

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE CHAPTER TITLE: Privacy of Consumer Financial and Health Information
RULE CHAPTER NO.: 4-128

PURPOSE AND EFFECT: The purpose of the proposed action is to adopt rules to protect the privacy of consumer financial and health information maintained by insurers and agents, as provided in CS/SB 2174.

SUBJECT AREA TO BE ADDRESSED: The proposed rules will be based on the NAIC Privacy of Consumer Financial and Health Information Regulation, adopted September 26, 2000. The rules will also be consistent with Title V of the Gramm-Leach-Bliley Act of 1999 and will address compliance with consumer protection rules adopted by the U.S. Department of Health and Human Services.

SPECIFIC AUTHORITY: 624.308(1), 626.9651 FS.

LAW IMPLEMENTED: 624.307(1), 626.9651 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steve Roddenberry, Assistant Director, Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5104

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

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

DEPARTMENT OF INSURANCE

RULE TITLE: General Reporting Requirements
RULE NO.: 4-171.002

PURPOSE AND EFFECT: The referenced stricken portion of Rule 4-171.002, FAC., was identified as not having statutory authority, pursuant to the rules review project required by Section 120.536(2)(b), F.S. The rule requires approval of computer generated forms, the revision will only require the

filing be compatible with our electronic filing equipment. Therefore it is recommended that the rule be amended accordingly.

SUBJECT AREA TO BE ADDRESSED: The rule requires approval of computer generated forms, the revision will only require the filing be compatible with our electronic filing equipment. Therefore it is recommended that the rule be amended accordingly.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.914(5)(b), 627.918(1) FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Greg Jenkins, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3820

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-171.002 General Reporting Requirements.

(1) A copy of each form incorporated by reference in these rules is available to the public from the Bureau of Data Control, Division of Insurer Support Services, Department of Insurance, Larson Building, Tallahassee, Florida.

(2) Insurers may generate by computer process the required forms for reporting provided they are in the same unaltered format as the respective forms incorporated by reference in these rules. Computer-generated forms must be compatible with the approved by the Florida Department's electronic data processing equipment of Insurance prior to use for reporting.

(3) All forms are to be filled out completely in accordance with their instructions. In the event an insurer is without any data required by these rules to be reported, it shall nevertheless complete the prescribed form or forms by writing "none" in the appropriate spaces, and file the form or forms with the Department in the prescribed manner.

(4) All completed forms shall be submitted to the Department at the address in subsection (1), except as otherwise provided in these rules.

(5) Any insurer or insurer group which does not write at least 1/2 percent of the Florida market based on premiums written shall not be required to complete and submit to the Department of Insurance the forms prescribed by Rule 4-171.008. Instead of filling out form DI4-308, the insurer shall list each line of insurance that is less than one-half percent of the market and list the corresponding written premiums for each of these lines of insurance. For purposes of this rule, percentage of market shall be calculated by dividing the current premiums written for the insurer by the preceding year's total premiums written in the state for that line of insurance. In calculating the percentage of market, an insurer shall only use the figure for the preceding year's total premiums written in the state as compiled by the Department based upon the Annual Statements submitted by insurance companies.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.914(5)(b), 627.915(6), 627.918(1) FS. History--New 1-16-83, Amended 7-1-85, Formerly 4-59.09, 4-59.009, Amended 6-4-92, _____.

DEPARTMENT OF INSURANCE

RULE TITLES: Complete Records Must be Maintained 4-184.004
Binder or Receipt Must Set Forth Coverage and Cost 4-184.011

PURPOSE AND EFFECT: This rule is being amended to delete language not authorized as a result of section 120.536(2)(b), F.S. review.

SUBJECT AREA TO BE ADDRESSED: Deletion of language not specifically authorized by law.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.425, 624.307(1), 627.413, 627.420, 627.730-.7405 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, June 19, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wayne Johnson, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0329, (850)413-5252

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-184.004 Complete Records Must be Maintained.

