based on the Current Dental Terminology, Third Edition, (CDT-3) book, Level 1 codes are based on the Current Procedural Terminology, Fourth Edition, (CPT) book. ~~HCPCS include CDT-3 and CPT procedure codes.~~

~~The CDT-3 Dental procedure codes are CDT-3 codes, which includes identifying alphanumeric codes and descriptions for reporting dental services and procedures. CDT-3 codes and descriptions and other data only are copyright 199 by the American Dental Association. All rights reserved.~~

The CPT book CPT procedures includes identifying numeric codes and descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

Diagnosis codes to be used are found in the International Classification of Diseases, 9th Edition, Clinical Modifications (ICD-9-CM). ~~Diagnosis codes to be used are found in the International Classification of Diseases, 9th Edition, Clinical Modifications ICD-9-CM).~~ A diagnosis code is required on the HCFA-1500 claim form for all dental procedures and on the Dental 111 for the oral and maxillofacial surgery procedures. Use the most specific code available. Fourth and Fifth digits are required when available.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.110
RULE TITLE: Hearing Services

SECOND 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. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Hearing Handbook, page 3-1, middle of the page The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Level 1, 2 and 3 codes. Level 1 codes are based on the Physician's Current Procedural Terminology (CPT) book. Level 3 procedure codes are locally assigned codes that have been approved by HCFA ~~HCPCS include CPT procedure codes.~~

~~The CPT includes the HCPCS descriptive terms and numeric identifying codes and modifiers for reporting services and procedures. CPT procedures include identifying numeric codes and descriptions for reporting services and procedures. Diagnosis codes to be used are found in the International Classification of Diseases, Clinical Modifications, (ICD-9-CM). A diagnosis code is required on the HCFA 1500 claim form.. The most specific code, including the fourth and fifth digits, when available, must be used.~~

~~CPT procedures include identifying numeric codes and descriptions for reporting services and procedures, CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-4.210

RULE TITLE:
Optometric Services

SECOND 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. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Optometric Handbook, Page 3-1 Source of Procedure Codes

The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure System (HCPCS) Level 1 codes 2, and 3. They are based on the *Physicians Current Procedural Terminology (CPT) book. HCPCS include CPT procedures eodes. The CPT includes the HCPCS descriptive terms and numeric identifying codes and modifiers for reporting services and procedures. CPT procedures include identifying numeric codes and descriptions for reporting services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.*

Diagnosis codes to be used are found in the *International Classification of Diseases, 9th Edition, Clinical Modifications, (ICD-9-CM).* A diagnosis code is required on the HCFA 1500 claim form. The most specific code

including fourth and fifth digits, when available, must be used. Use the most specific code available. Fourth and fifth digits are required when available.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.:
61G4-12.019

RULE TITLE:
Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States

CORRECTED 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. 8, February 23, 2001, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held April 12, 2001 in Orlando, Florida.

The rule shall now read as follows:

61G4-12.019 Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States. Spouses of members of the Armed Forces of the United States are exempt from licensure renewal provisions, but only in cases of absence from the state because of their spouses' duties with the Armed Forces. Copies of the military orders requiring the change in duty station must be sent to the Board office in order to qualify for the exemption. Upon receipt of the military orders by the Board office confirming exemption eligibility, the spouse's license will be placed on inactive status with no fee required. Reactivation of the inactive license will not require payment of the fee set forth in Rule 61G4-12.009(6), F.A.C. The license will remain in inactive status for up to two renewal cycles at which time the licensee must either renew this exemption, before expiration, by submitting a current set of orders establishing eligibility for the exemption or reactivate the license. The licensee may reactivate the license by submitting an application for change of status from inactive to active and will not be required to pay the fee set forth in Rule 61G4-12.009(12)(a), F.A.C. If a license is not reactivated nor the exemption renewed by the expiration date, the license shall become delinquent. Reactivation of the delinquent license will not require payment of the fee set forth in Rule 61G4-12.009(11)(b), F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cathleen O'Dowd, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

<p>RULE NOS.:</p> <p>61G15-32.002</p> <p>61G15-32.003</p> <p>61G15-32.004</p>	<p>RULE TITLES:</p> <p>Definitions</p> <p>Common Requirements to All Fire Protection Engineering Documents</p> <p>Design of Water Based Fire Protection Systems</p>
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NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that changes have been made to the proposed rules, substantially rewording the rules as previously published in Vol. 27, No. 3, January 19, 2001, issue of the Florida Administrative Weekly. The changes are in response to two additional public hearings held on these rules. The first hearing was held on March 5, 2001, by telephone conference call, and the other public hearing was scheduled at the same time as the Board's regularly scheduled board meeting on April 24, 2001, in Tampa, Florida. Since a substantial number of changes were voted upon by the Board, a substantial rewording of the rules shall read as follows:

61G15-32.002 Definitions.

(1) Engineer of Record for the Fire Protection System(s): The Florida Registered Professional Engineer who develops the Fire Protection System(s) design criteria; performs analysis as required; and is responsible for the preparation of the Fire Protection System Engineering Documents.

(2) Fire Protection Component: Any individual part, subsystem or device to be incorporated in a Fire Protection System.

(3) Fire Protection System: Any assembly of Fire Protection components, materials, equipment, which require design to form a fully functional fire protection system.

(4) Listed: A fire protection component tested by a nationally recognized fire protection equipment testing organization. Recognized organizations include, but are not limited to Underwriters Laboratories, Inc. and Factory Mutual Research Corporation.

(5) Fire Protection System Engineering Documents: The fire protection system engineering drawings, specifications, prescriptive and performance criteria, water supply analysis and other materials or representations, which are submitted with the general construction documents pursuant to 553.79(6)(c), F.S., that set forth the overall design requirements and provide sufficient direction for the contractor to layout the construction, alteration, demolition, renovation, repair, modification, permitting and such, for any public or private fire protection system(s), which are prepared, signed, dated and sealed by the Engineer of Record for the Fire Protection System(s).

(6) Fire Protection System Layout Documents: Layout drawings, hydraulic calculations, catalog information on standard products, and other construction data prepared by the licensed contractor or Engineer of Record that provides detail on the location of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger locations, and hydraulic calculations and also serves as a guide for fabrication and installation of a fire protection system. Fire Protection System Layout Documents are based upon engineering direction provided in the Fire Protection System Engineering Documents and require no additional engineering input. These documents do not require the seal of a Florida registered engineer.

(7) Codes and Standards: Those nationally recognized codes and standards adopted directly or by reference in Chapter 633, Florida Statutes. Applicable codes and standards also include those promulgated by the State Fire Marshal as well as by State and local authorities having jurisdiction. In the event the codes and standards fail to cover or address a specific protection requirement, alternative research, test results, and engineering data may be utilized, relying on the Engineer of Record for Fire Protection to make an informed engineering decision. This definition is not intended to preclude the use of new technologies when said technology has been demonstrated to provide equivalent or improved protection above that of published National Fire Protection standards.

(8) Material Deviation: Any deviation from the design parameters established and documented by the Engineer of Record.

(9) Layout: The location of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger locations, and hydraulic calculations based on engineering documents.

61G15-32.003 Common Requirements to All Fire Protection Engineering Documents.

(1) The Fire Protection System Engineering Documents shall provide the engineering requirements to be used in the preparation of the Fire Protection System Layout Documents and to indicate the nature and scope of the work, and to describe, detail, dimension, label and define the Fire Protection Components, System(s), materials, assemblies, equipment and its structural and utility support system(s), insofar as they involve the safeguarding of life, health or property.

(2) The Fire Protection System Engineering Documents shall specify the applicable requirements for the acceptance testing of the fire protection system and components, which shall be based upon applicable codes and standards, where available.

(3) The occupancy of the area or description of a specific hazard being protected by the Fire Protection System(s) shall be shown on the Fire Protection System Engineering Documents.

(4) The applicable code and standard to be used in the preparation of the Fire Protection System Layout Documents shall be shown on the Fire Protection System Engineering Documents. When codes and standards are not available or applicable, and said layout documents are to be based on engineering judgment, any reasons and assumptions made to develop the fire protection concept shall be identified on the Fire Protection System Engineering Documents.

(5) Structural support and structural openings required by the Fire Protection System shall be shown on the Fire Protection System Engineering Documents and shall be referenced on structural engineering documents.

(6) When layout documents contain material deviation from the Engineer of Record's Fire Protection System Engineering Document, such layout documents are not compliant unless they are accompanied by revised Engineering Documents made and sealed by the Engineer of Record for the Fire Protection System.

(7) Requirements for activation control systems, sequence, operating parameters, interlocks, safety related devices, indicators and alarms, shall be shown on the Fire Protection System Engineering Documents, unless shown on other related documents.

(8) Any information deemed appropriate by the Engineer of Record to assist the Authority Having Jurisdiction in understanding the owner's intended use and proposed protection of the building or facility and to provide sufficient direction to the installation contractor or other interested parties regarding the layout of the system(s), shall be included in the Fire Protection System Engineering Documents.

61G15-32.004 Design of Water Based Fire Protection Systems.

(1) Water Based Fire Protection Systems include, but are not limited to, automatic sprinkler systems of wet, dry, fine water spray (mist), manual, and deluge valve controlled types, pumping systems, standpipes, fire water mains and dedicated fire protection water sources.

(2) To ensure minimum design quality in Fire Protection System Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) The Point of Service for the fire protection water supply as defined by 633.021(17), F.S.

(b) Applicable NFPA standard to be applied, or in the case where no such standard exists, the engineering study, judgments, and/or performance based analysis and conclusions.

(c) Classification of hazard occupancy for each room or area.

(d) Design approach, which includes system type, densities, device temperature rating, and spacing for each separate hazard occupancy.

(e) Characteristics of water supply to be used, such as main size and location, whether it is dead-end or circulating; and if dead-end, the distance to the nearest circulating main, as well as its minimum duration and reliability for the most hydraulically demanding design area.

(f) When private or public water supplies are used, the flow test data, including date and time of test, who conducted test or supplied information, test elevation, static gauge pressure at no flow, flow rate with residual gauge pressure, hydrant butt coefficient, and location of test in relation to the hydraulic point of service.

(g) Valving and alarm requirements to minimize potential for impairments and unrecognized flow of water.

(h) Microbial Induced Corrosion (MIC). The Engineer of Record shall make reasonable efforts to identify water supplies that could lead to Microbial Induced Corrosion (MIC). Such efforts may consist of discussions with the local water purveyor and/or fire official, familiarity with conditions in the local area, or laboratory testing of water supplies. When conditions are found that may result in MIC contamination of the fire protection piping, the engineer shall design corrective measures.

(i) Backflow prevention and metering specifications and details to meet local water purveyor requirements including maximum allowable pressure drop.

(j) Quality and performance specifications of all yard and interior fire protection components.

(3) Contractor submittals which deviate from the above minimum design parameters shall be considered material deviations and require supplemental engineering approval and documentation.

(4) In the event the Engineer of Record provides more information and direction than is established above, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Administrator, Board of Professional Engineers, Northwood Centre, 1208 Hays Street, Tallahassee, Florida 32399-32301

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 00-43R

<p>RULE CHAPTER NO.: 62-303</p> <p>RULE NOS.: 62-303.100 62-303.150 62-303.200 62-303.320</p>	<p>RULE CHAPTER TITLE: Identification of Impaired Surface Waters</p> <p>RULE TITLES: Scope and Intent Relationship Between Planning and Verified Lists Definitions Exceedances of Aquatic Life-Based Water Quality Criteria</p>
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- 62-303.330 Biological Assessment
- 62-303.340 Toxicity
- 62-303.380 Drinking Water Use Support and Protection of Human Health
- 62-303.420 Exceedances of Aquatic Life-Based Water Quality Criteria
- 62-303.430 Biological Impairment
- 62-303.440 Toxicity
- 62-303.470 Fish and Shellfish Consumption Use Support
- 62-303.480 Drinking Water Use Support and Protection of Human Health

NOTICE OF CHANGE

Notice is hereby given, in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed rule in the March 23, 2001, issue of the Florida Administrative Weekly, Vol. 27, No. 12. The changes are in response to written and oral comments from interested parties, and supported by the record of the public hearing held before the Environmental Regulation Commission on April 26, 2001. The proposed rule has changed so that when it is adopted the following sections will read:

62-303.100 Scope and Intent.

(1) This chapter establishes a methodology to identify surface waters of the state that will be included on the state's planning list of waters that will be assessed pursuant to subsections 403.067(2) and (3), Florida Statutes (F.S.). It also establishes a methodology to identify impaired waters that will be included on the state's verified list of impaired waters, for which the Department will calculate Total Maximum Daily Loads (TMDLs), pursuant to subsection 403.067(4), F.S., and which will be submitted to the United States Environmental Protection Agency (EPA) pursuant to ~~subparagraph 303(d)(1)(C)~~ of the Clean Water Act (CWA).

(2) through (5) No change.

62-303.150 Relationship Between Planning and Verified Lists.

(1) The Department shall follow the methodology in Section 62-303.300 to develop a planning list pursuant to subsection 403.067(2), F.S. As required by subsection 403.067(2), F.S., the planning list shall not be used in the administration or implementation of any regulatory program, and shall be submitted to EPA for informational purposes only. Waters on this planning list will be assessed pursuant to subsection 403.067(3), F.S., as part of the Department's watershed management approach. During this assessment, the Department shall determine whether the water body is impaired and whether the impairment is due to pollutant discharges using the methodology in Part III. The resultant verified list of impaired waters, which is the list of waters for which TMDLs will be developed by the Department pursuant to subsection 403.067(4), will be adopted by Secretarial Order and will be subject to challenge under subsection 120.569 and

120.57, F.S. Once adopted, the list will be submitted to the EPA pursuant to ~~subparagraphs 303(d)(1)(A) and (C)~~ of the CWA.

(2) No change.

62-303.200 Definitions.

(1) through (19) No change.

~~(20) "Tier 2 Data Quality Assessment" shall mean an assessment of the quality controls used in generating water quality data, as outlined in the Department's Guidance Document, "A Tiered Approach to Data Quality Assessment" (DEP EAS 001-00, October 2000), which is incorporated by reference.~~

~~(20)(21)~~ No change.

~~(21)(22)~~ "Verified list" shall mean the list of impaired water bodies or segments for which TMDLs will be calculated, as provided in subsection 403.067(4), F.S., and which will be submitted to EPA pursuant to ~~subparagraph 303(d)(1)(C)~~ of the CWA.

(23) through (26) renumbered (22) through (25) No change.

62-303.320 Exceedances of Aquatic Life-Based Water Quality Criteria.

(1) through (5) No change.

(6) Values that exceed possible physical or chemical measurement constraints (pH greater than 14, for example) or that represent data transcription errors shall be excluded from the assessment. Outliers identified through statistical procedures shall be evaluated to determine whether they represent valid measures of water quality excluded from the assessment. If the Department determines that they are not valid, they shall be excluded from the assessment. However, the Department shall note for the record that the data were excluded and explain why they were excluded.

(7) The Department shall consider all readily available water quality data. However, to be used to determine water quality exceedances,

(a) No change.

(b) For data collected after one year from the effective date of this rule, the sampling agency must provide to the Department, either directly or through entry into STORET, all of the data quality assessment elements listed in Table 2 of the Department's Guidance Document "Data Quality Assessment Elements for Identification of Impaired Surface Waters" (DEP EAS 01-01, April 2001), which is incorporated by reference the associated quality assurance data needed for a Tier 2 data quality assessment, with appropriate data fields entered into STORET.

(8) through (10) No change.

62-303.330 Biological Assessment.

(1) No change.

(2) Bioassessments used to assess streams and lakes under this rule shall include BioRecons, Stream Condition Indices (SCIs), and the benthic macroinvertebrate component of the Lake Condition Index (LCI), which only applies to clear lakes with a color less than ~~20~~ 40 platinum cobalt units. Because ~~these of the complexity of~~ bioassessment procedures require specific training and expertise, persons conducting the bioassessments must comply with ~~will, in addition to meeting~~ the quality assurance requirements of Chapter 62-160, F.A.C., attend at least eight hours of Department sanctioned field training, and be required to pass a Department sanctioned field audit that verifies the sampler follows the applicable SOPs in Chapter 62-160, F.A.C., before their bioassessment data will be considered valid for use under this rule.

(3) through (4) No change.

62-303.340 Toxicity.

(1) All toxicity tests used to place a water segment on a planning list shall be based on surface water samples in the receiving water body and shall be conducted and evaluated in accordance with Chapter 62-160, F.A.C., and subsections 62-302.200(1) and (4), F.A.C., respectively.

(2) through (3) No change.

62-303.380 Drinking Water Use Support and Protection of Human Health.

(1) No change.

(2) A water shall be place on the planning list for assessment of the threat to human health if:

(a) For human health-based criteria expressed as maximums, the water segment does not meet the applicable criteria based on the methodology described in Section 62-303.320, or

(b) For human health-based criteria expressed as annual averages, the annual average mean concentration for any year of the assessment period exceeds the a human health-based criteria expressed as an annual average. To be used to determine whether a water should be assessed further for human-health impacts, data must meet the requirements of paragraphs (2), (3), (6), and (7) in Rule 62-303.320.

62-303.420 Exceedances of Aquatic Life-Based Water Quality Criteria.

(1) through (2) No change.

Table 2: Verified List

Minimum number of measured exceedances needed to put on the Verified list with at least 90% confidence that the actual exceedance rate is greater than or equal to ten percent.

Sample sizes		Are listed if they have at least this # of exceedances	Sample sizes		Are listed if they have at least this # of exceedances
From	To		From	To	
10	11	3	245	253	32
12	18	4	254	262	33
20 19	25	5	263	270	34
26	32	6	271	279	35
33	40	7	280	288	36
41	47	8	289	297	37
48	55	9	298	306	38
56	63	10	307	315	39
64	71	11	316	324	40
72	79	12	325	333	41
80	88	13	334	343	42
89	96	14	344	352	43
97	104	15	353	361	44
105	113	16	362	370	45
114	121	17	371	379	46
122	130	18	380	388	47
131	138	19	389	397	48
139	147	20	398	406	49
148	156	21	407	415	50
157	164	22	416	424	51
165	173	23	425	434	52
174	182	24	435	443	53
183	191	25	444	452	54
192	199	26	453	461	55
200	208	27	462	470	56
209	217	28	471	479	57
218	226	29	480	489	58
227	235	30	490	498	59
236	244	31	499	500	60

(3) through (4) No change.

(5) Values that exceed possible physical or chemical measurement constraints (pH greater than 14, for example) or that represent data transcription errors, outliers the Department determines are not valid measures of water quality. Outliers identified through statistical procedures water quality criteria exceedances due solely to violations of specific effluent limitations contained in state permits authorizing discharges to surface waters, water quality criteria exceedances within permitted mixing zones for those parameters for which the mixing zones are in effect, and water quality data collected following contaminant spills, discharges due to upsets or bypasses from permitted facilities, or rainfall in excess of the 25-year, 24-hour storm, shall be excluded from the assessment. However, the Department shall note for the record that the data were excluded and explain why they were excluded.

(6) No change.

62-303.430 Biological Impairment.

(1) through (3) No change.

(4) Following verification that the water is biologically impaired, a water shall be included on the verified list of biological impairment if:

(a) There are water quality data reasonably demonstrating specifying the particular pollutant(s) causing the impairment and the concentration of the pollutant(s); and

(b) One of the following demonstrations is made:

1. If there is a numeric criterion for the specified pollutant(s) in Chapter 62-302, F.A.C., but the criterion is met, an identification of the specific factors that reasonably demonstrate as to why the numeric criterion is not adequate to protect water quality and how the specific pollutant is causing the impairment, or

2. If there is not a numeric criterion for the specified pollutant(s) in Chapter 62-302, F.A.C., an identification of the specific factors that reasonably demonstrate how concerning the particular pollutant(s) are associated with shall be identified which connect the specified pollutant to the observed biological effect.

62-303.440 Toxicity.

(1) A water segment shall be verified as impaired due to surface water toxicity in the receiving water body if:

(a) through (b) No change.

(2) through (3) No change.

62-303.470 Fish and Shellfish Consumption Use Support.

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

(c) There are sufficient data from within the last 7.5 seven years to support the continuation of the advisory.

(2) through (3) No change.

62-303.480 Drinking Water Use Support and Protection of Human Health.

If the water segment was listed on the planning list due to exceedances of a human health-based water quality criterion and there were insufficient data from the last five years preceding the planning list assessment to meet the data sufficiency requirements of Section 303.320(4), additional data will be collected as needed to meet the requirements. Once these additional data are collected, the Department shall re-evaluate the data using the methodology in Rule 62-303.380(2) and limit the analysis to data collected during the five years preceding the planning list assessment and the additional data collected pursuant to this paragraph (not to include data older than 7.5 years). For this analysis, the Department shall exclude any data meeting the requirements of paragraph 303.420(5). The following Any water segments shall be listed on the verified list:

(1) For human health-based criteria expressed as maximums, water segments that meet the requirements in Rule 62-303.420(6), or

(2) For human health-based criteria expressed as annual averages, water segments that have an a-mean annual average that exceeds the applicable criterion shall be listed on the verified list.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-15.009	Fee for Reactivation of Inactive License
64B5-15.010	Fee for Inactive Status
64B5-15.012	Change of Status Processing Fee

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 27, No. 11, March 16, 2001, Florida Administrative Weekly have been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF WITHDRAWAL IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68D-23	Uniform Waterway Markers in Florida Waters
RULE NOS.:	RULE TITLES:
68D-23.003	Placement of Regulatory Markers in Waters of the State
68D-23.103	Definitions
68D-23.104	Placement of Markers

68D-23.105 Criteria for Approval of Regulatory
Markers
68D-23.106 Permit Conditions
68D-23.112 Exemptions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 27, No. 4, January 26, 2001, issue of the FAW on pages 377 through 385. The changes are in response to testimony at a public hearing held in Tallahassee, Florida on February 22, 2001, and written comments timely received. The revised sections of the rule will now read as follows:

68D-23.003 Placement of Regulatory Markers in Waters of the State.

Rule section will be repealed – No change.

68D-23.103 Definitions.

(1) For purposes of this chapter and chapters 68C-22 and 68D-24, the following definitions shall apply:

(a) “Aid to navigation” means any device external to a vessel intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation.

(b) “Information marker” means a device external to a vessel intended to provide the mariner with information concerning matters other than dangers or obstructions to navigation, or regulatory matters.

(c) “Regulatory marker” means a device used to alert the mariner to various warnings or regulatory matters such as horsepower, speed, or wake restrictions.

(d) “Mooring buoy” means a device that is permanently secured to the bottom of a body of water and to which a vessel may be secured when not underway.

(e) “Buoy” means any device designed to float which is anchored in the waters of the state and which is used to convey a message or carry a sign.

(f) “Sign” means an object which displays a message and which is attached to another object such as a piling, buoy, structure, or the land itself.

(g) “Symbol” means the orange geometric shape displayed on an information or regulatory marker. The meanings associated with the orange geometric shapes are as follows:

1. A vertical open-faced diamond signifies danger;

2. A vertical diamond shape having a cross centered within indicates that all vessels or certain classes of vessels are excluded from the marked area;

3. A circular shape indicates that certain operating restrictions are in effect within the marked area; and,

4. A square or rectangular shape will contain directions or instructions lettered within the shape.

(h) “Display area” means the area on an information marker or regulatory marker within which the symbol is displayed.

(i) “Boating restricted area” means an area of the waters of the state within which the operation of vessels is subject to specified restrictions or from which vessels are excluded.

(j) “Shore” means that area of land immediately adjacent or contiguous to the waters of the state such that a sign or marker erected thereon is readily visible to the operator of a vessel who might reasonably believe that the sign or marker displays navigational, regulatory or other information relevant to the operation of the vessel.

(k) “Florida Intracoastal Waterway” means:

1. All waters within the platted right-of way of the Atlantic Intracoastal Waterway, the Georgia state line north of Fernandina to Miami; the Port Canaveral lock and canal to the Atlantic Intracoastal Waterway; the Atlantic Intracoastal Waterway, Miami to Key West; the Okeechobee Waterway Route 1 across Lake Okeechobee; the Gulf Intracoastal Waterway, Anclote to Fort Myers; the Gulf Intracoastal Waterway, Carrabelle to Tampa Bay; the Gulf Intracoastal Waterway, Carrabelle to Anclote open bay section (using the Gulf of Mexico); and the Gulf Intracoastal Waterway, Carrabelle to the Alabama state line west of Pensacola; and,

2. All waters from shoreline to shoreline within the Okeechobee Waterway, Stuart to Fort Myers, not including Route 1 across Lake Okeechobee; the St. Johns River, Jacksonville to Sanford; and, the Apalachicola, Chattahoochee, and Flint Rivers in Florida.

(l) “Uniform State Waterway Marking System” means the system of aids to navigation, information markers, regulatory markers, and mooring buoys, as specified in Part 66 of Title 33 of the Code of Federal Regulations.

(m) “United States Aids to Navigation System” means the system of aids to navigation, information markers, regulatory markers, and mooring buoys, as specified in Part 62 of Title 33 of the Code of Federal Regulations.

(n) “Private Aid to Navigation” means an aid to navigation the establishment of which is authorized by a permit issued by the United States Coast Guard pursuant to Part 66 of Title 33 of the Code of Federal Regulations.

(o) “Maritime property” means vessels and their engines, tackle, gear, equipment, appurtenances, furnishings, cargoes, stores, personal property then on board belonging to the vessels' occupants, and such other similar property as is consistent with the general maritime law of the United States. This definition does not include littoral or riparian property, the shores thereof, seawalls, docks, wharfs, or other property intentionally and permanently attached to the shore.

(2) When used on markers, the terms:

(a) “Idle Speed No Wake” and “Idle Speed” may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow.

(b) “Slow Speed” and “Slow Speed Minimum Wake” may be used interchangeably and mean that a vessel must be fully off plane and completely settled into the water. The vessel must then proceed at a speed which is reasonable and prudent under the prevailing circumstances so as to avoid the creation of an excessive wake or other hazardous condition which endangers or is likely to endanger other vessels or other persons using the waterway. A vessel that is:

1. Operating on plane is not proceeding at this speed;
2. In the process of coming off plane and settling into the water or coming up onto plane is not proceeding at this speed;
3. Operating at a speed that creates a wake which unreasonably or unnecessarily endangers other vessels or other persons using the waterway, or is likely to do so, is not proceeding at this speed;
4. Completely off plane and which has fully settled into the water and is proceeding at a reasonable and prudent speed with little or no wake is proceeding at this speed.

5. “Slow Speed” and “Slow Speed Minimum Wake” are the preferred terms. “Slow Down Minimum Wake” markers may continue to be used for restricted areas authorized prior to January 1, 2001, except when such a restricted area is contiguous to an Idle Speed No Wake boating restricted area.

(c) “Caution zone” means an area presenting a significant risk of navigational hazard, an area frequently inhabited by manatees on a somewhat regular basis, or other area similarly requiring that vessels be operated with particular alertness and caution so as to avoid endangering life, limb, vessel traffic safety or maritime property, or manatees.

(d) “Vessel exclusion zone” means an area from which all vessels or certain classes of vessels are excluded. Examples include:

1. “No Vessels” or “Swim Area” – All vessels of any type are prohibited from entering the marked area.

2. “No Motorized Vessels” or “No Motorboats” or “Motorboats Prohibited” – All vessels equipped with any mechanical means of propulsion are prohibited from entering the marked area, even if the mechanical means of propulsion is not in use.

3. “No Power-driven Vessels” – All vessels equipped with any mechanical means of propulsion are prohibited from entering the marked area unless the mechanical means of propulsion is not in use and, if possible to do so, is tilted or raised out of the water.

4. “No Internal Combustion Motors” – All vessels equipped with internal combustion motors (e.g.: gasoline or diesel motors) for propulsion are prohibited from entering the marked area, even if the motor is not in use.

5. “Manually Propelled Vessels Only” – All vessels other than those propelled by oars, paddles, or poles are prohibited from entering the marked area. Vessels equipped with

mechanical means of propulsion may enter the marked area only if the mechanical means of propulsion is not in use and, if possible to do so, is tilted or raised out of the water.

6. “No Entry Area” – All vessels and all persons, either in vessels or swimming, diving, or wading, are prohibited from entering the marked area.

(e) “Miles per hour” and “MPH” mean speed made good over the bottom measured in statute miles. A specific number will be posted in conjunction with “miles per hour” or “MPH” and is the maximum speed at which a vessel may lawfully be operated within the marked area. Although it is the intention of the Commission to allow those vessels capable of attaining a planing configuration at posted numerical speed limit to do so, this posted speed limit shall not be construed as permitting the reckless or careless operation of a vessel, in violation of Section 327.33, Florida Statutes, or authorizing any vessel to travel at an unsafe speed, in violation of navigation rule 6 as adopted pursuant to Section 327.33, Florida Statutes, by reason of:

1. Having an elevated bow which restricts visibility, or
2. Producing an excessive wake or other hazardous condition which endangers or is likely to endanger other vessels, other persons using the waterway, or natural resources of the state.

(f) “Wake,” when used in conjunction with a numerical size limit, means all changes in the vertical height of the water's surface caused by the passage of a vessel including, but not limited to, a vessel's bow wave, stern wake, and propeller wash, measured from the ambient tide level to the crest of the vessel's wake at a distance of not less than 25 feet from the vessel.

(g) “Holiday” means:

1. New Year's Day.
2. Birthday of Martin Luther King, Jr., the third Monday in January.
3. Memorial Day.
4. Independence Day, the Fourth of July.
5. Labor Day.
6. Columbus Day.
7. Veterans' Day, November 11.
8. Thanksgiving Day.
9. Friday after Thanksgiving.
10. Christmas Day.
11. If any of these holidays falls on Saturday, the preceding Friday shall be observed as a holiday. If any of these holidays falls on Sunday, the following Monday shall be observed as a holiday.

(3) The division may authorize the use of other terminology on regulatory markers if the message is clear, unambiguous, and accurately describes a lawfully imposed restriction.

Specific Authority 327.40, 327.41, 327.46, 370.12 FS. Law Implemented 327.40, 327.41, 327.46, 370.12 FS. History—New _____.

68D-23.104 Placement of Markers.

(1) No person, municipality, county or other governmental entity shall place, cause to be placed, or maintain in place any marker in, on or over the waters of the state or the shores thereof without a permit from the division.

(2) Any person, municipality, county, or other governmental entity desiring to place a marker shall make application to the division on the Florida Uniform Waterway Marker Application form, FWC/DLE 153(01/2000), which is adopted and incorporated herein by reference. Application forms may be obtained by submitting a request to: Fish and Wildlife Conservation Commission, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Each application must include:

(a) A scale drawing no larger than 8 1/2 inches by 11 inches, reproducible on standard office photocopying equipment, showing the approximate placement of the proposed markers with each proposed marker labeled to correspond to the list required below. If the application is for regulatory markers, the drawing must also depict the exact boundaries of the proposed boating restricted area.

(b) A list of the markers proposed, labeled to correspond to the drawing required above.

(c) A statement of the specifications for the markers proposed, including:

1. A description giving each marker's size, shape, color, height above mean high water, and number, letter or message;

2. A description of the type, size, shape, and material used for any structure which will support the markers;

3. A statement of the color, characteristic, height above mean high water, intensity, and nominal range of any light which will be placed on the markers;

4. A statement of the type signal (whistle, horn, bell, etc.) and characteristic for any audible fog signal.

5. The latitude and longitude expressed in degrees, minutes, and seconds or degrees and decimal minutes of the location where each marker will be placed.

(d) A statement of the purpose for placing the proposed markers. If the application is for regulatory markers, this statement must include the purpose for regulating vessel operation and a statement of the facts and circumstances justifying the establishment of the restriction on speed or operation.

(e) A statement listing the names or titles of the individuals responsible for the placement and maintenance of the markers along with an address and a contact telephone number for each individual.

(f) If the application is for regulatory markers, the applicant must enclose therewith proof of the lawful imposition of restrictions on the speed or operation of vessels for which the regulatory markers are requested, as follows:

1. A copy of an ordinance adopted pursuant to Section 327.22, Florida Statutes, which imposes the restriction only upon vessels resident within the county or municipality imposing the restriction; or

2. A copy of an ordinance adopted pursuant to Section 327.60, Florida Statutes, which imposes the restriction for reasons of vessel traffic safety or public safety; or

3. A copy of an ordinance adopted by a county or municipality and approved by the commission pursuant to paragraph 370.12(2)(o), Florida Statutes, which imposes the restriction for reasons of manatee protection; or

4. A copy of the statute, special act, rule, regulation, order, or other instrument which imposes the restriction for reasons other than public safety or manatee protection, and a statement of the specific authority under which the restriction is imposed.

(3) Upon receipt of all statements and other documents specified above, the division will:

(a) Determine whether or not there exists a conflict with the provisions of Chapter 327, Florida Statutes, or any amendments thereto or regulations thereunder, for ordinances adopted pursuant to Section 327.60, Florida Statutes.

(b) Forward the request to the Bureau of Protected Species Management for review and approval pursuant to paragraph 370.12(2)(o), Florida Statutes, for ordinances adopted thereunder.

(c) For regulatory markers, determine whether or not the markers as proposed would clearly mark the area as a boating restricted area and adequately notice mariners of the restrictions imposed on vessel speed or operation.

(d) Determine whether or not the placement of the proposed markers in the proposed locations would create an unreasonable hazard to navigation.

(e) Determine whether the proposed markers conform to the United States Aids to Navigation System.

(4) The division may consult, coordinate, or cooperate with any other governmental entity having concurrent jurisdiction over the waters for which the permit is requested.

(5) After obtaining the requested permit, the applicant must install, inspect, maintain, and remove the permitted marker at its own expense and as directed by the division.

Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New _____.

68D-23.105 Criteria for Approval of Regulatory Markers.

(1) The division shall find a valid vessel traffic safety or public safety purpose is presented for ordinances adopted pursuant to Section 327.60, Florida Statutes, under the following facts and circumstances:

(a) For an Idle Speed-No Wake boating restricted area, if the area is:

1. Within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways more than 300 feet wide and within 300 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not exceeding 300 feet wide.

2. Within 500 feet of fuel pumps or dispensers at any marine fueling facility which sells motor fuel to the general boating public on waterways more than 300 feet wide and within 300 feet of the fuel pumps or dispensers at any licensed terminal facility which sells motor fuel to the general boating public on waterways not exceeding 300 feet wide.

3. Inside or within 300 feet of any lock structure.

4. An area where boating accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate a high risk of collision or where any significant vessel wake would be likely to endanger life, limb, vessel traffic safety or maritime property.

(b) For a Slow Speed Minimum Wake boating restricted area if the area is:

1. Within 300 feet of any bridge fender system.

2. Within 300 feet of any bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet.

3. Within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area where an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

4. Subject to unsafe levels of vessel traffic congestion.

5. Subject to hazardous water levels or currents, or containing other navigational hazards.

6. An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a significant risk of collision or a significant threat to public safety.

(c) For a numerical speed limit boating restricted area if the area is:

1. Subject to unsafe levels of vessel traffic.

2. Subject to hazardous water levels or currents or containing other navigational hazards.

3. An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a risk of collision or a risk to public safety.

4. An area within which a proposed numerical speed limit is less restrictive than the speed limit in place for the surrounding area if hazardous tides or currents require that vessels operate faster than the surrounding speed limit in order to properly maintain maneuvering ability and headway or if the

geographic configuration of the area and levels of vessel traffic density indicate that higher speeds do not pose a threat to life, limb, property, or manatees. Any dispute concerning the threat to manatees shall be resolved as provided in paragraph 370.12(2)(o), Florida Statutes.

(d) For vessel exclusion zones if the area is:

1. Designated as a public bathing beach or swim area.

2. Reserved exclusively as a canoe trail or otherwise limited to vessels under oars or under sail.

3. Reserved exclusively for a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.

(e) For other boating restricted areas (caution zone, no skiing, no parasailing, one-way vessel traffic, etc.) if the area is one that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a risk to vessel traffic safety or public safety.

(2) The division shall find a valid manatee safety purpose is presented for ordinances adopted pursuant to paragraph 327.12(2)(o), Florida Statutes, upon the determination by the commission that manatees are frequently sighted and can be generally assumed to inhabit the area periodically or continuously and that the restrictions imposed are justified and necessary for the protection of manatees or their habitat. Any dispute concerning the threat to manatees or their habitat shall be resolved as provided in paragraph 370.12(2)(o), Florida Statutes.

Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 370.12 FS. History—New _____.

68D-23.106 Permit Conditions.

(1) All permits issued pursuant to this chapter are subject to the following conditions:

(a) Placement of these markers must be as requested in the application. Any deviation will require that the applicant apply to have the permit amended.

(b) The applicant must display the permit number on each marker and the ordinance number, municipal code section number, or rule number (etc.) on each regulatory marker. These numbers must be displayed in black, block characters approximately one inch in height.

1. The permit number must be displayed in the lower left corner on the face of each regulatory marker. The ordinance number, municipal code section number, or rule number (etc.) must be displayed in the lower right corner on the face of each regulatory marker.

2. All markers other than regulatory markers must display the permit number. This display shall be placed at any location on the marker where it can easily be read, including the reverse side of a sign, provided that it does not interfere with the message of the marker.

(c) Upon completion of the installation of markers, the applicant must notify the division in writing within 10 working days. If the latitude and longitude of each marker, as installed, is different from that listed in the application, this notification must include the correct latitude and longitude in degrees, minutes, and seconds.

(d) All markers must be maintained in proper condition at all times. A discrepancy exists whenever a marker is not exactly as described in the approved application or is destroyed, damaged, moved, or is otherwise unserviceable or not watching properly. The applicant must immediately report any discrepancy in the marker to the division by telephone, telefacsimile or other similarly rapid means of communication. Unless the applicant's permit expressly provides for a longer period, the applicant must correct any discrepancy within not more than 30 days and must notify the division when the correction is accomplished.

(e) Authorization by the division for the placement of a marker does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other federal, state or local laws or regulations.

(f) All permits issued pursuant to this chapter are contingent upon the consent of and, if necessary, the issuance of appropriate permits by the United States Army Corps of Engineers authorizing the placement of structures for the support of the proposed markers. Consent may be by nationwide permit, regional permit, letter permit, authorization letter, statement of no objection, or other similar means.

(g) All permits issued pursuant to this chapter are contingent upon the consent of and, if necessary, the issuance of appropriate permits by the United States Coast Guard authorizing the establishment of private aids to navigation pursuant to Part 66 of Title 33 of the Code of Federal Regulations.

(h) All permits issued pursuant to this chapter authorizing the placement of markers, buoys, or signs on submerged lands, or other property or structure not owned by the applicant are contingent upon the applicant receiving the written consent of the owner of the submerged lands, other property, or structure to the placement of said signs and providing a copy of such consent to the division.

(i) By accepting any permit and placing the markers authorized therein, the applicant other than a governmental entity, to the extent authorized by law, agrees and promises to hold harmless the State of Florida and its agencies, employees, agents, or successors from fault with respect to any claim or claims arising from alleged negligence in the placement, maintenance, operation and removal of any and all markers placed by applicants pursuant to such permits. The applicant other than a governmental entity further agrees to indemnify the State of Florida for any and all legal fees and costs incurred

in defense of any suit brought against the State as a result of alleged negligence by applicant in the placement, maintenance, operation or removal of the markers.

(j) Applicants for permits to place regulatory markers or the governmental entities establishing the rules, ordinances, or other actions imposing the regulations must provide for the enforcement of operating restrictions noticed by said markers.

Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New _____.

68D-23.112 Exemptions.

(1) Nothing herein shall apply to the United States Government or its agencies, nor to any aid to navigation, marker, mooring buoy, or other similar device placed thereby.

(2) Persons establishing private aids to navigation other than regulatory markers and mooring buoys on waters of concurrent state/federal jurisdiction pursuant to the provisions of 33 CFR §66.01 shall submit to the division a copy of their United States Coast Guard permit (CG-2554) in lieu of the materials required under 68D-23.104. Upon receipt by this division of said copy of their permit, such private aids to navigation shall be exempt from further permitting and need not display a permit number.

(3) Regulatory markers authorized by the former Florida Department of Natural Resources prior to January 1, 1988, are exempt until December 31, 2003, from the requirement that they display a permit number. After that date, every regulatory marker without a permit number, in place in, on or over the waters of the state or shores thereof shall be declared a nuisance. The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, Florida Statutes, shall have the authority to remove or cause the removal of any such regulatory marker. Markers authorized prior to January 1, 1988, for which no permit number was assigned shall be issued a permit number upon receipt by the division of the following:

(a) A copy of the correspondence authorizing placement of said markers;

(b) A statement of the specifications for the markers, including:

1. A list of the markers;

2. A description giving each markers size and message,

and

3. The latitude and longitude coordinates in degrees-minutes-seconds of the location of each marker;

4. A statement that the markers have been inspected during the ninety days preceding the instant request and that:

a. The markers are properly maintained and in serviceable condition,

b. The markers conform to the requirements of this chapter,

c. The markers are still properly on station, and

d. The date or dates on which the markers were inspected.

(4) The inspection and certification requirements in Rule 68D-23.110 shall not apply to markers maintained by an Inland Navigation District pursuant to s. 374.997, F.S., but shall instead be specified in each permit.

(5) The restrictions displayed on regulatory markers shall not apply:

(a) In the case of an emergency;

(b) To law enforcement patrol vessels or firefighting vessels; or

(c) To any rescue vessel owned or operated by a governmental entity.

Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 327.46, 370.12 FS. History—New

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Captain Alan S. Richard, Coordinator, Office of Boating Safety and Waterway Management, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: How to Play PLAY 4
RULE NO.: 53ER01-25

SUMMARY OF THE RULE: This emergency rule sets forth the liability limit provisions for PLAY 4 play. Subsection (1) shall supersede subsection 53-31.001(5), F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Ken Hart, General Counsel, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-25 How to Play PLAY 4.

(1) A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery's PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

(2) Subsection (1), above, shall supersede subsection 53-31.001(5), F.A.C.

Specific Authority 24.109(1), 24.105(10)(a),(c),(j) FS. Law Implemented 24.105(10)(a),(c),(j) FS. History—New 4-30-01.

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

EFFECTIVE DATE: April 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: How to Play CASH 3
RULE NO.: 53ER01-26

SUMMARY OF THE RULE: This emergency rule sets forth the liability limit provisions for CASH 3 play.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Ken Hart, General Counsel, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-26 How to Play CASH 3.

A liability limit of \$10 million is established for CASH 3. When the play of a particular three digit number for a drawing reaches the Lottery's CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair plays that involve the first two or last two digits respectively of the three digit number will be allowed for that drawing.

Specific Authority 24.109(1), 24.105(10)(a),(c),(j) FS. Law Implemented 24.105(10)(a),(c),(j) FS. History—New 4-30-01.

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

EFFECTIVE DATE: April 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Procurement of Commodities and Contractual Services
RULE NO.: 53ER01-27

SUMMARY OF THE RULE: The rule replaces previously adopted rule 53ER97-39 in response to comments received from the Joint Administrative Procedures Committee.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-27 Procurement of Commodities and Contractual Services.

(1) The secretary or a designee is authorized to execute contracts for commodities and contractual services which are to be used in the normal operation of the Lottery provided that such contracts are made in accordance with the provisions of these rules. The Lottery specifically finds that, due to the unique nature of its business, strict compliance with Chapter 287, Florida Statutes and the rules adopted thereunder, would impair or impede the effective and efficient operation of the Lottery. Therefore, the Lottery is adopting this rule to provide

the following alternative procedures for purchasing commodities and contractual services in an open and competitive manner. Chapter 287, Florida Statutes and the rules (excluding the forms) adopted thereunder shall govern in all areas not specifically addressed.

(2) A formal competitive process is required for the purchase of commodities or contractual services that have a total contract value in excess of the threshold for Category Three of the purchasing categories established in Section 287.017, Florida Statutes unless the purchase is a sole source, emergency, Department of Management Services state contract or price agreement, or a purchase as defined in Section 287.057(3)(f), Florida Statutes, or Rule 60A-1.002(3)(c), Florida Administrative Code.

(3) Purchases that have a total contract value less than or equal to the threshold for Category Three will be made using an informal competitive process unless there are exigencies that prevent the use of such process or unless the purchase is a sole source, emergency or Department of Management Services state contract or price agreement purchase.