The company must at all times maintain complete records of all policies issued, including name and address of all insureds, who are beneficiaries, and the coverage provided; and no plan should be used that fails to require the soliciting agent to report and send to the insurance company and issuing or countersigning agent promptly all applications for insurance, or copy dailies of policies issued. If the policies are written in the home or regional office of the company, then a copy of said policy or daily report must be sent to the countersigning agent for his file. ~~If a policy covering personal property is issued by a mutual insurer or a participating stock insurer, the borrower or purchaser shall be entitled to the benefit of any dividend paid under an individual policy or certificate.~~

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.748 FS. History--Repromulgated 12-24-74, Formerly 4-4.04, 4-4.004, Amended _____.

4-184.011 Binder or Receipt Must Set Forth Coverage and Cost.

(1) through (3) No change.

~~(4) Any insurance agent who undertakes to place only insurance for accidental property damage to a motor vehicle as defined by the Florida Motor Vehicle No-Fault Law shall personally secure from the prospective insured or applicant a signed form acknowledging the requirement that security be maintained pursuant to the Florida Motor Vehicle No-Fault Law. The signed form shall be maintained by said insurance agent in his files and shall contain the following text:~~

~~The undersigned prospective insured hereby acknowledges that the Florida Motor Vehicle No-Fault Law requires owners of motor vehicles, defined by the Law, to maintain security to comply with said Law, and further understands that any motor vehicle policy not providing personal injury protection benefits does not comply with said Law.~~

~~FAILURE TO MAINTAIN SECURITY REQUIRED BY THE LAW WILL RESULT IN THE OWNER BEING HELD PERSONALLY LIABLE FOR ALL BENEFITS PROVIDED BY THE LAW, IN ADDITION TO REVOCATION OF HIS REGISTRATION AND OPERATOR'S LICENSE.~~

Signed _____

Licensed Agent

Signed _____

Prospective Insured

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.413, 627.420, 627.730-.7405 FS. History--Amended 2-19-72, Repromulgated 12-24-74, Formerly 4-4.10, 4-4.010, Amended 1-27-92, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: Standards
 RULE NOS.: 5F-2.001

Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology (NIST) Handbook 44 5F-2.014

PURPOSE AND EFFECT: The purpose of 5F-2.001, FAC. is to adopt the 2001 edition of the chemical and physical standards set forth in the American Society for Testing and Materials. These standards will be used for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization. The purpose of 5F-2.014, FAC. is to adopt the 2001 edition of NIST Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent specifications and testing criteria of measuring devices developed by a consensus organization.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-2.001, FAC. will specify that the most recent Annual Book of ASTM Standards is the accepted standard for implementation of Chapter 525, F.S. Proposed Rule 5F-2.014, FAC. will specify that the 2001 version of NIST Handbook 44 is the accepted standard for implementation of Chapter 525, F.S.

SPECIFIC AUTHORITY: 525.037, 525.14, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 525.16, 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Wednesday, June 13, 2001

PLACE: Division of Standards, Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814-00a ~~D 4814-99~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814-00a ~~D 4814-99~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D 975-00 ~~D 975-98a~~ "Standard Specification for Diesel Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 975-00 ~~D 975-98a~~, "Standard Specification for Diesel Fuel Oils."

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org>.

(a) American Society for Testing and Materials D 4814-00a ~~D 4814-99~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel," (approved December 10, 2000 ~~June 1999~~);

(c) American Society for Testing and Materials D 975-00 ~~D 975-98b~~, "Standard Specification for Diesel Fuel Oils" (approved December 10, 2000 ~~December 1999~~);

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2001 ~~2000~~ Edition issued November 2000 ~~1999~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D.C. 20402 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001htm>.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: _____ RULE NO.:

Adoption of Uniform Packaging and Labeling Regulation 5F-3.001

PURPOSE AND EFFECT: The purpose of 5F-3.001 is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2001 edition of National Institute of Standards and Technology Handbook 130. Adoption of the current national standards will make Florida’s requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: Requirements for package and labeling of commodities sold in package form in Florida.

SPECIFIC AUTHORITY: 531.41 (3) FS.