(4) Legal Notice. All purchases of commodities or contractual services in excess of the threshold amount for Category Three that are to be acquired by a formal competitive process shall be noticed on the Lottery's purchasing bulletin board, mailed or advertised in the Florida Administrative Weekly or Florida Communities Network no less than ten calendar days prior to the date set for opening the response to the procurement solicitation document ("response").

(5) Procedures Regarding Responses.

(a) Responses shall be opened publicly at the time and place designated in the procurement solicitation document. The name of each respondent shall be recorded, and in the case of an invitation to bid, the amount of the bid shall be recorded. Sealed responses are not public records subject to the provisions of Chapter 119, Florida Statutes, until such time as the agency provides notice of a decision or intended decision or within ten days after response opening, whichever is earlier. When the competitive procurement document requires the response to be placed in two separately sealed envelopes to be submitted simultaneously and not opened on the same date, the ten-day period begins the day after the opening of the second envelope.

(b) In the event that only one or no responsive responses are received, the Lottery shall review the situation in order to determine the reasons, if any, why only one or no responsive responses were received before making a determination of whether or not to issue a second procurement solicitation document. If the Lottery determines that the commodities or contractual services are available only from a single source, or that conditions and circumstances warrant negotiation on the best terms and conditions, the Lottery's intended decision shall be posted in accordance with Section 120.57(3), Florida Statutes, and paragraph (7)(a) below before the Lottery

proceeds with procurement. The Lottery shall document the conditions and circumstances used to determine the decision to proceed without a second call for responses.

(6) Evaluation of Responses. Responses to a procurement solicitation shall be evaluated as specified in the solicitation document.

(7) Notice of Intended Award and Award.

(a) Notice of an award of contract, or of an intended award of contract, as applicable, including rejection of some or all responses received, shall be given by posting on the Lottery's purchasing bulletin board; certified United States mail, return receipt requested; express delivery service; or electronic transmission, including, but not limited to facsimile transmission. All notices of decision or intended decision shall contain the protest statement provided by Rule 28-110.005(3), Florida Administrative Code, and show the beginning and ending time and dates for the posting, or, if noticed by one of the other delivery methods provided for above, indicate such action must be taken within seventy-two hours after receipt of such notice.

(b) Any contract entered into pursuant to an invitation to bid, request for proposals, or invitation to negotiate shall be evidenced by a purchase order or other written agreement with the vendor selected pursuant to the solicitation document.

(c) If the contract is terminated during the initial or renewal contract period, the award may be made to the next responsive offeror who agrees to hold the prices, terms, and conditions submitted in response to the original solicitation. In making this determination, the Lottery will consider if such action is warranted in light of good business practices, such as the time remaining on the contract term and any changes in technology that have occurred.

(8) Sole Source Purchase.

(a) A commodity or contractual service costing in excess of the threshold for Category Three may be purchased without a formal competitive procurement process upon the secretary's approval of a certification submitted by the responsible executive or senior manager stating that there is only one source of supply for the required commodity or contractual service.

(b) The responsible executive or senior manager may submit annual certifications to the secretary for approval for those commodities or contractual services purchased on a regular or continuing basis that have been proven to be available from a single source.

(9) Emergency Purchases.

(a) The secretary may waive any requirement of this rule and permit emergency purchases of commodities and contractual services where a valid emergency exists.

(b) A valid emergency is defined as a circumstance caused by an unexpected turn of events beyond the control of the Lottery involving the security, integrity or the financial status of the Lottery; or involving public health, welfare, safety, injury or loss.

(c) A written certification under oath shall be made by the responsible executive or senior manager stating the conditions and circumstances of the emergency and the basis of the waiver of the procurement requirements of this rule and the selection of the particular source. This certification shall be submitted to the secretary for approval.

(10) The Lottery may participate in, sponsor or conduct cooperative purchasing arrangements with other governmental entities for the purchase of commodities or contractual services, including construction.

(11) The Lottery may acquire any commodity or contractual service that is available on DMS state contract or price agreement without competitive bidding.

(12) The Lottery may, at reasonable times, inspect a bidder's place of business to determine the capability of the bidder to perform any contract awarded by the Lottery.

(13) This emergency rule replaces emergency Rule 53ER97-39, Florida Administrative Code.

Specific Authority 24.105(14), 24.109(1) FS. Law Implemented 24.105(14), 24.111, 119.07(3)(m), 120.57(3)(a), 287.017, 287.057(3)(f), 287.0943 FS. History--New 5-1-01, Replaces 53ER97-39, F.A.C.

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

EFFECTIVE DATE: May 1, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 389, FAME, FORTUNE & ADVENTURE

RULE NO.: 53ER01-29

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 389, "FAME, FORTUNE & ADVENTURE" 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 prize winners, 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:

53ER01-29 Instant Game Number 389, FAME, FORTUNE & ADVENTURE.

(1) Name of Game. Instant Game Number 389, "FAME, FORTUNE & ADVENTURE."

(2) Price. FAME, FORTUNE & ADVENTURE tickets sell for \$2.00 per ticket.

(3) FAME, FORTUNE & ADVENTURE 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 FAME, FORTUNE & ADVENTURE 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 FAME, FORTUNE & ADVENTURE 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 symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

(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, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$100, \$200, \$1,000, \$10,000, and VACATION. 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 FAME, FORTUNE & ADVENTURE 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.

(b) The holder of a ticket which entitles the player to a prize of a "VACATION" shall be entitled to a prize of a Universal Orlando® Resort VIP Vacation ("vacation prize package"). The vacation prize package shall include hotel accommodations, room and tax only, for up to four people in a maximum of one room for three nights at the Hard Rock Hotel®, or other on-site hotel (based on availability) at Universal Orlando; complimentary Length of Stay Passes for four people valid for admission to Universal Studios® and Islands of AdventureSM; an exclusive VIP tour of Universal Studios and Islands of Adventure for up to four people; front of the line-front of the ride seating for up to four people on all Islands of Adventures rides; the opportunity to appear in a Universal Orlando commercial; the vacation prize package winner's name on the marquee at Pantages Theater; an opportunity to participate in Earthquake®-The Big One show at Universal Studios; an opportunity to participate in The Wild, Wild, Wild, West Stunt ShowSM workshop for a half day at Universal Orlando; one engraved star trophy with vacation prize package winner's name; one behind the scenes visit to the Dinosaur Incubators at the Jurassic Park Discovery Center® at Islands of Adventure; one 2-hour lunch with the Island of Adventure's Dr. Hammond or other available Island of Adventure Jurassic Park® character for the vacation prize winner and three guests; one 2-hour lunch with one or more of Universal Orlando's strolling characters for the vacation prize winner and three guests; and \$5,000 in cash less federal withholding tax on the value of the vacation prize package.

(9) Procedures for Claiming a Vacation Prize Package. A player who has won a vacation prize package in accordance with the instant play features of Instant Game Number 389 described in paragraph (8)(a) above, shall claim his or her prize as follows. The player should complete the information section on the back of a winning Fame, Fortune & Adventure 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 32399-4027. At the time a vacation 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 an Acceptance and Release Form DOL-400 for execution. Acceptance and Release Form DOL-400, revised 4/01, is incorporated herein by reference and may be obtained from the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-4027. Upon the Lottery's receipt of the vacation winner's executed Acceptance and Release Form, the Florida Lottery will mail the winner a letter explaining the vacation redemption process. Winners will be responsible for making reservations directly with Universal Orlando. The \$5,000 cash portion of the prize package, less federal withholding tax on the value of the vacation prize package, will be paid at the time a winning ticket is validated at Lottery Headquarters. The risk of loss or late delivery of a claim submitted by mail remains with the player. Vacation prize packages must be claimed no later than the sixtieth day following the official end of game.

(10) Vacation Prize Package Details and Restrictions.

(a) Hotel accommodations, VIP tours, and appearances by Universal Orlando characters are all subject to availability.

(b) The vacation prize package, including the hotel accommodations, does not include travel (except as provided in paragraph (10)(c)5., below), meals (except for two lunches with Universal characters), incidentals, tips, telephone calls, or any other personal expenses.

(c) The commercial referred to in paragraph (8)(b) above will consist of one of the following, selected at Universal Orlando's sole discretion: broadcast television, promotional B-roll, in-room promotional video, or other consumer video. A vacation prize package winner will have the option not to participate. Details of the commercial are as follows:

1. If the commercial opportunity requires production scheduling, Universal Orlando may offer a vacation prize package winner specific shoot dates.

2. In the event a winner opts not to participate in scheduled date shoots, Universal Orlando will prepare a "dummy" commercial production in which the winner will appear and retain for personal use only. Any broadcast or commercial use of the production is strictly prohibited.

3. A vacation prize package winner must sign a full release and waiver that acknowledges no consideration to the winner for participation in any production.

4. A vacation prize package winner's inclusion in a broadcast commercial is subject to creative discretion by Universal Orlando in accordance with its advertising policies and practices. The exercise of Universal Orlando's discretion shall not be based on a legally impermissible factor.

5. Limousine pick-up from the winner's on-site hotel to Universal Orlando's valet parking area for the commercial shoot will be available one time to a vacation prize package

winner. The vacation prize package winner will be greeted by a still photographer who will photograph the arrival of the winner and three guests at Universal Orlando. This is a one-time photography opportunity.

(d) Prize fulfillment arrangements must be made a minimum of forty-five days prior to the winner's vacation and are subject to availability.

(e) Vacation prize packages must be used by June 30, 2002, or the vacation prize package will be forfeited; however, the value of the VIP vacation prize package will remain taxable income to the winner.

(f) Blackout dates and other restrictions apply to certain portions of the vacation prize package. Contact Universal Orlando at (407)224-5061 for details on all restrictions.

(g) A vacation prizewinner must be 18 years of age or older unless accompanied on the vacation by a parent or legal guardian who is at least 21 years of age.

(h) Vacation prize packages may be transferred by a winner one time and must be transferred as a complete package through Universal Orlando.

(i) Cash will not be awarded in lieu of the merchandise portion of the vacation prize packages by Universal Orlando or by the Florida Lottery, except as provided in paragraph (10)(j) below.

(j) The Florida Lottery reserves the right, if necessary due to unforeseen circumstances beyond the control of the Lottery, to award a cash prize of \$10,997 instead of a vacation prize package. 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.

(k) If a winner is identified as owing an outstanding debt to a state agency or child support collected through a court in an amount less than the cash portion of the prize net of federal income tax withholding, the non-cash portion of the prize, less tax withholding on the value of the vacation prize package and the amount owed, shall be awarded. If the winner is identified as owing an outstanding debt to a state agency or child support collected through a court in an amount greater than the cash portion of the prize net of federal income tax withholding, the winner's entire cash portion of the prize less tax withholding on the value of the vacation prize package will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize.

(l) A winner's right to a vacation prize is not assignable.

(11) Exclusive Florida Lottery Offer For Florida, Georgia and Alabama Residents. From May 1 through June 30, 2001, Florida Lottery players residing in Florida, Georgia and Alabama who present a non-winning FAME, FORTUNE & ADVENTURE instant ticket at Universal Orlando® on-site ticket outlets and select off-site ticket outlets located in Florida will receive a 2-Parks/2-Days Pass for \$48. A limit of one (1) discount pass may be purchased with each non-winning

Florida Lottery FAME, FORTUNE & ADVENTURE instant ticket presented. Valid Florida, Georgia or Alabama proof of residence must be presented, along with a non-winning FAME, FORTUNE & ADVENTURE instant ticket. Certain restrictions apply to this offer. Contact Universal Orlando at (407)363-8000 for details on all restrictions. The 2-Day/2-Park ticket offer is not valid with any other specials or discounts offered by Universal Orlando during this promotional period. All prices are subject to applicable sales tax. Parking fees are not included. The person presenting the non-winning ticket must be at least 18 years of age. Offer expires June 30, 2001.

(12) Number and Size of Prizes. The value, number of prizes, and odds of winning in Instant Game Number 389 are as follows:

GAME PLAY TICKET	WIN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL	ODDS
\$2	\$2	1,008,000	1 in 7.50
\$2 + \$2	\$4	302,400	1 in 25.00
\$2 + \$3	\$5	201,600	1 in 37.50
\$5	\$5	201,600	1 in 37.50
\$2 x 5	\$10	151,200	1 in 50.00
\$5 + \$5	\$10	50,400	1 in 150.00
\$10	\$10	100,800	1 in 75.00
\$25	\$25	50,400	1 in 150.00
\$5 x 10	\$50	51,912	1 in 145.63
\$10 x 5	\$50	8,400	1 in 900.00
\$25 + \$25	\$50	7,350	1 in 1,028.57
\$10 x 10	\$100	6,300	1 in 1,200.00
\$20 x 5	\$100	252	1 in 30,000.00
\$100	\$100	252	1 in 30,000.00
\$200	\$200	126	1 in 60,000.00
\$100 x 10	\$1,000	10	1 in 756,000.00
\$1,000	\$1,000	10	1 in 756,000.00
\$10,000	\$10,000	4	1 in 1,890,000.00
VACATION & CASH	VACATION & CASH	10	1 in 756,000.00

(13) The overall odds of winning any prize in Instant Game Number 389 are 1 in 3.53.

(14) For reorders of Instant Game Number 389, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(15) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. By purchasing a FAME, FORTUNE & ADVENTURE lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(16) A copy of the FAME, FORTUNE & ADVENTURE instant game rules may be obtained by writing the Florida Lottery, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011 or by calling (850)487-7724.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1), 24.115 FS. Law Implemented 24.105(10)(a),(b),(c), 24.115 FS. History—New 4-30-01.

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

EFFECTIVE DATE: April 30, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 351, MONEY TREE
 RULE NO.: 53ER01-30

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 351, "MONEY TREE," 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:

53ER01-30 Instant Game Number 351, MONEY TREE.

(1) Name of Game. Instant Game Number 351, "MONEY TREE."

(2) Price. MONEY TREE tickets sell for \$1.00 per ticket.

(3) MONEY TREE 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 MONEY TREE lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any MONEY TREE lottery ticket, the VIRN number under the latex shall prevail over the bar code.

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

INSERT SYMBOLS

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

INSERT SYMBOLS

(6) The legends are as follows:

INSERT SYMBOL

(7) Determination of Prize Winners.

The holder of a ticket having three "dollar bill" symbols in the play area in any one row, column or diagonal shall win the amount shown in the "PRIZE" play area. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$500 and \$2,000. 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 MONEY TREE 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.

(8) The value, number of prizes, and odds of winning in Instant Game Number 351 are as follows:

GAME PLAY TICKET	WIN \$1 TICKET	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS	ODDS
		PER POOL	
\$1	\$1	1,209,600	1 in 8.33
\$2	\$2	504,000	1 in 20.00
\$5	\$5	302,400	1 in 33.33
\$10	\$10	168,000	1 in 60.00
\$20	\$20	100,800	1 in 100.00
\$25	\$25	67,200	1 in 150.00
\$500	\$500	18,312	1 in 550.46
\$2,000	\$2,000	22	1 in 458,181.82
		10	1 in 1,008,000.00

(9) The overall odds of winning any prize in Instant Game Number 351 are 1 in 4.25.

(10) For reorders of Instant Game Number 351, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(11) By purchasing a MONEY TREE 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 4-27-01.

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

EFFECTIVE DATE: April 27, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 350, MEGA BUCKS
 RULE NO.: 53ER01-33

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 350, "MEGA BUCKS" 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:

53ER01-33 Instant Game Number 350, MEGA BUCKS.

(1) Name of Game. Instant Game Number 350, "MEGA BUCKS."

(2) Price. MEGA BUCKS tickets sell for \$5.00 per ticket.

(3) MEGA BUCKS 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 MEGA BUCKS 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 MEGA BUCKS lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) Design of Ticket. There are 4 different games in Instant Game Number 350, MEGA BUCKS.

(5) The "YOUR NUMBERS" play symbols and play symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(6) The "WINNING NUMBER" play symbols and play symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(7) The prize symbols and prize symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(8) The legends in Game 1 are as follows:

INSERT SYMBOLS

(9) The "YOUR TOTAL" play symbols and play symbol captions in Game 2 are as follows:

INSERT SYMBOLS

(10) The prize symbols and prize symbol captions in Game 2 are as follows:

INSERT SYMBOLS

(11) The legends in Game 2 are as follows:

INSERT SYMBOLS

(12) The prize symbols and prize symbol captions in Game 3 are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(14) The "WINNING NUMBERS" prize symbols and prize symbol captions in Game 4 are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(16) The legends in Game 4 are as follows:

INSERT SYMBOLS

(17) Determination of Prize Winners. Each of the four games in Instant Game Number 350, MEGA BUCKS, uses a different play methodology. The determination of prize winners for each game is as follows:

(a) Game 1.

1. In Game 1, the holder of a ticket matching any of "YOUR NUMBERS" to the "WINNING NUMBER," shall be entitled to the corresponding prize shown for that number. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$1,000, \$10,000.

2. In Game 1, the holder of a ticket which entitles the player to a prize of a "TICKET" shall be entitled to a prize of a \$5.00 instant ticket or any combination of instant and on-line tickets that totals \$5.00, except as provided in paragraph (17)(e), below.

(b) Game 2.

1. In Game 2 there are two rows. The holder of a ticket having two numbers in the play area of one row, the sum of which equals 7 or 11, shall be entitled to the corresponding prize shown for that row. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$500, \$1,000, \$10,000, \$100,000.

2. In Game 2, the holder of a ticket which entitles the player to a prize of a "TICKET" shall be entitled to a prize of a \$5.00 instant ticket or any combination of instant and on-line tickets that totals \$5.00, except as provided in paragraph (17)(e), below.

(c) Game 3.

1. In Game 3, the holder of a ticket having three like amounts in the play area shall be entitled to a prize of the amount shown. Prize amounts which may appear in the play area are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$1,000, \$10,000, \$100,000.

2. In Game 3, the holder of a ticket having three "TICKET" symbols in the play area shall be entitled to a prize of a \$5.00 instant ticket or any combination of instant and on-line tickets that total \$5.00, except as provided in paragraph (17)(e), below.

(d) Game 4.

1. In Game 4, 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 for that number. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$1,000, \$10,000, \$100,000.

2. In Game 4, the holder of a ticket which entitles the player to a prize of a "TICKET" shall be entitled to a prize of a \$5.00 instant ticket or any combination of instant and on-line tickets that totals \$5.00, except as provided in paragraph (17)(e), below.

(e) A person who submits by mail a MEGA BUCKS lottery ticket which entitles the holder to a prize of a \$5.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$5.00 in lieu of an actual ticket.

(18) Number and Size of Prizes: The value, number of prizes, and odds of winning in Instant Game Number 350 are as follows:

GAME PLAY TICKET (GAMES)	WIN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL	ODDS
1, 2, 3, or 4)	\$5 TICKET	672,000	1 in 7.50
G1-\$1 x 2 + G3-\$2 + G4-\$1	\$5	84,000	1 in 60.00
G1-\$1 x 3 + G3-\$1 + G4-\$1	\$5	84,000	1 in 60.00
G1-\$1 + G4-\$2 x 2	\$5	168,000	1 in 30.00

G2-\$5	\$5	210,000	1 in 24.00
G1-\$1 x 3 + G3-\$2 + G4-\$5	\$10	168,000	1 in 30.00
G1-\$1 + \$5 + G4-\$2 x 2	\$10	42,000	1 in 120.00
G1-\$2 x 2 + G2-\$5 + G3-\$1	\$10	42,000	1 in 120.00
G2-\$5 + G3-\$5	\$10	42,000	1 in 120.00
G1-\$1 + G2-\$5 + G3-\$2 + G4-\$1 x 2	\$10	21,000	1 in 240.00
G2-\$5 + G3-\$1 + G4-(\$2 x 2) + \$5	\$15	84,000	1 in 60.00
G1-\$2 + \$2 + G3-\$5 + G4-\$2 x 3	\$15	42,000	1 in 120.00
G1-\$1 x 3 + G3-\$5 + G4-(\$1 x 5) + \$2	\$15	42,000	1 in 120.00
G1-\$2 x 2 + G2-\$5 + \$5 + G3-\$2 + G4-\$2 + (\$1 x 7)	\$25	42,000	1 in 120.00
G1-\$1 + (\$2 x 3) + G2-\$5 x 2 + G3-\$2 + G4-\$2 x 3	\$25	39,900	1 in 126.32
G1-\$2 + (\$1 x 3) + G2-\$2 + \$1 + G4-\$2 + (\$5 x 2) + (\$1 x 5)	\$25	10,500	1 in 480.00
G1-\$1 x 6 + G3-\$2 + G4-(\$1 x 2) + (\$2 x 5) + \$5	\$25	5,880	1 in 857.14
G2-\$10 + G3-\$5 + G4-\$5 x 2	\$25	4,200	1 in 1,200.00
G2-\$5 x 2 + G3-\$10 + G4-(\$1 x 3) + \$2	\$25	4,200	1 in 1,200.00
G1-(\$5 x 2) + (\$1 x 3) + \$2 + G2-\$5 x 2 + G3-\$5 + G4-(\$1 x 2) + (\$2 x 4) + (\$5 x 2)	\$50	21,000	1 in 240.00
G2-\$10 + \$25 + G3-\$20 + G4-\$10 x 2	\$75	420	1 in 12,000.00
G1-\$5 x 3 + G2-\$15 x 2 + G3-\$15 + G4-\$2 + \$3 + \$10	\$75	420	1 in 12,000.00
G1-(\$5 x 5) + \$2 + G3-\$1 + G4-\$2 + (\$10 x 2) + (\$5 x 5)	\$75	420	1 in 12,000.00
G1-\$5 x 2 + G2-\$25 + G3-\$15 + G4-\$1 + (\$2 x 2) + \$20	\$75	420	1 in 12,000.00
G1-\$1 + (\$5 x 2) + \$2 + G2-\$10 + G3-\$30 + G4-(\$1 x 2) + (\$10 x 2)	\$75	378	1 in 13,333.33
G1-\$5 x 2 + G2-\$25 x 2 + G3-\$3 + G4-\$2 + \$5 + \$20 + \$10	\$100	2,100	1 in 2,400.00
G1-\$25 + G2-\$10 + G3-\$25 + G4-\$10 + \$25 + \$5	\$100	2,100	1 in 2,400.00
G1-(\$2 x 2) + (\$3 x 2) + G2-\$15 x 2 + G3-\$50 + G4-(\$2 x 2) + (\$1 x 6)	\$100	840	1 in 6,000.00
G1-\$2 + \$5 + \$25 + G2-\$10 x 2 + G3-\$15 + G4-(\$1 x 3) + \$5 + \$25	\$100	840	1 in 6,000.00
G1-\$20 + G2-\$10 x 2 + G3-\$20 + G4-(\$5 x 2) + \$10 + \$20	\$100	840	1 in 6,000.00

G1-\$10 + (\$5 x 4) + G2-\$100 + G3-\$100 + G4-(\$10 x 2) + \$50 + (\$100 x 2)	\$500	84	1 in 60,000.00
G1-\$25 x 3 + G2-\$50 + \$75 + G3-\$100 + G4-\$25 x 8	\$500	84	1 in 60,000.00
G1-\$25 x 6 + G2-\$50 x 2 + G3-\$50 + G4-\$25 x 8	\$500	84	1 in 60,000.00
G1-\$1,000	\$1,000	42	1 in 120,000.00
G2-\$1,000	\$1,000	42	1 in 120,000.00
G3-\$1,000	\$1,000	42	1 in 120,000.00
G4-\$1,000	\$1,000	42	1 in 120,000.00
G1-\$50 x 6 + G2-\$100 x 2 + G3-\$100 + G4-\$50 x 8	\$1,000	21	1 in 240,000.00
G2-\$500 x 2	\$1,000	21	1 in 240,000.00
G1-\$10,000	\$10,000	4	1 in 1,260,000.00
G2-\$10,000	\$10,000	4	1 in 1,260,000.00
G3-\$10,000	\$10,000	3	1 in 1,680,000.00
G4-\$10,000	\$10,000	3	1 in 1,680,000.00
G1-\$10,000 + G2-\$10,000 + G3-\$10,000 + G4-\$10,000	\$40,000	1	1 in 5,040,000.00
G2-\$100,000	\$100,000	1	1 in 5,040,000.00
G3-\$100,000	\$100,000	1	1 in 5,040,000.00
G4-\$100,000	\$100,000	1	1 in 5,040,000.00

(19) The overall odds of winning any prize in Instant Game Number 350 are 1 in 2.74.

(20) For reorders of Instant Game Number 350, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(21) By purchasing a MEGA BUCKS 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 4-27-01.

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

EFFECTIVE DATE: April 27, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Miami Heat Retailer Incentive

RULE NO.: 53ER01-34

SUMMARY OF THE RULE: This emergency rule replaces Emergency Rule 53ER01-12, F.A.C. to extend the Miami Heat Retailer Incentive through June 30, 2001. The rule sets forth the provisions for retailers who sell lottery tickets at a home Miami Heat Basketball game to receive an additional sales commission and additional bonuses.

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:

53ER01-34 Miami Heat Retailer Incentive.

(1) From March 9, 2001, through June 30, 2001, Florida Lottery retailers who sell lottery tickets at a scheduled home Miami Heat basketball game (“Heat basketball game”) shall receive, in addition to their regular 5% sales commission and 1% cashing bonus, the additional sales commission and bonuses described in subsection (3) below.

(2) Retailers who participate in the Miami Heat Retailer Incentive will each be given a Permanent Reference Number (PRN) by the Lottery to use while selling Florida Lottery tickets at a Heat basketball game. This PRN shall be used by the participating retailer only at a Heat basketball game and only during the incentive period.

(3) Commission and Bonuses.

(a) A participating retailer will receive its regular 5% sales commission plus an additional 5% sales commission, for a total sales commission of 10%, for each on-line ticket sold and each book of instant tickets settled at a Heat basketball game.

(b) A retailer will also receive its regular 1% cashing bonus, plus an additional 1% cashing bonus, for a total 2% cashing bonus on the value of each winning ticket less than \$600 redeemed by the retailer during a Heat basketball game.

(c) In addition to the sales commission and cashing bonus described in paragraphs (a) and (b) above, the retailer will also receive a special event retailer incentive bonus of \$150.00 (“special event bonus”) per Heat basketball game in which it sells lottery tickets.

(4) Payment of Incentives.

(a) All sales and cashing bonus commissions earned each week during the incentive period will be reflected on the retailer’s weekly Settlement Report.

(b) An awarded 10% sales commission will be charged back to the retailer’s account when any book settled during the promotion is subsequently returned as a full or partial book or reported as lost or stolen. The charge back will be for the portion of the settled book which was not sold and will be reflected as an adjustment on the retailer’s weekly Settlement Report.

(c) The special event bonus will be calculated and paid based on the total number of games the retailer commits to work during the corresponding Lottery accounting week (Monday through Sunday). The special event bonus will be paid to the retailer as a check or as an adjustment on the retailer’s Weekly Settlement Report. If a retailer does not work

a Heat basketball game in which it had committed to work and for which the special event bonus was awarded, the special event bonus will be charged back to the retailer's account.

(d) A retailer who has earned a special event bonus and has outstanding debt with the Lottery for the retailer location participating in the incentive at the time the bonus is awarded shall receive the bonus, less the amount of outstanding debt. In the event the retailer's debt is more than the amount of the special event bonus, the bonus shall be retained by the Lottery and the retailer's debt shall be reduced by that amount.

(e) Retailers whose Florida Lottery contracts are suspended or terminated prior to the payment of an earned commission or bonus shall be paid the commission or bonus earned provided the suspension or termination is not due to a violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or Retailer Contract terms.

(f) All commissions and bonuses paid to the retailer will be reported to the Internal Revenue Service as compensation.

(5) This emergency rule replaces Emergency Rule 53ER01-12, Florida Administrative Code.

Specific Authority 24.109(1), 24.105(10), 24.112(1) FS. Law Implemented 24.105(10), 24.112(1) FS. History--New 4-27-01, Replaces 53ER01-12, F.A.C.

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

EFFECTIVE DATE: April 27, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: CRUISE & CASH Instant Ticket

RULE NO.:

Retailer Sales Incentive 53ER01-35

SUMMARY OF THE RULE: The CRUISE & CASH Instant Ticket Retailer Sales Incentive will be conducted April 30, 2001, through January 27, 2002. Florida Lottery retailers may qualify to win a cruise prize package by settling books of CRUISE & CASH instant lottery tickets.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-35 CRUISE & CASH Instant Ticket Retailer Sales Incentive.

(1) Beginning April 30, 2001 and continuing through January 27, 2002 all active Florida Lottery retailers may qualify to win one of thirty-three cruise prize packages by settling books of CRUISE & CASH instant lottery tickets (Game #348). CRUISE & CASH end of game date is December 28, 2001.

(2) All active retailers shall be included in the drawings described more fully herein; however, award of any prize shall be subject to the eligibility provisions in subsections (8) and (9).

(3) Entry Determination.

(a) A retailer must sell a minimum of \$1,500 of CRUISE & CASH tickets during the incentive period to qualify to earn an entry into the drawings described in subsection (4). On January 28, 2002, the category for each retailer will be determined by the retailer's total CRUISE & CASH net ticket sales during the incentive period. Eligible retailers will be included in one of two drawings statewide as determined in subsection (4), below.

(b) Retailers will earn the specific number of entries assigned to each category below. Entries are not cumulative.

Category	Incentive Period Net Ticket Sales	Entries Earned
<u>1.</u>	<u>\$1,500 – \$1,799</u>	<u>1</u>
<u>2.</u>	<u>\$1,800 – \$2,999</u>	<u>2</u>
<u>3.</u>	<u>\$3,000 – \$4,499</u>	<u>3</u>
<u>4.</u>	<u>\$4,500 – \$5,999</u>	<u>4</u>
<u>5.</u>	<u>\$6,000 and above</u>	<u>5</u>

(4) Drawings.

(a) Two statewide drawings will be conducted. The first drawing will award eleven cruise prize packages from among all entries statewide of retailers in Category 1; and the second drawing will award twenty-two (22) cruise prize packages from among all entries statewide of retailers in Categories two (2) through five (5).

(b) Fifty-five (55) entries will be drawn in the first drawing. The first eleven (11) entries drawn will be the winners and the remaining entries will be alternates. One hundred and ten (110) entries will be drawn in the second drawing. The first twenty-two (22) entries drawn will be the winners and the remaining entries will be alternates.

(c) A retailer location may win only one cruise prize package in this incentive. If a retailer is drawn as a winner more than once, the additional cruise prize package(s) will be awarded to the next eligible alternate(s).

(d) The two statewide drawings will be conducted on January 28, 2002, for a total award of thirty-three (33) cruise prize packages.

(5) Cruise Prize Packages.

Winners of the cruise prize packages will receive a 3-day Carnival® cruise for two persons. 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. Retailers will also receive a check for \$500.00. Retailers will be responsible for paying all gratuities; federal, state, and/or local taxes or fees; additional cruise services requested

such as upgrades, air-transfer, tour packages, personal purchases, and any charges associated with cancellation or change of reservations; any expenses incurred traveling to or from the cruise port; and any incidentals or personal expenses associated with any portion of the cruise prize package. The Lottery will not be responsible for the scheduling or payment of any additional services requested by a retailer.

(6) Award of prizes.

(a) Retailers who are winners of a cruise prize package will be contacted in person by a Lottery representative during the first two weeks of February 2002 and delivered a Florida Lottery Cruise & Cash Retailer Prize Acceptance and Designation Form DOL-450. The Florida Lottery Cruise & Cash Retailer Prize Acceptance and Designation Form DOL-450, effective 04/01, is incorporated herein by reference and may be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011 ("Acceptance and Designation Form"). The deadline for a retailer to complete and return the Acceptance and Designation Form is February 28, 2002. Any retailer that does not return the completed Acceptance and Designation Form by the February 28, 2002 deadline will forfeit the cruise prize and the Lottery will award the cruise prize to the next eligible alternate retailer, who will have until March 15, 2002, to return the completed Acceptance and Delivery Form. If the next eligible alternate retailer does not return the form, further attempts will be made to award the cruise prize package to the next eligible retailer until an Acceptance and Designation Form is received or until May 31, 2002. Upon the Lottery's receipt of the retailer's executed Acceptance and Designation Form, the Lottery will deliver a \$500.00 check to the retailer and a congratulatory letter and cruise prize package certificate to the retailer's designated cruise recipient, which may be the retailer him-or herself ("cruise recipient"). The congratulatory letter provides the cruise recipient an explanation of the cruise redemption process.

(b) A cruise recipient will be responsible for making reservations directly with Carnival Cruise Lines. At the time reservations are made, the cruise recipient shall provide, in order of preference, three acceptable dates for cruising. Cruise reservations must be made at least thirty days prior to embarkation and cruises must be completed by December 15, 2002. Carnival will honor scheduling dates on a space available basis. A cruise recipient who does not make reservations 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 retailer awarded the cruise and \$500.00 cash. The following blackout periods will apply: Valentine's Day, President's Day, Easter, Memorial Day, Labor Day, Thanksgiving, Christmas and New Year; in addition to each specific holiday, certain associated dates as designated by Carnival are subject to blackout, for example, the Friday after

Thanksgiving. A cruise recipient may purchase an upgrade to cruise during blackout periods. After a reservation is confirmed, the cruise recipient 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 this cancellation and re-booking procedure. If a cancellation occurs within fifteen days of departure, Carnival will provide the cruise recipient a comparable future cruise on a space available basis with confirmation provided at Carnival's discretion. Cruise prizes are not redeemable for cash. A cruise recipient may transfer the cruise to another person one time with a notarized letter identifying the certificate number and the name of the new recipient. 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 original cruise recipient has already secured reservations.

(c) Cash will not be awarded in lieu of cruise prize packages except as follows. The Lottery reserves the right, if necessary due to circumstances beyond the control of the Lottery, to award a retailer a check for the value of the cruise.

(7) The approximate value of a cruise prize package (\$1,690) will be considered compensation to the retailers for Internal Revenue Service purposes. The cruise package value is comprised of the cruise value (\$1,190) plus the check (\$500) from the Florida Lottery.

(8) For a retailer to be eligible to receive a cruise prize package the retailer must:

(a) Remain active throughout the incentive period, except as follows. A retailer location that experienced a change of ownership, as defined in Rule 53ER00-21, F.A.C., during the incentive period shall be included in the incentive. In such case, all entries generated from that retailer location shall be credited to the retailer with the last recorded sales or redemption activity during the incentive period, and any prize won shall be awarded to that retailer; and

(b) Be in good financial standing with the Florida Lottery at the time the prizes are awarded. The time the prize is awarded is defined as the first business day following the Florida Lottery Cruise & Cash drawing. For alternates, good financial standing will be determined on the day following the day on which the previous eligible retailer is either determined to be ineligible or declines to accept the prize. Good financial standing is defined as having no unpaid dishonored electronic funds transfers or associated penalties or any other delinquent accounts receivable outstanding for more than sixty days at the time the prizes are awarded. If the retailer is not in good standing as defined in the previous sentence, the next randomly drawn eligible retailer will be substituted for the ineligible retailer until all prizes are awarded.

(9) A retailer who is selected for award of a prize but whose Florida Lottery contract is terminated or inactivated subsequent to the incentive period and prior to the award of the prize, shall be awarded the prize provided said termination or

inactivation was not due to violation of Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or retailer Contract terms.

Specific Authority 24.109(1), 24.112(1), 24.105(10)(i) FS. Law Implemented 24.112(1), 24.105(10)(i) FS. History—New 4-27-01.

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

EFFECTIVE DATE: April 27, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Retailer FLORIDA LOTTO™ Bonus Commission Program 53ER01-36

SUMMARY OF THE RULE: The Retailer FLORIDA LOTTO™ Bonus Commission Program will be conducted May 2, 2001, through June 30, 2001. The Florida Lottery will award a \$10,000 bonus commission per drawing to the on-line retailer(s) that sells a grand prize FLORIDA LOTTO ticket for a Wednesday or Saturday FLORIDA LOTTO drawing held during the sales incentive period.

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:

53ER01-36 Retailer FLORIDA LOTTO™ Bonus Commission Program.

(1) Effective May 2, 2001, through June 30, 2001 the Florida Lottery will conduct, as a sales incentive, a Retailer FLORIDA LOTTO Bonus Commission Program in which the Florida Lottery will award a \$10,000 bonus commission per drawing to the on-line retailer(s) that sells a grand prize FLORIDA LOTTO ticket for a Wednesday or Saturday FLORIDA LOTTO drawing held during the sales incentive period.

(2) If more than one retailer sells a winning grand prize FLORIDA LOTTO ticket for the same drawing, each such retailer will earn an equal share of the \$10,000 bonus commission.

(3) Bonus commissions will not carry forward in the event no winning grand prize ticket is sold for a specific FLORIDA LOTTO drawing.

(4) Award of a grand prize FLORIDA LOTTO bonus commission is not dependent upon the winning grand prize ticket being claimed by the winner.

(5) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award, shall be paid the bonus commission earned, provided said

termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(6) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Lottery reserves the right to apply a bonus commission earned against a retailer’s outstanding debt to the Lottery, and to award the remaining balance of the bonus commission, if any.

Specific Authority 24.105(10)(i), 24.109(1) FS. Law Implemented 24.105(10)(i), 24.112(1) FS. History—New 5-1-01.

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

EFFECTIVE DATE: May 1, 2001

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN that the Agency for Health Care Administration received a request for a waiver from Lee Memorial Health System, a political subdivision of the State. The request was filed April 2, 2001, and it pertains to Healthpark Medical Center. Lee Memorial seeks a waiver of the elevation requirements set forth in Rule 59A-3.081(55), F.A.C., for the construction of an expansion of the emergency facilities located at Healthpark.

A copy may be received from and comments submitted to: R. S. Power, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building 3, Suite 3431, Mail Stop 3, Tallahassee, Florida 32308. Comments must be received no later than 14 days from the date of this notice.

NOTICE IS GIVEN that the Agency for Health Care Administration received a request for a waiver from U.S. Medical Group. The request was filed April 27, 2001. U.S. Medical Group seeks a waiver of Rule 59A-3.080(4)(f), F.A.C., to allow construction and operation of an ambulatory surgical center on the hospital premises at the Department of Corrections, North Florida Reception Center in Lake Butler, Florida.

A copy may be received from and comments submitted to: R. S. Power, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building 3, Suite 3431, Mail Stop 3, Tallahassee, Florida 32308. Comments must be received no later than 14 days from the date of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida Real Estate Commission hereby gives notice that it has received a Petition for a waiver of Rule 61J2-5.014, F.A.C., which it filed on April 23, 2001, from Jack L. McRay, Esquire, on behalf of Petitioners, Maurice Gelina and Associates, Inc. and Maurice Gelina. The Petitioner specifically requests that he be allowed to retain his ownership interest in Maurice Gelina and Associates, Inc., provided he retains no more than 40% of voting shares.

Comments on this Petition should be filed with the Florida Real Estate Commission, Division of Real Estate, 400 W. Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801, no later than 14 days from the date of publication of this notice.

For additional information, or for a copy of the Petition, please contact Lori Crawford, Deputy Clerk, at the above address.

The Florida Real Estate Commission (FREC) hereby gives notice that it has received a Petition for a variance from, or waiver of, Rule 61J2-24.005(1), F.A.C., which it filed on April 23, 2001, by Kirk T. Bauer, Esquire, on behalf of Petitioner, Manuel Columbie. The Petition specifically requests that the Commission allow the Petitioner to make application for licensure as a real estate salesperson. Comments on this Petition should be filed with: the Florida Real Estate Commission, Division of Real Estate, 400 W. Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801, no later than 14 days from the date of publication of this notice. For additional information, or for a copy of the Petition, please contact Lori Crawford, Deputy Clerk, at the above address.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for variance received from Enviro-Logical Solutions, Inc., on February 8, 2001. Notice of receipt of this petition was published in the Florida Administrative Weekly, on March 2, 2001. The petition requested a variance from the zone of discharge prohibition for discharges through wells under Rule 62-522.300(3) of the Florida Administrative Code for the use of the remediation product to clean up sites contaminated with petroleum hydrocarbons. Specifically, the variance requested a zone of discharge for pH within a 50-foot radius from the point of discharge for a duration of 2 years. No public comment was received. On April 23, 2001, the Department granted a variance to Enviro-Logical Solutions, Inc., in a final order, OGC File No.: 01-0238. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and

that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of Chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for pH shall be a 50-foot radius from the point of injection; that the injection of the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifers; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions.

For a copy of the final order write or call: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Section, MS 3530, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 3299-2400, telephone (850)921-9412.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on November 20, 2000, by Christina B. Grudzinski, M.D., seeking a variance from Rule 64B8-5.001, F.A.C., with regard to the time frame for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice. The Board will consider the petition at its next meeting to be held on June 1, 2000, at 1:00 p.m., at the Sheraton Airport Ft. Lauderdale, 185 Griffin Road, Dania, Florida.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on April 10, 2001, by Farrukh S. Shaikh, M.D., seeking a variance from Rule 64B8-5.001, F.A.C., with regard to the time frame for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice. The Board will consider the petition at its next meeting to be held on June 1, 2000, at 1:00 p.m., at the Sheraton Airport Ft. Lauderdale, 185 Griffin Road, Dania, Florida.

For a copy of the petition, contact: Tanya Williams, Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on May 02, 2001, the Department of Health received a petition from "PSA, Inc. and Advanced Drainage Systems, Inc." requesting a variance pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a variance from Sections 64E-6.009 and 64E-6.014, Florida Administrative Code, which govern drainfield sizing.

Comments on this petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

A copy of the petition may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

FLORIDA HOUSING FINANCE COPORATION

NOTICE IS HEREBY GIVEN that on May 1, 2001, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Waiver from Rule 67-38.007(3), F.A.C., from the Housing Authority of the City of Key West ("Petition"). The Petition seeks relief from the Rule 67-38-007(3), F.A.C., which requires the Loan to mature on the earlier of (i) the date of the closing of the permanent loan for the Project or (ii) 3 years from the date of the first disbursement under the Advance.

A copy of the Petition can be obtained from: Elizabeth G. Arthur, General Counsel, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

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 32301-1329.

NOTICE IS HEREBY GIVEN that on January 29, 2001, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Waiver from Rule 9I-47.140(5), F.A.C., from Minnesota Heights, Ltd. (the "Petition"). Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly on February 16, 2001, Vol. 27, No. 7. On February 28, 2001, Florida Housing received a withdrawal of the Petition. Based on the withdrawal of the Petition, Florida Housing entered an Order Closing File on April 6, 2001.

Requests for copies or inspections of the withdrawal or the Order Closing File should be made to Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Deanne.Coughlin@floridahousing.org.

NOTICE IS HEREBY GIVEN that on January 11, 2001, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Waiver from Rule 9I-47.140(5), F.A.C., from Sweetwater Village Phase III, Ltd. (the "Petition"). Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly on February 16, 2001, Vol. 27, No. 7. On January 29, 2001, Florida Housing received a withdrawal of the Petition. Based on the withdrawal of the Petition, Florida Housing entered an Order Closing File on March 8, 2001.

Requests for copies or inspections of the withdrawal or the Order Closing File should be made to Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Deanne.Coughlin@floridahousing.org.

NOTICE IS HEREBY GIVEN that on January 11, 2001, Florida Housing Finance Corporation ("Florida Housing") received a petition pursuant to Section 120.542, Florida Statutes, from Teal Pointe Associates, Ltd., Project: Teal Pointe Apartments Home #93HD-014, for a variance and/or waiver from Rule 67-40.100(8), Florida Administrative Code (the "Petition"). Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly on February 23, 2001, Vol. 27, No. 8. On March 21, 2001, Florida Housing received a withdrawal of the Petition. Based on the withdrawal of the Petition, Florida Housing entered an Order Closing File on April 6, 2001.

Requests for copies or inspections of the withdrawal or the Order Closing File should be made to Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Deanne.Coughlin@floridahousing.org.

NOTICE IS HEREBY GIVEN that on January 11, 2001, Florida Housing Finance Corporation ("Florida Housing") received from Liberty Center for the Homeless, Inc. a Petition for Waiver from Rule 9I-35.006(2)(c), Florida Administrative Code (the "Petition"). Florida Housing received a withdrawal of the Petition. Based on the withdrawal of the Petition, Florida Housing entered an Order Closing File on March 8, 2001 accepting the withdrawal.

Requests for copies or inspections of the withdrawal or the Order Closing File should be made to Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Deanne.Coughlin@floridahousing.org.

NOTICE IS HEREBY GIVEN that on January 12, 2002, Florida Housing Finance Corporation ("Florida Housing") received a Petition for Variance from or Waiver of Rule 9I-47.140(4),(5) & (6), Florida Administrative Code, from Lake Forest Glen, Inc., (the "Petition"). On February 12, 2001, Florida Housing received a withdrawal of the Petition. Based on the withdrawal of he Petition, Florida Housing entered an Order Closing File on April 6, 2001.

Requests for copies or inspections of the Petition, Order Closing File or withdrawal should be made to Deanne Coughlin, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Deanne.Coughlin@floridahousing.org.

Section VI Notices of Meetings, Workshops and Public Hearings

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

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

DATE AND TIME: May 30, 2001, 9:00 a.m.

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

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

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

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

The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

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

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

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

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

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

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

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters

within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

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

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

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

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

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

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meeting to which all persons are invited.

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, May 24, 2001, 10:00 a.m.

PLACE: Florida Department of Transportation, Administration Building, Santa Fe Conference Room, 1636 Lake Jeffrey Road, Lake City, FL 32055, (904)961-7028

PURPOSE: To hold a Proposal meeting to review and discuss a proposal presented by one of two selected artists for Art-in-State-Buildings Project No. DOT 213/896, Lake City District Office, Columbia County, Florida.

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kirby Mole, (850)487-2980, Ext 133. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces public Committee meetings to which all persons are invited.

COMMITTEE: Technology Ad Hoc Committee

DATE AND TIME: Wednesday, June 6, 2001, 9:00 a.m. – 11:00 a.m.

PLACE: McKee Botanical Gardens, 350 U.S. Highway 1, Vero Beach, Florida

PURPOSE: To explore opportunities for increasing the Division's use of technology in the services to the field and how the Florida Arts Council can assist cultural organizations in their ongoing efforts to improve their use of technological advances.

COMMITTEE: Quarterly Assistance/UACAP Committee

DATE AND TIME: Wednesday, June 6, 2001, 9:00 a.m. – conclusion

PLACE: McKee Botanical Gardens, 350 U.S. Highway 1, Vero Beach, Florida

PURPOSE: To discuss, review and make recommendations regarding the applications received for the Quarterly Assistance Grant and Underserved Arts Communities Assistance Programs.

COMMITTEE: Governmental Affairs Committee Meeting

DATE AND TIME: Wednesday, June 6, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: McKee Botanical Gardens, 350 U.S. Highway 1, Vero Beach, Florida

PURPOSE: Ongoing Committee activities as necessary.

A copy of the agenda may be obtained by writing: Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250 or by calling Wendy G. Moss, Administrative Assistant, (850)487-2980.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at

least 48 hours before the meeting by contacting Wendy G. Moss, (850)487-2980. If you are hearing or speech impaired, please contact the agency by calling (850)488-5779.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 7, 2001, 9:30 a.m. – conclusion

PLACE: Center for the Arts, 3001 Riverside Park Drive, Vero Beach, Florida

PURPOSE: To discuss, review and make recommendations regarding the Division of Cultural Affairs' programs and grants and to conduct other business as necessary.

A copy of the agenda may be obtained by writing: Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250 or by calling Wendy G. Moss, Administrative Assistant, (850)487-2980.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record this meeting.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces the quarterly meeting of the "Friends of Florida State Forests, Inc.," a non-profit corporation established to assist the Florida Division of Forestry in the support of its programs and activities.

DATE AND TIME: May 18, 2001, 8:00 a.m. – 12:00 Noon

PLACE: Welaka Training Center, P. O. Box 174, Welaka, FL 32193

PURPOSE: To conduct the business of the Corporation.

A copy of the agenda can be obtained by contacting: Harriett L. Abrams, FFSF Coordinator, 3125 Conner Blvd., Tallahassee, Florida 32399-1650 or calling (850)414-0869. If special accommodations are needed to attend this meeting because of a disability, please contact Harriett Abrams as soon as possible.

DEPARTMENT OF EDUCATION

The Florida **Department of Education** announces a public meeting which all interested parties are invited to participate.

DATES AND TIMES: Monday, May 21, 2001, 9:30 a.m. – 5:00 p.m.; Tuesday, May 22, 2001, 8:00 a.m. – 5:00 p.m.

PLACE: Office Park, 9000 Southside Boulevard, Jacksonville, Florida 32256, (904)252-7700

PURPOSE: To conduct a meeting of the Florida Council of Student Financial Aid Advisors.

A copy of the agenda may be obtained by writing: Bureau of Student Financial Assistance, Department of Education, Attention: Sherall Jackson, 1940 North Monroe Street, Suite 70, Tallahassee, Florida 32303-4759.

Pursuant to the provisions of the American Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency by contacting Sherall Jackson, (850)410-6804, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the agency by calling (850)410-6804.

The public is invited to a meeting of the Florida **Board of Regents**.

DATE AND TIME: May 24, 2001, 11:00 a.m.

PLACE: Phyllis P. Marshall Center, University of South Florida, Tampa, Florida

PURPOSE: Approval of: Tenure Nominations: FAMU, FAU, FIU, FSU, UCF, UF, UNF, USF, UWF; Tenure as a Condition of Employment, FAMU, FAU, FIU, FSU, UF, UNF; Proposed Revised Rules: Rule 6C-7.001, Tuition, Fee Schedule and Percentage of Cost; Rule 6C-7.003(9), Special Fees, Fines and Penalties; Contract in Excess of \$1 Million for Janitorial Services, FAU; Amendment to SunTrust Bank Contract to Exceed \$1 Million, FSU; Request to Release Property, FAU; Donation of Property by the University of Florida Foundation, Inc., UF; Second Amended and Restated Bylaws of University of Florida Jacksonville Healthcare, Inc., a University Health Services Support Organization; Amendments to Bylaws of the Florida Atlantic University Foundation, Inc.; Amendments to Bylaws of the Florida International University Foundation, Inc.; Ratification of the 2001-2002 Reopener to the 1999-2002 Collective Bargaining Agreements: Between the Board of Regents and the American Federation of State, County and Municipal Employees (AFSCME), Florida Public Employees Council 79; Between the Board of Regents and the Florida Nurses Association, Inc.; Ratification of the 2001-2003 Successor Collective Bargaining Agreements: Between the Board of Regents and the UFF-Graduate Assistants United, Florida A & M University; Between the Board of Regents and the UFF-Graduate Assistants United, University of Florida; Between the Board of Regents and the UFF-Graduate Assistants United, University of South Florida; Approval of: Amendment to FY 2000-2001 thru FY 2002-2003 SUS

Strategic Information Resource Plan, FAMU; Request to Name the New Residence Hall at the University of West Florida; Consideration of: University Requests for Implementation Authorization of New Degree Programs: B.S., Information Technology, UWF; B.S., Information Technology, USF; B.A., International Business, USF; M.Ed., Instructional Technology, UWF; M.S., Healthcare Administration, FAMU; M.S., Aging Studies, FSU; Ph.D., Technical Writing, UCF; Ph.D., School Psychology, USF; Ph.D., Cancer Biology, USF; Ph.D., Communication Sciences and Disorders, USF; Ph.D., Religious Studies, UF; Ph.D., Art History, UF; Limited Access Status for Bachelor of Arts in Interior Design, FSU; University Request for Conversion of Master's Degrees in Botany and Zoology to a Master of Science in Biology, USF; Discussion of SUS Strategic Plan Mid-Course Modification; Status Report, Florida State University Medical School; Consideration of: 2001-2002 Allocations for the Educational and General and Board of Regents-General Office Budget Entities; Distribution of 2001-2002 PECO Funds for Maintenance, Repairs, Renovation, Remodeling and Capital Renewal; 2001-2002 Critical Deferred Maintenance Appropriation; SUS 2002-2003 Legislative Budget Request Policy Guidelines; Allocation of Excess Enrollment Funds; Resolution Authorizing the Issuance of Revenue Bonds to Finance Parking Garage One at the Boca Raton Campus, FAU; Resolution Approving Athletic Improvements Projects and Financing through the Issuance of Bonds by Florida State University Financial Assistance, Inc., FSU; Resolution Approving the Issuance of Revenue Bonds by the University of Florida Research Foundation, Inc., to Finance the Genetics and Cancer Research Center Building and the Agronomy/Soil and Water Science Building, UF; Resolution Authorizing the Financing of the University of South Florida Residence Life Enhancement Project – Phase II by the USF Foundation, Inc.; Proposed Amendments to Campus Master Plans: Florida Atlantic University; Florida Gulf Coast University; University of North Florida; Report on the 2001 Legislative Session; 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 **Postsecondary Education Planning Commission** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, May 24, 2001, 9:00 a.m. – 3:00 p.m.

PLACE: Sofitel Miami, 5800 Blue Lagoon Drive, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will consider proposals for new academic program contracts, discuss postsecondary funding alternatives, take action on the student progression cohort analysis report, and review critical jobs initiatives and other ongoing responsibilities and assignments.

For further information contact: Dr. William B. Proctor, Executive Director, Postsecondary Education Planning Commission, Tallahassee, Florida 32399-0400, (850)488-7894.

The **Polk County School Readiness Coalition, Inc.** announces the following meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2001, 8:30 a.m.

PLACE: West Area Adult School, 604 South Central Avenue, Lakeland, FL

PURPOSE: Board of Directors meeting to consider and discuss business relating to contracting with the state Partnership for School Readiness.

For more information access the following website:

www.pcsb.k12.fl.us/information/coalition.htm

The **Department of Education** announces a meeting of the Occupational Access and Opportunity Commission Bylaws Committee to which all interested individuals are encouraged to attend.

DATE AND TIME: May 21, 2001, 10:30 a.m. – 3:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Lobby Level, Meeting Room, Tampa, Florida 33607, 1(800)228-9290, 1(813)879-5151

PURPOSE: To review the previous meeting's revisions of the OAO'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, seven days before the meeting.

The **Department of Education** announces a series of public meetings of the Occupational Access and Opportunity Commission and the Florida Rehabilitation Council to which all interested individuals are encouraged to attend.

DATE AND TIME: June 12, 2001, 4:00 p.m. – 6:00 p.m.

PLACE: Pensacola Junior College, Downtown Campus, Room 108, 418 West Garden Street, Pensacola, Florida

DATE AND TIME: June 13, 2001, 4:00 p.m. – 6:00 p.m.

PLACE: Doubletree Hotel, Lake Forest Ballroom, 4500 West Cypress Street, Tampa, Florida

DATE AND TIME: June 14, 2001, 4:00 p.m. – 6:00 p.m.

PLACE: City of Palm Beach Gardens Municipal Complex, 10500 North Military Trail, Palm Beach Gardens, Florida

PURPOSE: The Occupational Access and Opportunity Commission and the Florida Rehabilitation Council are requesting public comments on the attachments to the State Plan.

Please note that the following accommodations will be provided: American Sign Language Interpreters, Assistive Listening Devices, Real-Time Captioning, Large Print and Braille materials.

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, seven days before the meeting.

DEPARTMENT OF LAW ENFORCEMENT

The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

DATE AND TIME: Thursday, May 31, 2001, 1:00 p.m. – Open

PLACE: Adams Mark Orlando, 1500 Sand Lake Road, Orlando, Florida 32809

PURPOSE: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by calling or writing: Brenda S. Presnell, (850)410-8648, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIME: May 17, 2001, 6:30 p.m. – 7:30 p.m. (CST)

PLACE: Seventh Day Adventist Church, 50 South Moss Road, Winter Springs, Seminole County, Florida

PURPOSE: This Public Hearing will address the proposed access management change on S.R. 434 from U.S. 17/92 to S.R. from an Access Class 4 and 6 to an Access Class 5, per Rule Chapter 14-97.005, F.A.C., and FDOT Procedure 525-030-155-c. A Class 5 would allow for the maximum number of median openings and driveways along the project corridor. The ability to add these additional features are subject to operational and safety conditions.

This Public Hearing is being conducted to give all interested parties an opportunity to comment on the proposed access management reclassification for the above listed project limits on S.R. 434.

In compliance with the Americans with Disabilities Act, the Department, if requested, will provide special assistance at the information meeting for those persons who are disabled. Those persons requiring special assistance must send written notification at least ten (10) days prior to the information meeting: TEI Engineers and Planners, Attention: Kent Black, 300 Primera Boulevard, Suite 200, Lake Mary, Florida 32746.

A copy of the agenda may be obtained by writing to the Department’s consultant at the address noted above.

The **Florida Highway Beautification Council** announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, May 14, 2001, 1:00 p.m. – 5:00 p.m.; Tuesday, May 15, 2001, 8:00 a.m. – 5:00 p.m.; Wednesday, May 16, 2001, 8:00 a.m. – 12:00 Noon

PLACE: Florida Department of Transportation, Maintenance Complex, 1655 North Kepler Road, DeLand, Florida 32724, (904)736-5270

PURPOSE: The purpose of the meeting is to conduct minor business and rank the 2001-2002 Highway Beautification Council Grant Applications.

For information please contact: Mr. Gary L. Henry, L.A., Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450 or call, (850)922-7210.

DEPARTMENT OF CITRUS

NOTICE OF CHANGE – The **Department of Citrus** announces a notice of change of a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: May 15, 2001, 9:00 a.m. (originally scheduled for May 8, 2001, 1:00 p.m.)

PURPOSE: The Commission will convene for the purposes of standing committee meetings.

DATE AND TIME: May 16, 2001, 9:30 a.m.

PURPOSE: Regular monthly meeting.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues concerning future endeavors of the Department and issues pertaining to contracts, programs, budget items, licensing, rulemaking and other matters that are addressed during monthly meetings of the Commission.

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

The **Department of Citrus** announces a public meeting of the Blue Ribbon Committee to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2001, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue discussion of domestic fresh grapefruit issues.

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

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, 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, Building C, 2601 Blairstone Road, 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.

NOTICE OF CHANGE – The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 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. The Commission will also consider amendments to the commonly ordered special conditions for conditional release cases.

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

The Florida **Public Service Commission** announces that a Motion Hearing will be held before Commissioner Lila A. Jaber, as Prehearing Officer, in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO. 010001-EI – Fuel and Purchased Power Cost Recovery Clause and Generating Performance Incentive Factor.

DATE AND TIME: Tuesday, May 22, 2001, 8:30 a.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida 32301

PURPOSE: To hear argument on the Florida Industrial Power Users Group’s Motion to Compel Tampa Electric Company to Respond to Discovery and to take up such other matters as the Prehearing Officer deems appropriate.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 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 29, 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, F.A.C.), by contacting the Division of Records and Reporting, (850)413-6770 or writing: 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 its Internal Affairs meeting to which all interested persons are invited.

DATE AND TIME: May 29, 2001, immediately following the Commission Conference which commences at 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, Conference 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 meeting. 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).

****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. 000808-EI – Petition for approval of Consumptive Water Use Monitoring Activity and Smith Wetlands Mitigation Plan as new programs for cost recovery through the Environmental Cost Recovery Clause by Gulf Power Company.

DATE AND TIME: July 25, 2001, 9:30 a.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 a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 001810-TP – Request for arbitration concerning complaint of TCG South Florida and Teleport Communications Group against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement.

DATE AND TIME: May 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 a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991376-TL – Initiation of show cause proceedings against GTE Florida Incorporated for apparent violation of service standards.

DATE AND TIME: May 30, 2001, 1:30 p.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 148, 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 a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990362-TI – Initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll or Toll Provider Selection.

DATE AND TIME: June 1, 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 initiation of show cause proceedings against GTE Communications Corporation (n/k/a Verizon Select Services Inc.) for apparent violation of Rule 25-4.118, F.A.C., Local, Local Toll or Toll Provider Selection, 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 16, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (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 **Energy 2020 Study Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2001, 9:00 a.m.

PLACE: Orange County Commission Administrative Building, 1st Floor, County Commission Chamber, 201 South Rosalind Avenue, Orlando, Florida

PURPOSE: The Commission will be discussing restructuring Florida's electricity market information relevant to determining what Florida's electric energy needs will be over the next 20 years, and how best to supply those needs in an efficient, affordable and reliable manner that will ensure adequate electric reserves.

A copy of the agenda for this meeting may be obtained by writing: Executive Director, Florida Energy 2020 Study Commission, Office of the Governor, Room 225B, Knott Building, Tallahassee, Florida 32399-0001.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Executive Director, (850)413-7777, at least 48 hours prior to the meeting.

Any person who is hearing or speech impaired may contact the Florida Energy 2020 Study Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Education Governance Reorganization Transition Task Force** announces the following public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2001, 10:00 a.m. – 5:00 p.m.

PLACE: Full Sail Real World Education, Visualization Center, Room 108A, 3300 University Blvd., Winter Park, Florida 32792

A copy of the agenda may be obtained one week prior to the meeting by contacting: Transition Task Force, Room 2105 The Capitol, Tallahassee, FL 32399 or by phone, (850)488-4512 or on the website at http://www.myflorida.com/myflorida/government/learn/egrt_taskforce/index.html.

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: May 24, 2001, 6:00 p.m.

PURPOSE: To conduct the regular business of the Executive Committee.

MEETING: Regional Planning Committee

DATE AND TIME: May 24, 2001, 6:00 p.m.

PURPOSE: To conduct the regular business of the Regional Planning Committee.

MEETING: Clearinghouse Committee
 DATE AND TIME: May 24, 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: May 24, 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.

The Northeast Florida Regional Planning Council, Comprehensive and Project Planning Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: June 1, 2001, 9:30 a.m.
 PLACE: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL
 PURPOSE: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 9143 Philips Highway, Suite 350, Jacksonville, FL 32256.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at the meeting.

The District 5, Local Emergency Planning Committee announces a public meeting to which all persons are invited.

PLACE: Levy County Emergency Operations Center, 9010 N. E. 79th Ave., Bronson, FL 32621
 COMMITTEE NAME: Training Subcommittee
 DATE AND TIME: Monday, May 21, 2001, 9:45 a.m.
 COMMITTEE NAME: Local Emergency Planning Committee
 DATE AND TIME: Monday, May 21, 2001, 11:00 a.m.

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates and other organizational matters regarding the committees.

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

If you have any questions regarding the meeting you may contact Charlotte Neupauer, (352)732-1315.

The Apalachee Regional Planning Council announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: May 24, 2001, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: The Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

PURPOSE: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 314 East Central Avenue, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

REGIONAL TRANSPORTATION AUTHORITIES

The Central Florida Regional Transportation Authority (LYNX) announces the following public meeting of the Governmental, Marketing and Community Relations Committee, a Committee appointed by the Governing Board of the Authority.

DATE AND TIME: May 24, 2001, 1:30 p.m. – 2:30 p.m.
 PLACE: LYNX Offices, 8th Floor, Conference Room 847, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: General Meeting of the Governmental, Marketing and Community Relations Committee.

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).

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: May 24, 2001, 2:30 p.m. – 4:30 p.m.

PLACE: LYNX Offices, Third Floor, Media/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 (AAC) Report
5. Public Comments
6. Action Consent Items
7. Action Discussion Items
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).

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation** announces a meeting of the Employer Advisory Committee to which the public is invited.

DATE AND TIME: Thursday, May 31, 2001, 8:30 a.m. – 12:00 Noon

PLACE: Division of Workers' Compensation, Orlando Office, Hurston Building, 400 West Robinson Street, North Tower, Conference Room 2, Ground Floor, Orlando, Florida 32801. Additional directions may be obtained by calling Nelly Sanchez, (407)245-0895, Extension 101.

PURPOSE: To support the mission of the Division by providing both administrative and legislative recommendations, as employers, for the implementation of cost containment practices that support sound management principles through return to work programs, education and other related programs. Specific agenda items include revisiting the role, purpose and scope of the committee and its by-laws; discussion will center on the role the committee can serve to assist in improving the workers' compensation system. For further information regarding this meeting contact: (Sissy) Augusta Nogar, 2012 Capital Circle, S. E., 104D Hartman Building, Tallahassee, Florida 32399, (850) 922-6489, e-mail: Nogars@wcpst.fdes.state.fl.us/wc/.

Persons with a disability or handicap requiring reasonable accommodations should contact Ms. Nogar in writing or by phone at least five business days in advance to make appropriate arrangements.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces the following meetings to which all persons are invited.

MEETING: District Lands Committee

DATE AND TIME: May 24, 2001, between 10:00 a.m. – 10:30 a.m. (CDT)

PURPOSE: To discuss District lands issues.

MEETING: Governing Board Workshop

DATE AND TIME: May 24, 2001, 10:30 a.m. (CDT)

PURPOSE: The Florida Forever Plan.

MEETING: Administration, Budget and Finance Committee – Workshop

DATE AND TIME: May 24, 2001, 11:15 a.m. (CDT)

PURPOSE: FY 2001/2002 budget issues.

MEETING: Governing Board Meeting

DATE AND TIME: May 24, 2001, 12:00 Noon (CDT)

PURPOSE: To consider District business.

MEETING: Public Hearing on Regulatory Matters

DATE AND TIME: May 24, 2001, 12:45 p.m. (CDT)

PURPOSE: To consider regulatory matters.

MEETING: Public Hearing on Land Acquisition Matters

DATE AND TIME: May 24, 2001, 1:00 p.m. (CDT)

PURPOSE: To consider land acquisition matters and the proposed Florida Forever Five-Year Work Plan.

PLACE: Pensacola City Hall Council Chambers, 180 Governmental Center, Pensacola, Florida

A copy of these agendas can be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999.

Appeal from any NFWFMD Board decision requires a record of the proceedings. Although Governing Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceedings is made, including 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 to which all interested persons are invited.

DATE AND TIME: Thursday, May 24, 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** announces a public workshop to which all persons are invited.

DATE AND TIME: May 18, 2001, 8:30 a.m.

PLACE: Four Points Sheraton Lakeside, 7769 West Irlo Bronson Memorial Hwy., Kissimmee, FL

PURPOSE: Water Well Contractors Point Reduction Workshop.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, Brooksville Headquarters, 2379 Broad Street, Brooksville, FL 34609-6899 or by calling Deanna Naugler, (352)796-7211, Extension 4312.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Deanna Naugler, (352)796-7211. If you are hearing or speech impaired, please contact the agency by calling TDD number of 1(800)231-6103.

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 16, 2001, 7:00 p.m.

PLACE: South Florida Water Management District, Ft. Myers Service Center, 2301 McGregor Boulevard, Ft. Myers, Florida

PURPOSE: To receive public comment on the draft Corkscrew Regional Ecosystem Watershed (CREW) Management Plan, 2001-2006.

Copies of the Corkscrew Regional Ecosystem Management Plan are available at the Ft. Myers Service Center in printed form and CD-ROM or on-line at: www.sfwmd.gov/org/clm/lcd/mgmt_plans/crew/mgmtplrev_crew.html

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including 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 Fred Davis, Director, Land Stewardship Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a telephone conference of the Commission to which all persons are invited.

DATE AND TIME: Thursday, May 31, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Conference call – to access call (850)921-5230 or SC 291-5230

PURPOSE: To discuss the regular business of the Commission for the Transportation Disadvantaged.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Erin Schepers at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

SPACEPORT FLORIDA AUTHORITY

The **Florida Commercial Space Financing Corporation** announces a Board of Director's meeting and teleconference to which the public is invited.

DATE AND TIME: May 16, 2001, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Commercial Space Financing Corporation, Florida/NASA Business Incubation Center, 1311 N. U.S. 1, Suite 129, Titusville, FL 32796

PURPOSE: General Board Business Meeting, ratification of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact Mr. Jim Leary or Ms. Judy Blanchard, (321)267-2877, Ext. 113. The Board of Directors meeting for the Florida Commercial Space Financing Corporation will be held at the offices of Florida Commercial Space Financing Corporation, Titusville, FL.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, Florida/NASA Business Incubation Center, 1311 N. Highway U.S. 1, Titusville, FL 32796.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a meeting of the Statewide Public Guardianship Curriculum Committee to which all interested persons are invited.

DATE AND TIME: Tuesday, May 15, 2001, 10:00 a.m. – 4:00 p.m.

PLACE: MHF 104, University of South Florida Campus, 13301 Bruce B. Downs Blvd., Tampa, FL 33612

PURPOSE: Meeting of the Guardianship Curriculum Committee pursuant to Section 744.7021(2)(f), Florida Statutes.

A copy of the agenda may be obtained by contacting: Gloria Mitchell, (813)974-1649.

The **Statewide Public Guardianship Office** announces a meeting of the Public Guardian Coalition to which all interested persons are invited.

DATE AND TIME: Wednesday, May 16, 2001, 10:00 a.m. – 4:00 p.m.

PLACE: MHF 104, University of South Florida Campus, 13301 Bruce B. Downs Blvd., Tampa, FL 33612

PURPOSE: Quarterly meeting of the Public Guardian Coalition to discuss issues pertaining to public guardianship.

A copy of the agenda may be obtained by contacting: Gloria Mitchell, (813)974-1649.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: May 21-22, 2001, 8:30 a.m.

PLACE: Fort Lauderdale Airport Hilton, 1870 Griffin Road, Dania, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312 or by telephoning (850)487-2410.

Any party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk, at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

The **SMART Schools Clearinghouse** announces a regular meeting of the SMART Schools Clearinghouse to which all interested persons are invited.

DATE AND TIME: May 24, 2001, 10:00 a.m.

PLACE: The Turlington Building, Room 1203, 325 W. Gaines St., Tallahassee, FL 32399-0979

A copy of the agenda may be obtained by contacting: SMART Schools Clearinghouse, Office of the Executive Director, 4050 Esplanade Way, Suite 250, Tallahassee, FL 32399-0950, (850)921-8699, Suncom 291-8699.

If any person decides to appeal any decision made by the Clearinghouse with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings 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 the Office of the Executive Director at the above telephone or address at least five (5) calendar days prior to the meeting. If you are hearing or speech-impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces the following meeting(s) via telephone conference to be conducted by the Florida Pilotage Rate Review Board to which all persons are invited to attend.

DATE AND TIME: May 29, 2001, 12:00 Noon

PLACE: Access Phone # (850)921-2470, Suncom 291-2470, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)488-0698

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)922-8074, 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 **Board of Accountancy** announces the following public meetings to which all person are invited.

DATES AND TIMES: Thursday, September 6, 2001, 8:30 a.m., Probable Cause Panel; Friday, September 7, 2001, 9:00 a.m., Meeting of the Board

PLACE: Sheraton Suites, 7550 Augusta National Drive, Orlando, Florida

PURPOSE: The probable cause panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and a copy of the Board agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is 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 agency at least 48 hours before the workshop/hearing/meeting by contacting Martha Willis, (352)333-2500. 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**, as staff to the Board of Trustees of the Internal Improvement Trust Fund announces a public workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2001, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170M, 3800 Commonwealth Blvd., Tallahassee, Florida

PURPOSE: To continue discussion and receive public comments on proposed rule amendments to Chapter 18-21, F.A.C., to establish location zones and fees for the placement of fiber optic cables on sovereign submerged lands in the territorial sea of the Atlantic Ocean. This workshop will be held in conjunction with a rule development workshop (at the same time and location as above) to discuss proposed amendments to Section 62-341.625, F.A.C., which will provide for a new Noticed Environmental Resource General Permit for installation of offshore fiber optic cables. The notice of proposed rule development for Section 62-341.625, F.A.C. will be published in the May 11, 2001 issue of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Jeanese McCree, Department of Environmental Protection, Division of Water Facilities, 2600 Blair Stone Road, MS #2500, Tallahassee, FL 32399-2400, (850)921-9901, e-mail: Jeanese.McCree@dep.state.fl.us; or fax: (850)488-6579.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this public meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist, Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, Office of the Florida Keys National Marine Sanctuary announces a Personal Watercraft Working Group meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2001, 5:00 p.m. – 7:00 p.m.

PLACE: Key Largo Public Library Meeting Room, MM 101.5 Tradewinds Plaza, Key Largo, FL, (305)451-2396

PURPOSE: The Florida Keys National Marine Sanctuary Personal Watercraft Working Group (FKNMSPWCWG) will hold a meeting to review the public comments provided during the public comment period which ended April 30, 2001. The FKNMSPWCWG will discuss the preferred alternative(s) for Personal Watercraft operation within the Florida Keys National Marine Sanctuary and prepare a recommendation to present to the Sanctuary Advisory Council at their June, 2001 meeting.

A copy of the full agenda may be obtained by contacting: Brenda Altmeier, (305)852-7717, Ext. 22.

If accommodation is needed for an attendee with a disability to participate in this activity, please notify Brenda Altmeier, DEP Florida Keys National Marine Sanctuary, (305)852-7717, prior to the events.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, June 6, 2001, 7:00 p.m. (EDT)

PLACE: St. Lucie County Civic Center, Meeting Room B, 2300 Virginia Avenue, Fort Pierce, Florida 34982

PURPOSE: To receive comments from the public regarding management and land uses for Fort Pierce Inlet State Park before the development of a new management plan for the park.

A copy of the agenda may be obtained by writing: Florida Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, 3900 Commonwealth Boulevard, Mail Station #525, Tallahassee, Florida 32399-3000.

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 calling Dan Griffin, Park

Manager, Fort Pierce Inlet State Park, (561)468-3985. If you are hearing or speech impaired, please contact the agency by calling 1(800)342-1335.

DEPARTMENT OF HEALTH

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: June 1-3, 2001, 8:00 a.m.

PLACE: Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004, (954)920-3500

PURPOSE: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: June 1, 2001, immediately following full board meeting

PLACE: Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004, (954)920-3500

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida Board of Medicine, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: June 1, 2001, immediately following full board meeting

PLACE: Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004, (954)920-3500

PURPOSE: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CHANGE – The Department of Health, Board of Nursing announces it will hold the following meeting to which all persons are invited.

South Probable Cause Panel

DATE AND TIME: May 29, 2001 4:00 p.m. (This is a rescheduled meeting from April 30, 2001)

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

PURPOSE: To reconsider cases which are a matter of public record. A list of cases to be reconsidered may be obtained through written request to the Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox, Building 3, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited.

MEETING: Education Rules Workshop

DATE AND TIME: Tuesday, June 12, 2001, 4:00 p.m.

PLACE: Holiday Inn Select, Captiva Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To discuss matters relating to the policies and procedures of Education Rules.

MEETING: Intervention Project for Nurses Committee

DATE AND TIME: Wednesday June 13, 2001, 8:30 a.m.

PLACE: Holiday Inn Select, Captiva Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To discuss matters relating to the policies and procedures of the Intervention Project for Nurses.

MEETING: Advanced Registered Nurse Practitioner's Committee

DATE AND TIME: Wednesday, June 13, 2001, to follow IPN Committee

PLACE: Holiday Inn Select, Captiva Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To consider applications and review certification of Advanced Registered Nurse Practitioners.

MEETING: Continuing Education

DATE AND TIME: Wednesday, June 13, 2001, to follow ARNP Committee

PLACE: Holiday Inn Select, Captiva Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To discuss and hold hearings on procedures for continuing education rules.

MEETING: Education Committee Meeting

DATE AND TIME: Wednesday, June 13, 2001, 10:30 a.m.

PLACE: Holiday Inn Select, Captiva Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To consider matters relating to nursing programs and applications for licensure.

MEETING: Credentials Committee

DATE AND TIME: Wednesday, June 13, 2001, 8:30 a.m.

PLACE: Holiday Inn Select, Sanibel-Cayo Costa Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To discuss and hold hearings on credential issues

MEETING: Disciplinary Guidelines Workshop

DATE AND TIME: Wednesday, June 13, 2001, to follow Board meeting

PLACE: Holiday Inn Select, Sanibel-Cayo Costa Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: To discuss make decisions on disciplinary guidelines

MEETING: Board of Nursing Bi-Monthly Board

DATES AND TIMES: Wednesday, June 13, 2001, 1:30 p.m.; Thursday June 14, 2001, 8:30 a.m.; Friday June 15, 2001, 8:30 a.m.

PLACE: Holiday Inn Select, Sanibel-Cayo Costa Room, 13051 Bell Tower Dr., Ft. Myers, FL 33907, (941)482-2900

PURPOSE: Rule Hearing/Adoptions; Nursing Education Program Requests and Reports; Advanced Registered Nurse Practitioners Certificates and matters relating advanced nursing practice; Continuing Education matters; Legal and Disciplinary Actions; Licensing Problems, Informal Hearings, Declaratory statements, Correspondence and other miscellaneous matters relating to the practice of nursing.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CHANGE - The Department of Health, Board of Physical Therapy Practice, Probable Cause Panel announces a conference call to which all persons are invited.

DATE AND TIME: May 22, 2001, 11:30 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting Betsey Hines, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255, (850)245-4372

PURPOSE: Reconsideration of cases previously heard by the Probable Cause Panel. Following the public portion of the meeting, the doors will be closed to the public.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

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 Florida **Department of Health**, Bureau of Epidemiology, on behalf of the Biomedical Research Advisory Council announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday May 25, 2001, 9:00 a.m. – 3:00 p.m.

PLACE: Wyndham Hotel/Westshore, 4860 West Kennedy, Tampa, Florida

PURPOSE: This meeting is to develop funding recommendations based on the criteria outlined in Section 215.5602, Florida Statutes.

CONTACT: To ensure adequate space, observers are asked to contact Cathy Hughes, (850)245-4444, Ext. 2438, by 5:00 p.m., Wednesday, May 23, 2001, to confirm attendance or to request accommodations such as assistive listening device, large print, sign language interpretation or other accommodations for persons with disabilities.

The Florida **Department of Health** announces a meeting of The KidCare Coordinating Council to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2001, 1:00 p.m. – 4:00 p.m.

PLACE: The Capital Circle Office Center, The Betty Easley Building, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida, Department of Health, will meet to discuss KidCare, Florida's child health insurance program. The Council is charged with offering guidance to the Department and to the Secretary as well as other state government groups about possible changes and adjustments to the KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change or Congressional action.

A copy of the agenda may be obtained from: Francine Millinor, The Chiles Center, (850)487-6277, fmillino@com1.med.usf.edu

The Florida **Department of Health** announces the Women and Heart Disease Task Force meeting to which all persons are invited.

DATE AND TIME: Friday, May 21, 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 **Tobacco-Free Partnership of Bay County** will hold a public meeting to which all persons are invited to attend.

DATE AND TIME: Wednesday, May 23, 2001, 4:00 p.m.

PLACE: Bay County Health Department, 597 West 11th St., Panama City, Florida 32401

PURPOSE: Purpose is to review proposed FY 01-02 workplan and budget.

A copy of the agenda may be obtained by writing: Tobacco Prevention Coordinator, Bay County Health Department, 597 West 11th Street, Panama City, Florida 32401.

If any person decides to appeal any decision made at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence 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 Tobacco-Free Partnership, (850)872-4455, Extension 136, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the above number 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 CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 12, Alcohol, Drug Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2001, 4:00 p.m.

PLACE: Daytona Beach Service Center, Conference Room 148, 210 North Palmetto Avenue, Daytona Beach, Florida

PURPOSE: Re-designation of Halifax Medical Center as a Baker Act Receiving Facility.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Home Ownership Construction Loan Cycle announces Review Committee meetings for the 2000 competitive cycle to which all interested parties are invited.

DATE AND TIME: Monday, May 21, 2001, 10:00 a.m. – 12:00 pm. (Prior to scheduled meeting, interested parties are advised to confirm the meeting date and time by calling Florida Housing, (850)488-4197 or checking Florida Housing’s web site at www.floridahousing.org.)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

PURPOSE: To conduct discussions, reviews and make decisions in reference to the scoring of the 2000 Home Ownership Construction Loan Application Cycle.

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**, Combined Rental Cycle announces Review Committee meetings for the 2001 competitive cycle to which all interested parties are invited.

DATES AND TIME: Tuesday, May 22, 2001; Tuesday, May 29, 2001; Tuesday, June 5, 2001; Tuesday, July 17, 2001; Tuesday, July 24, 2001; Tuesday, July 31, 2001; Tuesday, August 7, 2001, 10:00 a.m. Prior to each scheduled meeting, interested parties are advised to confirm the meeting date and time by calling Florida Housing, (850)488-4197 or checking Florida Housing’s web site at www.floridahousing.org.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida 32301-1329

PURPOSE: To conduct discussions, reviews and make decisions in reference to the scoring of the 2001 Combined Rental Application Cycle.

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).

VISIT FLORIDA

The Florida Commission on Tourism announces a public meeting of the **VISIT FLORIDA**, Board of Directors Finance Committee to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2001, 10:00 a.m. – 3:00 p.m.

PLACE: Hospitality Square, 200 W. College Avenue, Tallahassee, FL 32301

PURPOSE: The committee will discuss the Florida Tourism Marketing Industry Corporation d/b/a VISIT FLORIDA FY 2001/2002 budget and other business as necessary.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100 or (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces scheduling of a Management Board Meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2001, 9:00 a.m.

PLACE: University of South Florida, Bayboro Campus, Davis Hall, Room 130, St. Petersburg, Florida

PURPOSE: Action will be taken on items related to the annual TBEP work plan, TBEP mid-year budget and funding of the PORTS project.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Management Board to any matter considered at the above cited meeting, he will

need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Estuary Program** announces scheduling of a Policy Board meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2001, 1:30 p.m.

PLACE: University of South Florida, Bayboro Campus, Davis Hall, Room 130, St. Petersburg, Florida

PURPOSE: Action will be taken on items related to the annual TBEP work plan, TBEP mid-year budget and funding of the PORTS project.

Please note that if a person decides to appeal any decision made by the Tampa Bay Estuary Program Policy Board to any matter considered at the above cited meeting, 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.

SUNSHINE STATE ONE CALL OF FLORIDA

The **Sunshine State One Call of Florida**, Inc. (SSOCOF) announces its Annual Membership Meeting and Committee meetings to which all interested persons are invited.

DATE AND TIME: May 17, 2001, 9:00 a.m.

PLACE: SSOCOF Call Center, 11 Plantation Road, DeBary, FL 32713

PURPOSE: Overview of the 2000-2001 fiscal year and annual elections for open positions on the Board of directors. Each member company of SSOCOF is entitled to one vote in the Board of Directors elections. Voting will be conducted at the meeting. Mail ballots will not be allowed. Candidates must meet the following criteria:

- Be an employee of a primary member.
- Be able to dedicate a minimum of two business days every other month to damage prevention and call center business.
- Be experienced, knowledgeable and interested in damage prevention and call center activities.
- Obtain a letter from their employer who supports their candidacy.

Potential candidates should email or fax pertinent information and their employer's letter to dberwin@worldnet.att.net or (850)926-8448, by 5:00 p.m., Friday, May 11, 2001. Immediately before the elections, candidates will be offered an opportunity to speak in support of their candidacy; however, nominations will be accepted from the floor.

Board of Directors Meeting

TIME: Immediately following Annual Meeting

PURPOSE: Election of officers and other matters that affect the operation of the call center.

Committee Meetings

TIME: The following committees will meet concurrently at 1:30 p.m.: Operations Committee, Safety and Compliance Committee, Finance Committee.

Board of Directors Meeting

TIME: Immediately following the concurrent committee meetings

PURPOSE: To review and ratify committee meeting discussion points and motions.

Any person requiring some accommodation at this meeting because of a physical impairment should call the One-Call Notification Center, (407)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the One-Call Notification Center through the Florida Relay Center, 1(800)955-8771.

FLORIDA'S COMMISSION ON RESPONSIBLE FATHERHOOD

The **Florida's Commission on Responsible Fatherhood** announces the following meeting to which all interested parties are invited to attend.

DATES AND TIMES: May 17, 2001, 10:00 a.m. – 5:00 p.m.; May 18, 2001, 8:00 a.m. – 12:00 Noon

PLACE: Comfort Inn Ocean Front Hotel, Blue Heron Room, 1515 North First Street, Jacksonville, FL 32250, 1(800)654-8776

PURPOSE: Florida's Commission of Responsible Fatherhood will be having a public meeting and will take testimony on all issues concerning responsible fatherhood. Public Testimony, 6:00 p.m. – 7:00 p.m., May 17, 2001.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Anne Carpenter, Florida's Commission of Responsible Fatherhood, (850)488-4952, at least five calendar days prior to the meeting.

CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

The **Charlotte Harbor National Estuary Program** announces a scheduled Policy Committee meeting to which all persons are invited.

DATE AND TIME: Friday, May, 18, 2001, 9:00 a.m.

PLACE: Lemon Bay Park, 570 Bay Park Blvd., Englewood, Florida

PURPOSE: Regular Meeting of the CHNEP Policy Committee.

A copy of the agenda may be obtained by writing: CHNEP, 4980 Bayline Dr., N. Ft. Myers, FL 33917 or by calling Ms. Patti Armbruster, (941)995-1777.

Please note that if a person decides to appeal any decision made by the Charlotte Harbor National Estuary Program Policy Committee with respect to any matter considered at the

above cited workshop, 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 based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations due to disability or physical impairment should contact Ms. Patti Armbruster, (941)955-1777, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA RESIDENTIAL PROPERTY AND CASUALTY JOINT UNDERWRITING ASSOCIATION

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Investment Committee to which all interested persons are invited.

DATE AND TIME: Monday, May 21, 2001, 9:00 a.m. (EDT)

PLACE: Hilton Miami Airport and Towers, 5101 Blue Lagoon Drive, Miami, FL, (305)262-1000

PURPOSE: Items of discussion include, but are not limited to, year end investment results.

For additional information, please call 1(800)807-7647, Extension 3761.

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Audit Committee to which all interested persons are invited.

DATE AND TIME: Monday, May 21, 2001, 10:30 a.m. (EDT)

PLACE: Hilton Miami Airport and Towers, 5101 Blue Lagoon Drive, Miami, FL, (305)262-1000

PURPOSE: Items of discussion include, but are not limited to, 2000 audited financial statements and year end loss reserve analysis.

For additional information, please call 1(800)807-7647, Extension 3761.

The **Florida Residential Property and Casualty Joint Underwriting Association** announces a meeting of its Board of Governors to which all interested persons are invited.

DATE AND TIME: Monday, May 21, 2001, 1:00 p.m. (EDT)

PLACE: Hilton Miami Airport and Towers, 5101 Blue Lagoon Drive, Miami, FL, (305)262-1000

PURPOSE: Items of discussion include, but are not limited to, review of audited financial statements and 2001 reinsurance program.

For additional information, please call 1(800)807-7647, Extension 3761.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2001, 1:30 p.m.

PLACE: Moffitt Board Room, 12902 Magnolia Drive, Tampa, FL

PURPOSE: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer, by Monday, May 18, 2001.

NORTHEAST FLORIDA AREA AGENCY OF AGING

The **Northeast Florida Area Agency on Aging** (PSA4) announces a Budget/Finance Committee meeting and a Board of Directors meeting to which all person are invited.

DATE AND TIMES: May 23, 2001, Budget and Finance Committee, 2:00 p.m.; Board of Directors Meeting, 2:30 p.m.

PLACE: Flagler Hospital, Houston Conference Room, St. Augustine, Florida

PURPOSE: General Board business and voting on committee recommendations.

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 4401 Wesconnett Blvd., 2nd Floor, Jacksonville, FL 32210, (904)777-2106.

FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

NOTICE OF CHANGE – The **Florida Center for Solid and Hazardous Waste Management Research Selection Committee** meeting (not the Advisory Board as previously advertised) to which all interested persons are invited.

DATE AND TIME: May 30, 2001, 9:00 a.m. – 2:00 p.m.

PLACE: Best Western Gateway Grand, Gainesville, Florida

For Further Information: Please call (352)392-6264 or visit our web site at www.floridacenter.org.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended announces a public meeting as follows.

DATE AND TIME: Wednesday, May 30, 2001, 11:00 a.m.

PLACE: Pennington Law Firm, 215 South Monroe Street, 2nd Floor, Tallahassee, FL 32301

PURPOSE: Board of Directors' Meeting

A copy of the proposed agenda may be obtained by writing: Mr. Ryland B. Musick, Executive Director, Florida Comprehensive Health Association, 1210 East Park Avenue, Tallahassee, Florida 32301, (850)309-1200 or by facsimile, (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors announces three public meetings via conference call to which all interested parties are invited.

EXECUTIVE COMMITTEE

DATES AND TIMES: Tuesday, May 29, 2001, 9:30 a.m.; Tuesday, June 12, 2001, 9:30 a.m.

PLACE: FLSO, 114 S. Duval Street, Tallahassee, FL 32301

PURPOSE: FLSO Office Space.

BOARD OF GOVERNORS

DATE AND TIME: Wednesday, June 13, 2001, 2:00 p.m.

PURPOSE: FLSO Office Space.

A copy of the agenda may be obtained by sending a faxed request to Kristen Bertagnolli, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Kristen a week prior to the meeting, (850)224-7676, Ext. 16.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by Bart Wright, Fire Protection Inspector, Casselberry Fire Department, 95 Triplet Drive, Casselberry, Florida 32707 on April 10, 2001. The following is a summary of the agency's disposition of the petition:

1. A local fire official must not be subject to, or under the control of, the local building official in matters involving firesafety inspections.

2. The local building official is not permitted to overrule the local fire official in matters involving firesafety inspections (nothing in the declaratory statement is intended to mean that the local fire official may not be subject to the local building official for strictly administrative or time management purposes).
3. If a dispute arises involving the firesafety code and the building code, the dispute must be resolved in accordance with subsection (7) of Section 553.73, Florida Statutes.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604.

NOTICE IS HEREBY GIVEN that the Department of Insurance, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed April 23, 2001, by Roy Van Wyk, Chief Electrical Official, Miami-Dade County Building Department. The Petition is seeking the Department's interpretation of Sections 633.01 and 633.081, Florida Statutes, as they apply to the Petitioner's circumstances regarding jurisdiction to review plans of, and inspect, fire alarm systems. Petitioner specifically requests a declaratory statement on the following questions:

1. Does Chapter 633, Florida Statutes, and the rules promulgated thereunder provide exclusive jurisdiction to the fire marshal on all fire alarm plans reviews and inspections?
2. If not, to what extent may the local electrical official enforce the provisions of the National Fire Alarm Code (NFPA 72)?
3. Do persons performing plans reviews and inspections for compliance with NFPA 72 require certification under Chapter 633, Florida Statutes?

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Michael Newell. The Petitioner requested that the Department of Corrections amend Rule 33-103.014(1)(a), Florida Administrative Code, to include a more precise definition of the term "issue" as it applies to the determination of whether a grievance concerns more than one issue or complaint.

The Department denied Inmate Newell's Petition to Initiate Rulemaking because the requested amendment is unnecessary. Inmates may grieve the return of a grievance that is alleged to contain more than one issue or complaint. It is not practical to attempt to create a definition of what an "issue" is in view of the wide variety of matters on which inmates may file 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

NOTICE IS HEREBY GIVEN that the Board of Professional Surveyors and Mappers has received a Petition for Declaratory Statement of Rule 61G17-2.001(6)(e), Florida Administrative Code, which was filed April 5, 2001, by Larry L. Evans. Petitioner requests a declaratory statement from the Board regarding the payment of a transaction fee to a marketing organization soliciting business.

The Board will address this matter at its regularly scheduled board meeting which will be held on May 31, 2001, 9:00 a.m. at the Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202, (904)355-6664.

A copy of the Petition for Declaratory Statement may be obtained by writing: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Fish and Wildlife Conservation Commission received a Petition for Declaratory Statement on April 10, 2001, from Dr. Marvin Frandsen. Petitioner seeks the agency's opinion as to whether Rule 68B-3.002(1), F.A.C., allows the agency's Law Enforcement Officers to enforce local county or municipal ordinances.

A copy of the petition may be obtained by contacting: Linda Davis, Acting Agency Clerk, Fish and Wildlife Conservation Commission, Office of the General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

NOTICE IS HEREBY GIVEN that the Fish and Wildlife Conservation Commission has issued a Declaratory Statement in response to the petition of David L. Luikart, III. The statement, issued April 26, 2001, holds that Rule 68B-24.004(3), F.A.C., operates to limit the number of spiny lobster possessed aboard a vessel with any number of Special Recreational Crawfish License-holders and regular harvesters to 50 lobster, at any time.

A copy of the declaratory statement may be obtained by writing: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**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:

Cynthia Gibson and William Jibb vs. Department of Banking and Finance; Case No. 01-1138RP; Case No.: 3C-560.805

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Save the Manatee Club, Inc. vs. Fish and Wildlife Conservation Commission; Case No.: 00-1068RP; Rule No.: 68C-22.005(2)(d)8.,(i); Voluntary Dismissal

**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

**REQUESTING BIDS FOR FURNISHING
INSTRUCTIONAL MATERIALS TO THE STATE OF
FLORIDA**

Sealed bids, addressed to the Florida Department of Education and marked "Sealed Bid," will be received in the offices of the Commissioner of Education no later than 5:00 p.m. (EDT), June 4, 2001.

Bids shall include proposals for furnishing instructional materials effective April 1, 2002, for a period six years in the areas of Developmental Reading K-5, Developmental and Remedial Reading 6-8 and Remedial Reading 9-12. A detailed list of the selection criteria may be obtained from the

Instructional Materials Office, Room 532 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or by accessing the Department of Education website at <http://www.firn.edu/doe/bin00015/home0015.htm>. The bid shall state the lowest wholesale price at which the materials will be furnished, f.o.b. to the Florida depository of the bidder. Official minimum standards and specifications for paper, printing, binding, binderboard and cover fabric have been adopted by the Department of Education and are available for inspection in Room 532, Turlington Building.

Each bidder shall furnish specimen copies of all materials submitted at a time designated by the Department of Education, which specimen copies shall be identical with the copies approved and accepted by the state instructional materials committee and copies furnished to district superintendents as provided in Section 233.18, Florida Statutes.

Contracts must be executed and required bonds submitted within 30 calendar days after receipt of the contract.

The Department of Education reserves the right to reject any or all bids.

Florida Department of Education
Charlie Crist
Commissioner of Education

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida State University announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project No.: BR-264

Project and Location: Seminole Dining Hall Renovation
Johnston Building
Florida State University
Tallahassee, Florida

This project consists of renovation of 10,968 GSF for the Seminole Dining Hall and related facilities for the purpose of restoring dining facilities to the Johnston Building. Renovation work will include demolition, hazardous materials abatement, historic restoration and repair/replacement of interior finishes, building systems upgrades, code corrections/upgrades and coordination of food service design. When completed, the facility will house a 200 seat dining room with adjacent kitchen and support spaces to be operated by a food vendor contracted through the University's Business Services Department. It is anticipated that the food vendor will provide interior design consulting services for the food prep, serving, and dining area.

The selected firm will be required to provide design, construction documents and construction administration for the referenced project. Project construction budget is estimated to be \$1,845,000. Construction may be delivered using either Sealed Bid or the Construction Management method. Blanket

professional liability insurance will be required for this project in the amount of \$250,000 and will be provided as a part of basic services.

INSTRUCTIONS

Firms desiring to apply for consideration must submit a letter of application. The letter of application must have the following items attached:

1. The most recent 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. The 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 five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application information will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained by visiting our web site at <http://www.fpc.fsu.edu/> and by contacting:

Kim Ball, Project Manager
Facilities Planning and Construction
109 Mendenhall Building A, The Florida State University
Tallahassee, FL 32306-1098
Telephone: (850)644-3591, Fax: (850)644-8351

Submittals must be received at the above address by 2:00 p.m. (Local Time), Friday, June 8, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project and Location: John and Mabel Ringling
Museum of Art
Expansion/Renovations
and Other Projects
Florida State University
Sarasota, Florida

The University is planning to expand and renovate facilities related to the John and Mabel Ringling Museum of Art. This project consists of three related components: The Museum of Art Education Facility; The Art Collections Facility; and The Art Museum West Wing Renovation. The first two components will be located in the vicinity of the Museum of Art while the third is a part of the existing Museum of Art building. The Museum of Art and other campus attractions will remain open to the public and in full operation during construction.

The Museum of Art Education Facility

This component involves the construction of new facilities (approximately 97,000GSF) that will function as an adjunct of the existing Museum of Art. The construction budget is currently established at \$20,044,844. The facility will provide spaces for visitor services, art exhibition, educational K-12/DOE outreach, educational archives/exhibits, archives, library and related support and ancillary spaces. This facility may also include a small theater.

Art Collections Facility

This component involves the construction of new facilities (approximately 34,438GSF) that will function as an adjunct of the existing Museum of Art. The construction budget is currently established at \$5,963,343. The facility will provide spaces for the storage of art collections and exhibit materials, administration/support and related ancillary spaces.

West Wing Renovation

This component provides for the renovation of the West Wing (approximately 29,100GSF) of the existing Museum of Art. The construction budget is currently established at \$3,286,960. All three floors will be renovated to provide spaces for administration, exhibition/exhibition support, technology support, building services, and related ancillary areas.

RELATED INFORMATION:

The University is in the process of developing the facilities program. The selected firm will provide basic planning, program review, design and construction administration services. The estimated construction budget for all work contemplated is \$29,295,147; this amount is subject to change. Construction on the project will be delivered using the construction management system. Blanket professional liability insurance will be required for this project in the amount of \$3,000,000, and will be provided as a part of Basic Services.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated either 2/99 or 9/99. Applications on any other form or on versions dated prior to 2/99, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained through our website: www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, (850)644-8351 Facsimile.

For further information on the project, contact: John Schanbacher, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m. (Local Time), Thursday, June 21, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida announces that Professional Services in the discipline of Program Management will be required for the project listed below:

Project and Location: John and Mabel Ringling
 Museum of Art
 Expansion/Renovations
 and Other Projects
 Florida State University
 Sarasota, Florida

The Florida State University is seeking the services of a qualified firm to provide program management services for various new construction and renovations work planned for the FSU Ringling Center For The Cultural Arts located in Sarasota, Florida. The selected firm will provide services for the following project and for such other projects at the FSU Ringling Center For The Cultural Arts as may be designated by the University. The University is planning to expand and renovate facilities related to the John and Mabel Ringling Museum of Art. This project consists of three related components: The Museum of Art Education Facility; The Art Collections Facility; and The Art Museum West Wing Renovation. The first two components will be located in the vicinity of the Museum of Art while the third is a part of the existing Museum of Art building. The Museum of Art and other campus attractions are expected to remain open to the public and in full operation during construction. The selected firm will be responsible to and will work under the direction of the FSU Facilities Planning and Construction Department. The Program Manager will be responsible for providing local representation for the Department on matters concerning the above projects including, but not limited to: monitoring the progress and quality of design and construction activities related to the above projects to ensure compliance with the facilities program and with the approved budget and schedule; assisting the architect and construction manager in working with federal, state and local government agencies on permitting and other issues; assisting with conflict resolution among the parties and providing local coordination for all project team members including the Museum of Art management. The Program Manager will ensure that the FSU Facilities Planning and Construction Department project manager and, as appropriate, other team members are kept timely and adequately informed of the status of the projects, including any problems or issues related thereto design, construction documents and administration for the referenced project which is budgeted at for construction. Construction on the project will be accomplished through the construction management system. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services.

INSTRUCTIONS

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated either 2/99 or 9/99. Applications on any other form or on versions dated prior to 2/99, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information and selection criteria may be obtained through our website: www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, (850)644-8351 Facsimile.

For further information on the project, contact: John Schanbacher, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m. (Local Time), Thursday, June 21, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

**NOTICE OF EXTENSION TO PROFESSIONAL
CONSULTANTS AND CONSTRUCTION MANAGERS
(ATTN: ENVIRONMENTAL CONSULTANTS)**

Florida A & M University, on behalf of the State of Florida, Board of Regents, previously announced (FAW Vol. 27, No. 13, March 30, 2001, Section XI – Notices Regarding Bids, Proposals and Purchasing, Pages 154-42) to professional consultants and construction managers that professional services for Continuing Contract projects are required in the following discipline(s): Architect (1), Mechanical/Electrical Engineer (1), Environmental Consultant (1), Construction Manager (1).

Sufficient response was not received in the category of environmental consultation, therefore, the university hereby notify all environmental consulting firms that the submittal receipt date for this category has been extended for two (2) weeks from the date of this publication.

EXTENSION: Submittals must be received in the office of Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, Attn.: Henry

Swift, Associate Director, by 2:00 p.m. (Local Time), May 25, 2001. Facsimile (FAX) submittals (not acceptable) will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

Florida A & M University, on behalf of the State of Florida, Board of Regents announces that construction management services will be required for the project listed below:

College of Law Building, Florida A & M University, Orlando, Florida.

This project consists of constructing a 160,385 square foot academic space for the College of Law Building. The building will house administration, classrooms, library, study, trial and moot court rooms. The College of Law site is bounded by Hughey Avenue, Washington Street, Beggs Avenue and Robinson Street adjacent to Interstate Four (I-4) in Downtown Orlando. The site consists of approximately 3.77 acres and is located across the street from the Zora Neal Hurston State Building on the west and the Federal Court House on the south. The estimated construction budget is \$22,474,985.

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 75% 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, the latest documentation prepared by the project architect/engineer and a description of the final interview requirements. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Alice Williams, Secretary or Samuel Houston, Director, Facilities Planning and Construction by E-Mail: alice.williamst@famu.edu and/or Telephone (850)599-3197, Fax: (850)561-2289.

Six (6) coil, comb, spiral or ring (no hard, solid or tack) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307.

Submittals must be received by 3:00 p.m. (Local Time), June 27, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida and The University of West Florida announce that professional services for minor projects are required in the following discipline Campus Service Landscape Architect at The University of West Florida in Pensacola, Florida.

Minor projects are specific projects for renovations, alterations, utility and electrical projects and studies that have a basic construction budget estimated to be \$1,000,000, or less, or studies for which the fee for professional services is \$100,000, or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1-June 30.

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. A completed Board of Regents "Professional Qualifications Supplement" Revised September 1999.
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 with the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application information 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 287.017, 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 \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information and selection criteria may be obtained by contacting:

Phillip Turner, Director, Facilities Planning
 Office of Facilities Planning
 University of West Florida
 11000 University Parkway
 Pensacola, Florida 32514
 (850)474-2938

Submittals must be received in the University of West Florida, Office of Facilities Planning, Building 90, by 4:00 p.m., June 7, 2001.

ADVERTISEMENT FOR BIDS

For

General Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until 2:00 p.m., Tuesday, June 12, 2001, recorded below and immediately thereafter publicly opened and recorded in Room 513B, 1701 Prudential Drive, Jacksonville, Florida 32207.

June 12, 2001

BIDS WILL BE OPENED AT 2:00 P.M.

DCSB Project No. C-90840 – New Elementary School “X” No. 217 (Hartsfield Road, Jacksonville, Florida)

New two-story, 87,000 square foot elementary school with one story kitchen/cafetorium. Structure is tilt-up concrete wall/steel frame. Site work includes new driveways, sidewalks, parking lots, associated water retention ponds, landscaping and irrigation system. A sewage lift station, underground septic tanks and natural gas tanks are part of the project. Electrical work includes an emergency generator. Mechanical work includes an air-cooled chiller. A portion of the building will be built as an Enhanced Hurricane Shelter.

The construction budget is \$7,777,548.00.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 29, 2001, 10:00 a.m., Duval County School Board Building, Room 307, 1701 Prudential Drive, Jacksonville, Florida 32207. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a fee of \$150.00 at the office of Reynolds, Smith and Hills, Inc., 4651 Salisbury Road, Suite 400, Jacksonville, Florida 32256, (904)296-2000.

Contract documents for bidding may be examined at but not obtained at Duval County Public Schools, Facilities Services, 5th Floor, 1701 Prudential Drive, Jacksonville, FL.

MBE Participation Goal: 10% AA; 3% HANA; 7% WBE

NOTICE TO PROFESSIONAL CONSULTANTS

For

Professional Services

Facilities Planning and Construction announces that Mechanical/Engineer services are required for a project entitled Replace Unit Ventilators and Controls at Andrew Jackson High School, No. 35 for Duval County Public Schools. The work shall to consist of major maintenance to replace HVAC unit ventilators and their controls throughout the Main Building No. 1.

Applications are to be sent to:

Facilities Planning
and Construction
1701 Prudential Drive
5th Floor
Jacksonville, FL 32207-8182

PROJECT NO.: M-88630
PROJECT MANAGER.: Kevin Trussell
PHONE NO.: (904)390-2279
PROJECT BUDGET: \$800,000.00
CONSTRUCTION BUDGET: \$585,000.00
RESPONSE DUE DATE: June 13, 2001
MBE GOALS: 20% Overall

INSTRUCTIONS

Submit an original, and (4) copies of the following:

1. Letter of interest, which indicates the firm’s qualifications, related, experience, the firm’s abilities to do the work and other pertinent data.
2. Current edition of the Professional Qualifications Supplement (PQS) OFPC FORM 105-E.
3. Firm’s current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm’s current Florida corporate Charter.
5. Completed SF-254.
6. Completed SF-255.
7. Completed MBE FORM 1, MBE FORM 2A, MBE FORM 4, and joint Venture Form as appropriate.
8. Firms are required to demonstrate evidence of or the ability to secure Professional Liability Insurance including errors and omissions coverage in the minimum amounts of \$500,000 non-decreasing value minimum coverage for projects less than \$2,000,000 construction budget and \$1,000,000 non-decreasing value minimum coverage for projects of or greater than \$2,000,000 construction budget.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Selections will be made in accordance with Chapter 6A-2, Florida Administrative Code. Applicants are advised that plans and specifications for A/E projects may be reused.

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, requests 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 Policy Planning
13.4 Systems Planning
13.5 Subarea/Corridor Planning
13.6 Land planning/Engineering

PROJECT: Mobility Initiative to provide analysis and recommendations concerning the implementation of an elevated guideway project and other improvements recommended in the Locally Preferred Alternatives Report approved by the MPO in October, 2000. This project will be viewed as the current phase of a multi-phased initiative, with the intent of implementing an elevated guideway project. Previous phases included establishment of baseline studies and analysis of issues including the selection of viable corridor and transportation modalities, cost estimates, environmental and land use impact, private sector involvement and public involvement. The current phase will incorporate and enhance the work products of previous phases and community based guideway efforts wherever appropriate. Federal policies emphasize public/private partnerships in the implementation of transportation projects. As such, this project will be designed to encourage private sector participation in both this planning phase and in the eventual implementation process.

Since this initiative and its feasibility may utilize approaches or methods that rely upon a whole new approach legislatively, administratively and technically, flexibility will be required.

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 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. Preference points will be given in the technical proposal evaluation for certified DBE consultants and non-DBE consultants who propose certified DBE subconsultants.

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 in 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 to 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 ensure 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 Karen Cunningham, (727)464-4751. Consultants are required to submit a Letter of Response to the Pinellas County Metropolitan Planning Organization and the Florida Department of Transportation 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. Subconsultants that may be used for the project
5. Relevant past experiences
6. Name(s) of DBE-Certified subconsultants that may be used for the project, if any.

SHORTLIST SELECTION PROCESS: From the Letters of Response received, the MPO and the Department 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, c/o Lorraine Odom, (850)414-4485, prior to the response deadline.

REQUESTING UNITS: The Pinellas County MPO
and FDOT, District VII,
Tampa

LETTERS OF RESPONSE ADDRESS:

Three (3) copies to: Pinellas County
 Metropolitan Planning
 Organization
 Attention: Karen
 Cunningham, Planner
 14 South Fort Harrison
 Avenue
 Clearwater, FL 33756
 Telephone: (727)464-4751

One (1) copy to: Florida Department of
 Transportation, District VII
 Attention: Edward
 McKinney
 11201 North McKinley
 Drive, MS #7-700
 Tampa, FL 34612-6430
 Telephone: (813)975-6000

LETTER OF RESPONSE DUE: May 25, 2001, 5:00 p.m.
 (EST)

DEPARTMENT OF ELDER AFFAIRS

REQUEST FOR PROPOSAL
 No. Osteo 01-02

Sealed bids will be accepted in the Bureau of Self Care and Community Volunteer Initiatives of the Department of Elder Affairs, 4040 Esplanade Way, Building B, Suite 280P, Tallahassee, FL 32399-7000, until 12:00 Noon, (EDT), June 19, 2001, for the following:

**OSTEOPOROSIS EDUCATION AND
 SCREENING PROGRAM**

The Request for Proposal will be available for distribution between May 11, 2001, and June 7, 2001, and may be obtained in person (Monday through Friday, 9:00 a.m. – 4:00 p.m.) and upon written request from: Division of Self Care and Community Volunteer Initiatives, 4040 Esplanade Way, Building B, Suite 280P, Tallahassee, Florida 32399-7000.

A copy of the Request for Proposal may also be obtained by sending a written request via Fax to Ken McLeod, (850)414-2002 or Suncom 994-2002. The request for Proposal will be mailed to those who request a copy in writing (including FAX requests). Additionally, copies of the RFP should be available on the department’s internet website, at <http://elderaffairs.state.fl.us>

The scope of the osteoporosis education and screening program is statewide and the period of the program is twelve months from the effective date of the contract or July 1, 2001, whichever is sooner.

Notice of Intent to Submit a Proposal: Information regarding any addenda to the RFP and copies of written departmental responses to questions resulting in clarifications or addenda to

the RFP, will only be sent to those proposers submitting a Notice of Intent to Submit a Proposal and other interested persons who request, in writing, copies of the RFP. Note: The lack of submission of the Notice of Intent or written request on the part of a proposer does not eliminate the proposer from submitting a bid on the project. Deadline for submission of the Notice of Intent is due no later than June 7, 2001, 4:00 p.m. (EDT). Notice of Intent must be submitted to the issuing office. Certified Minority Business Enterprises and minorities are encouraged to participate. The Department of Elder Affairs reserves the right to reject any and all proposals and to accept minor irregularities in the best interest of the state.

DEPARTMENT OF MANAGEMENT SERVICES

**NOTICE TO PROFESSIONAL CONSULTANTS
 FOR PROFESSIONAL SERVICES FOR CONTINUING
 AREA CONTRACTS FOR ARCHITECTURAL
 SERVICES AREA 2**

The State of Florida, Department of Management Services, requests qualifications from Architectural firms to provide services as stated in Area 2, counties of Dixie, Franklin, Gadsden, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor, Wakulla; and other area counties as may be determined necessary by the owner. Two firms may be selected under this Continuing Area Contract and will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

RESPONSE DUE DATE: June 13, 2001, by 5:00 p.m. (Local Time)

Applications are to be sent to: Carole Nichols, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 125A, Tallahassee, Florida, 32399-0950, (850)487-2824.

DATE AND LOCATION OF SHORTLIST: June 26, 2001, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115K, Tallahassee, FL 32399-0950.

DATE AND LOCATION OF INTERVIEWS: July 9, 2001, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115K, Tallahassee, FL 32399-0950.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Betty Stevens, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay

System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppoportun/index.html>

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm’s qualifications, related experience, the firm’s abilities to do the work and other pertinent data.
2. Professional Qualifications Supplement (PQS) Form DBC5112, Revised 2/99.
3. A copy of the firm’s current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm’s current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Selected firms will be given official notice of selection results by Fax and/or mail. Failure to file a protest within 72 hours (not including Saturday, Sunday or a legal holiday) after receipt of notice shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The selection results will be published in the Florida Administrative Weekly and on our website.

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR PROFESSIONAL SERVICES FOR CONTINUING
AREA CONTRACTS FOR
MECHANICAL/ELECTRICAL/PLUMBING
PROFESSIONAL SERVICES AREA 2**

The State of Florida, Department of Management Services requests qualifications from Mechanical, Electrical and Plumbing design and engineering firms to provide services as stated in Area 2, counties of Dixie, Franklin, Gadsden, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor, Wakulla; and other area counties as may be determined necessary by the owner. The firm selected under

this Continuing Area Contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$500,000 (construction) and \$25,000 (fees) respectively, provided for in Section 287.055, Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

RESPONSE DUE DATE: June 12, 2001, by 5:00 p.m. (Local Time)

Applications are to be sent to: Carole Nichols, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 125A, Tallahassee, Florida 32399-0950, (850)487-2824.

DATE AND LOCATION OF SHORTLIST: June 26, 2001, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115K, Tallahassee, FL 32399-0950.

DATE AND LOCATION OF INTERVIEWS: July 10, 2001, Department of Management Services, Division of Building Construction, 4050 Esplanade Way, Suite 115K, Tallahassee, FL 32399-0950.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Betty Stevens, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/oppoportun/index.html>

INSTRUCTIONS

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm’s qualifications, related experience, the firm’s abilities to do the work and other pertinent data.
2. Professional Qualifications Supplement (PQS) Form DBC5112, Revised 2/99.
3. A copy of the firm’s current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm’s current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Please include one stamped, self-addressed envelope for notice of selection results. Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be

submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Selected firms will be given official notice of selection results by Fax and/or mail. Failure to file a protest within 72 hours (not including Saturday, Sunday or a legal holiday) after receipt of notice shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The selection results will be published in the Florida Administrative Weekly and on our website.

**NOTICE TO PROFESSIONAL CONSULTANTS
CONSTRUCTION MANAGEMENT ELECTRICAL
SERVICES CONTINUING AREA CONTRACTS FOR
AREAS 5 AND 6 COMBINED**

The Department of Management Services requests qualifications from electrical contractors licensed in the State of Florida and certified to do fire alarms, to provide electrical services. These services shall include, but are not limited to, electrical construction, construction management, turnkey construction, emergency services, medium voltage to low voltage sub-stations and switchgear and related over-current relaying and protective devices. Services will be required in Area 5 counties of Citrus, Hardee, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, Sarasota, Sumter; combined with Area 6 counties of Brevard, Lake, Orange, Osceola, Seminole, Volusia and other counties as may be determined necessary by the owner. The Department of Management Services will enter into a contract with up to two Construction Management firms with responsibility for performance of construction contracts, which will vary in size up to \$500,000, functioning as an independent contractor. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Specific Qualifications:

1. Fully staffed office with maintenance and management expertise
2. Full time personnel with experience and training in medium voltage systems is essential. Resume and employment data will be required. Personnel with less than five (5) years with the company will not be considered as full time.
3. Experience with renovation, repair and replacement of unit substations in critical and power loss sensitive locations is essential. Job histories relating this type experience are requested. Training histories, which show steady personnel growth in these areas, is essential.

Selection of finalists for interview will be made on the basis of construction manager qualifications including experience and ability, bondability, record-keeping/administrative ability,

scheduling expertise, cost estimating and cost control ability, quality control capability, qualifications of involved management staff and ability to involve Minority Business Enterprises. The selection will be made in accordance with Section 255.29(3), Florida Statutes. Finalist will be required to make oral presentations and the Selection Committee may reject all proposals and stop the selection process at any time.

INSTRUCTIONS

Firms interested in being considered for this project must submit four copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085 revised 3/00.
3. Resumes of proposed staff and staff organizations, including turnkey engineer to be used.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

RESPONSE DUE DATE: Tuesday, June 12, 2001, by 5:00 p.m.

Applications are to be sent to: Mrs. Carole Nichols, Department of Management Services, 4050 Esplanade Way, Suite 125A, Tallahassee, Florida 32399-0950. Facsimile (FAX) submittals are not acceptable and will not be considered. Applicants that do not comply with these instructions or those that do not include the requested data will not be considered. All information received will be maintained in the project file and will not be returned.

DATE AND LOCATION OF SHORTLIST: Tuesday, June 19, 2001, Department of Management Services, 4050 Esplanade Way, Suite 115K, Tallahassee, Florida 32399-0950

DATE AND LOCATION FOR INTERVIEWS: Thursday, June 28, 2001, Department of Management Services, 4050 Esplanade Way, Suite 115B, Tallahassee, Florida 32399-0950

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Betty Stevens, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Any changes to the above dates will be published on our website: <http://fcn.state.fl.us/dms/dbc/opportun/index.html>

The selected firms will be given official notice of selection results by Fax and/or mail. Please include one stamped, self-addressed envelope.

Failure to file a protest within 72 hours (not including Saturday, Sunday or a legal holiday) after receipt of notice shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The selection results will also be published in the Florida Administrative Weekly and on our website.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDRS 69-00/01

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: Ranger Residence and Shop
SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to construct a ranger residence and shop/laundry/storage facility with associated utilities to include telephone, electricity, water and sewer.

PARK LOCATION: Grayton Beach State Park
On S.R. 30-A, South of U.S. Hwy. 98
Santa Rosa Beach (Walton County)

PROJECT MANAGER: Kimsey Helms
Bureau of Design and Recreation Services

PHONE NUMBER: (850)488-5372

FAX NUMBER: (850)488-3537

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 Chapter 399, 489 and 633, Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

INSTRUCTIONS: 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, May 11, 2001 at:

Grayton Beach State Park
357 Main Park Road
Santa Rosa Beach, Florida 32459
Attention: Eric Kiefer, Park Manager
Telephone Number: (850)231-4214

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 3:30 p.m., Tuesday, June 5, 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

FISH AND WILDLIFE CONSERVATION COMMISSION

INVITATION TO BID

Competitive sealed invitation to bid will be received by the Purchasing Office until the time and date shown for the following:

DATE AND TIME: May 31, 2001, 2:00 p.m.
BID NO.: FWC 00/01-94
BID TITLE: REHABILITATION OF FACILITIES AT FISHEATING CREEK WILDLIFE MANAGEMENT AREA

MANDATORY PRE-BID: May 17, 2001, 10:00 a.m. – Directions: The Campground is located on the north bank of Fisheating Creek, west of US Hwy. 27 in Glades County FL. From the US Hwy. 27 bridge over Fisheating Creek proceed north on US 27 approximately 100 yards to a billboard stating “Fisheating Creek Campground”, turn left (west) onto the campground entrance road, proceed west, cross the railroad track and stop at the blue building on the right. (Contact Person: Don Poindexter, (850)488-3831)

PROPOSAL: Proposals must be submitted in full accordance with requirements of the Bidding and Contractual Conditions. Bid specifications may be obtained from the Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Purchasing Room 364, Bryant Building, Tallahassee, Florida 32399-1600. A copy of the ITB maybe obtained from the above address or by calling (850)488-3427. The Commission reserves the right to reject any and all bid/proposals.

PRO 2-1

PALM BEACH COUNTY WORKFORCE DEVELOPMENT BOARD

REQUEST FOR PROPOSALS FOR INDIVIDUAL TRAINING ACCOUNT AND OTHER TRAINING PROGRAMS

The Palm Beach County Workforce Development Board, Inc. (WDB) is accepting applications from licensed public and non-public schools to offer training via Individual Training Accounts (ITA) and other such occupational training programs. Training providers currently under contract with the WDB as a WIA statewide provider requesting renewal of their WDB contract must complete the entire RFP application package. The deadline for receipt of RFP responses is 5:00 p.m. (Eastern Daylight Time) as determined by WDB, May 18, 2001 at WDB’s administrative office, 2051 Martin Luther King, Jr. Blvd., Suite 302, Riviera Beach, FL. 33404, ATTN.: Kenneth E. Montgomery, without exception.

The RFP is available for pickup between the hours of 8:00 a.m. and 5:00 p.m., April 27, 2001 through May 18, 2001 at the WDB administrative office address stated above for a fee of \$20.00 per RFP application. Please make checks payable to the “Palm Beach County Workforce Development Board, Inc.”. The RFP is also available free of charge on WDB’s website at www.pbcworks.com. The RFP is available on the website in two formats: ASCII Text and Word 97 for Windows. WDB may change scheduled dates if it is to the advantage of WDB to do so. WDB will notify applicants of all RFP changes via posting on the WDB website, www.pbcworks.com., at the same location as the RFP. A technical assistance meeting to answer specific questions regarding the RFP will be held at WDB’s administrative office, Room 115, May 1, 2001, 9:00 a.m. The WDB complies with the provisions of the Americans With Disabilities Act. If you are a disabled person requiring

any accommodations or assistance, please notify the WDB, Kenneth E. Montgomery at least 72 hours (3 days) in advance. WDB encourages women and minority businesses to submit proposals.

HILLSBOROUGH COUNTY WORKFORCE BOARD

REQUEST FOR PROPOSAL REGISTRATION FORM

RFP Document Number: WtW-01-2001

RFP Document Number: WtW- 01-2001

Title: Welfare-to-work Aging out of Foster Care Services

Description: This RFP describes the requirements of the Hillsborough County Workforce Board, Inc. to obtain employment and training services for individuals aging out of the foster care system to enable them to reach economic self-sufficiency resulting in reduced Temporary Assistance for Needy Families (TANF) and Medicaid costs.

Procurement Submittal

Deadline: May 28, 2001, 5:00 p.m.

Pre-proposal response or submittal Questions/Clarifications: If interested contact: Man M. Le, Contract Manager, Hillsborough County Workforce Board, Inc., 9250 Bay Plaza Boulevard, Suite 320, Tampa, Florida 33619, (813)744-5547, Ext. 222, Fax (813)744-5764.

PINELLAS COUNTY HEALTH DEPARTMENT

INVITATION TO BID

Sealed bids will be accepted by the Pinellas County Health Department (PCHD), located at 300 31st St., North, Suite 602, St. Petersburg, FL 33713, until 1:00 p.m., May 30, 2001. Bid No. 0001-05-RW to furnish **PRINTER MAINTENANCE AND REPAIR** may be secured from the Purchasing Department within the PCHD at the above address, telephone no. (727)893-2209. Bid packages include specifications, terms and general conditions. Any “Certified Minority Business Enterprise” (pursuant to Section 288.703(2), F.S.) is encouraged to participate. Right is reserved for the PCHD to reject any or all bids. **SPECIAL NOTE:** If you require accommodations because of a disability in order to participate in the bid process, please contact Rick Wallace, (727)893-2209, Ext.137, by May 23, 2001.

DEPARTMENT OF MILITARY AFFAIRS**ADVERTISEMENT FOR BIDS**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LISCENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-200287 ACCOUNTING CODE:

PROJECT NAME AND LOCATION: Construct Building 3050 (Guard House) CBTS, Starke, Florida

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: An MBE participation goal of 10% has been established for this project. The Bidder is required to meet or exceed MBE participation goals or make good faith effort to contract with certified Minority Business Enterprises. The Bidder is advised to review the contract documents immediately in order to schedule the necessary tasks to accomplish good faith efforts.

QUALIFICATIONS: General Contractors licensed by the state of Florida.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor Material Payment Bond are not required.

Sealed bids will be received, publicly read aloud on:

DATE AND TIME: June 8, 2001, until 10:00 a.m. (Local Time)

PLACE: Robert F. Ensslin Armory, 2305 State Road 207, St. Augustine, Florida

PROPOSAL: Bids must be submitted to the Department of Military Affairs, CFMO ATTN: Woodruff Ken, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0288, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained, as of May 11, 2001, from Pitman, Hartenstein and Associates, Inc., (904)724-3546, for \$50.00 (non-refundable).

All Technical question shall be directed to the A/E.

ARCHITECT-ENGINEER: Pitman, Hartenstein and Assoc., Inc., 7820 Arlington Expressway, Suite 640 Jacksonville, Florida 32211

TELEPHONE: Mark Norton, (904)724-3546

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C., by the Owner. AWARD OF CONTRACT IS CONTINGENT UPON THE AVAILABILITY OF FUNDS.

Section XII Miscellaneous

DEPARTMENT OF BANKING AND FINANCE**NOTICE OF FILINGS**

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Section 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., June 1, 2001):

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Tri-County Bank, 302 North Main Street, Trenton, Florida 32693.

Selling Entity: Republic Security Bank, West Palm Beach, Florida (a branch located in Newberry, Florida).

Received: April 30, 2001

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Holmes Washington Teachers Credit Union, Post Office Box 246, Bonifay, Florida 32425

Expansion Includes: Retirees of the present field of membership.

Received: April 12, 2001

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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 Buell American Motorcycles, intends to allow the establishment of H-D St. Augustine Co., Inc. d/b/a Buell of St. Augustine as a dealership for the sale of Buell motorcycles at 3956 North Ponce De Leon Blvd., St. Augustine (St. Johns), Florida 32084, on or after April 26, 2001.

The name and address of the dealer operator(s) and principal investor(s) of H-D St. Augustine Co., Inc. d/b/a Buell of St. Augustine are: dealer operator(s) and principal investor(s): James and Myrtle Hollingsworth, 4798 Casa Cola Way, St. Augustine, FL 32084.

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.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, Room A-312, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Scott Manley, Manager, Dealer/Market Development, Buell American Motorcycles, 3700 West Juneau Avenue, Milwaukee, WI 53201-0653.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Mack Trucks, Inc., intends to allow the establishment of Nextran Corporation d/b/a Nextran Truck Center-Auburndale, as a dealership for the sale of Mack & Mack Mid-Liner trucks, at 4425 Avenue G, N. W., Winter Haven (Polk), Florida 33880, on or after March 13, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Nextran Corporation d/b/a Nextran Truck Center-Auburndale are: dealer operator(s) and principal investor(s): Jon W. Pritchett, 5213 S. W. 94th, Gainesville, FL 32608.

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, Neil Kirkman Building, Room A-312, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ronald B. Gerhard, Director Business Development, Mack Trucks, Inc., 2100 Mack Blvd., Allentown, PA 18103 or Box M, Allentown, PA 18105-5000.

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 MUZ of North America, Inc. d/b/a Motorrad of North America, intends to allow the establishment of RPM Motorcycles Inc., as a dealership for the sale of MZ Motorcycles, at 518 S. E. 2nd Street, Gainesville (Alachua), Florida 32601, on or after May 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of RPM Motorcycles, Inc. are: dealer operator(s) and principal investor(s): Marc Kradolfer, 110 S. E. 7th Ave., High Springs, FL 32643.

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.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, Room A-312, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ray Campanile, Vice President/GM, MUZ of North America, Inc., d/b/a Motorrad of North America, 771 Fentress Blvd., Unit 22, Daytona Beach, FL 32114.

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.

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, Neil Kirkman Building, Room A-312, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Kenneth R. Montler, President/COO, Global Electric Motorcars, LLC, 3601 7th Avenue, N. W., Fargo, ND 58102.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Global Electric Motorcars, LLC, intends to allow the establishment of Sarasota Chrysler Plymouth, as a dealership for the sale of GEM vehicles, at 6826 South Tamiami Trail, Sarasota (Sarasota), Florida 34231, on or after April 18, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Chrysler Plymouth are: dealer operator(s) and principal investor(s): Albert Berger, 6826 South Tamiami Trail, Sarasota, FL 34231.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

RECEIPT OF EXPEDITED APPLICATIONS

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

County: Sarasota Service District: 8

Facility/Project: The Glenridge on Plamer Ranch

Applicant: The Glenridge on Palmer Ranch, Inc.

Project Description: Establish a 37-bed sheltered nursing home

County: Palm Beach Service District: 9

Facility/Project: La Posada

Applicant: Westport Holdings PBG, Limited Partnership

Project Description: Establish 40 sheltered nursing home beds in La Posada CCRC

AHCA Purchase Order Number S5900I0310.

CERTIFICATE OF NEED
LETTERS OF INTENT

The Agency For Health Care Administration received and accepted the following letters of intent for the May 30, 2001 application filing date for the nursing home batching cycle:

County: Walton District: 1
 Date Filed: April 30, 2001 LOI#: N010401
 Facility/Project: Delta Health Care Center
 Applicant: Delta Health Group, Inc.
 Project Description: Add up to 10 community nursing home beds

County: Flagler District: 4
 Date Filed: April 30, 2001 LOI#: N010402
 Facility/Project: Life Care Health Resources, Inc.
 Applicant: Life Care Health Resources, Inc.
 Project Description: Construct up to a new 89-bed community nursing home

County: Volusia District: 4
 Date Filed: April 30, 2001 LOI#: N010403
 Facility/Project: ERM Healthcare, Inc.
 Applicant: ERM Healthcare, Inc.
 Project Description: Construct up to a new 89-bed community nursing home

County: Volusia District: 4
 Date Filed: April 30, 2001 LOI#: N010404
 Facility/Project: The Huntington, LLP
 Applicant: The Huntington, LLP
 Project Description: Add up to 89 community nursing home beds

County: Volusia District: 4
 Date Filed: April 30, 2001 LOI#: N010405
 Facility/Project: Life Care Health Resources, Inc.

Applicant: Life Care Health Resources, Inc.
 Project Description: Construct up to a new 89-bed community nursing home

County: Volusia District: 4
 Date Filed: April 30, 2001 LOI#: N010406
 Facility/Project: Woodlands Terrace Extended Care
 Applicant: Woodlands Extended Care, Inc.
 Project Description: Add 60 community nursing home beds to Woodland Terrace Extended Care

County: Pasco District: 5
 Date Filed: April 30, 2001 LOI#: N010407
 Facility/Project: Life Care Health Resources, Inc.
 Applicant: Life Care Health Resources, Inc.
 Project Description: Add up to 32 community nursing home beds

County: Pasco District: 5
 Date Filed: April 30, 2001 LOI#: N010408
 Facility/Project: Life Care Health Resources, Inc.
 Applicant: Life Care Health Resources, Inc.
 Project Description: Add up to 32 community nursing home beds

County: Hillsborough District: 6
 Date Filed: April 30, 2001 LOI#: N010409
 Facility/Project: Life Care Health Resources, Inc.
 Applicant: Life Care Health Resources, Inc.
 Project Description: Construct up to a new 149-bed community nursing home

County: Hillsborough District: 6
 Date Filed: April 30, 2001 LOI#: N010410
 Facility/Project: Life Care Health Resources, Inc.
 Applicant: Life Care Health Resources, Inc.

Project Description: Construct up to a new 149-bed community nursing home

County: Collier District: 8
Date Filed: April 30, 2001 LOI#: N010411

Facility/Project: Terracina, LLC
Applicant: Terracina, LLC

Project Description: Construct up to a new 43-bed community nursing home

County: Sarasota District: 8
Date Filed: April 30, 2001 LOI#: N010412

Facility/Project: Sarasota-Manatee Jewish Housing Council, Inc.

Applicant: Sarasota-Manatee Jewish Housing Council, Inc.

Project Description: Establish up to a 60-bed community nursing home

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after July 05, 2001 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on June 15, 2001.

AHCA Purchase Order Number S5900I003910

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Copies of the proposed Social Services Block Grant (Title XX) Pre-Expenditure Report for July 1, 2001-June 30, 2002 are available for review. Persons interested in receiving a copy of the report may call (850)922-7591 or write: Department of Children and Family Services, Family Safety (PDFSE), 1317 Winewood Boulevard, Tallahassee, FL 32399-0700.

CITY OF CLEWISTON

CITY MANAGER – City of Clewiston, FL. (Population 6,500). Salary range: \$50,000 to \$70,000 plus benefits. Chief administrative official for the city. Directs and coordinates administration of city government in accordance with the policies determined by the five-member city commission elected at large.

The City’s current budget is \$18 million; 115 full-time employees; full-service city.

Must possess skills and abilities including but not limited to: public works, fiscal management and intergovernmental relation experience; superior organization management and consensus-building skills; ability to formulate, submit and administer budgets; proficient in the use of computers and able to function in a sophisticated computer environment. Must be able to keep the city commission fully advised as to its financial condition and forecast future needs of the city.

Minimum qualifications: A bachelor’s degree from an accredited college or university in public administration, government, accounting, business administration or related field and three years of professional experience as a city manager or related field with high level of management and supervisory experience.

Submit resume, cover letter and five professional references to: Interim City Manager, Iva Pittman, City of Clewiston, 115 West Ventura Avenue, Clewiston, FL 33440. Position is open until filled. Under Florida Public Records Law, resumes are subject to disclosure. EOE/ADA/DFWP.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 23, 2001
 and April 27, 2001

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-15.002	4/25/01	5/15/01	26/46	27/11
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-4.051	4/27/01	5/17/01	27/8	
(3),(4),(5),(6)				

INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

54C-1.001	4/23/01	5/13/01	27/8	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-4.190	4/26/01	5/16/01	27/4	
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BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

61G3-21.009	4/23/01	5/13/01	27/4	
61G3-21.011	4/23/01	5/13/01	27/4	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-4.050	4/24/01	6/1/01	27/13	
62-620.100	4/24/01	6/1/01	27/13	
62-620.910	4/24/01	6/1/01	27/13	

DEPARTMENT OF HEALTH

Board of Psychology

64B19-16.003	4/24/01	5/14/01	26/34	27/12
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