LAW IMPLEMENTED: 531.41 (13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, June 20, 2001

PLACE: Division of Standards’ Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2001 ~~2000~~ Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2001 ~~2000~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4) FS. History—New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: _____ RULE NO.:

Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices 5F-5.001

PURPOSE AND EFFECT: The purpose of this rule is to amend Rule 5F-5.001, FAC. to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2001 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida’s requirements with the national requirements to facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, June 20, 2001
PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2001 ~~2000~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2001 ~~2000~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800 or http://ts.nist.gov/ts/htdocs/230/235/h442001.htm.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
RULE NO.: 5F-7.005
PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the methods of sales of commodities developed by the National Conference on Weights and Measures and published in the 2000 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The methods of sale allowable for commodities being sold by weight, measure or count.

SPECIFIC AUTHORITY: 531.41(3) FS.
LAW IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, June 20, 2001
PLACE: Division of Standards, Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-7.005 Adoption of Uniform Methods of Sale.
The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2001 ~~2000~~ Edition, as the Rule for the method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2001 ~~2000~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202) 512-1800 or http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Standards
RULE NO.: 5F-10.001
PURPOSE AND EFFECT: The purpose of 5F-10.001 is to adopt the most recent version of the chemical and physical standards set forth in the American Society for Testing and Materials. The effect of each adoption is to maintain nationally recognized standards. Two of the previously cited standards have been discontinued. The material from these has been combined with another standard. This combined standard, ASTM D 3306-00a, also has a word change in the title.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-10.001, FAC. will specify that the most recent Annual Book of ASTM Standards is the accepted standard for implementation of Chapter 501.91, F.S.

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 FS.

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

TIME AND DATE: 10:00 a.m., Monday, June 11, 2001

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-10.001 Standards.

(1) The performance specifications and standards for ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-00a98, "Standard Specification for Ethylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 2001 April 10, 1998).

~~(2) The performance specifications and standards for propylene glycol base antifreeze are hereby incorporated by reference: ASTM D 5216-98, "Standard Specification for Propylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 1998).~~

~~(3) The performance specifications and standards for prediluted aqueous ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 4656-98, "Standard Specification for Prediluted Aqueous Ethylene Glycol (50 Volume % Minimum) Base Engine Coolant for Automobiles and Light Duty Service," (approved April 10, 1998).~~

(2)(4) The performance specifications and standards for recycled prediluted aqueous glycol base antifreeze are hereby incorporated by reference: ASTM D 6471-99, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved November 10, 1999).

(3)(5) Copies of these documents may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org>.

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History--New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Requirements for Programs and Courses
RULE NO.: 6A-1.09441

Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule development is to update the "Course Code Directory and Instructional Personnel Assignments" which is incorporated by reference within the rule. The effect is to provide public school personnel with an updated listing of all courses offered in the public elementary, secondary, vocational-technical, and adult schools of Florida including related teacher certification coverages.

SUBJECT AREA TO BE ADDRESSED: The subject to be addressed will be courses to be offered in public schools throughout Florida and the related teacher certification coverages.

SPECIFIC AUTHORITY: 236.081 FS.

LAW IMPLEMENTED: 236.081 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME AND DATE TO BE ADVERTISED IN A FUTURE EDITION OF THE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Barbara Elzie, Administrator, Curriculum Support Section, Division of Public Schools and Community Education, 325 West Gaines Street, Room 444, Tallahassee, Florida 32399-0400, (850)488-1701

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.09441 Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

- (1) The program in which the student is in membership shall be one of the programs listed in Section 236.081(1)(c), Florida Statutes.

(2) The course or program in which the student is in membership shall be an educational activity that which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, FAC.

(4) The course or program shall be listed in the "Course Code Directory and Instructional Personnel Assignments" for the year in which the student is in membership.

(5) The "Course Code Directory and Instructional Personnel Assignments 2001-2002 ~~2000-2001~~" is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from the Division of Public Schools and Community Education, Department of Education, Turlington Building, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 229.053(1) FS. Law Implemented 229.592, 232.246, 236.081, 240.40202 FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-19-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Academic Education Program Services
RULE NO.: 33-501.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide for mandatory academic education programs for inmates.

SUBJECT AREA TO BE ADDRESSED: Academic education.

SPECIFIC AUTHORITY: 944.09, 944.801 FS.

LAW IMPLEMENTED: 944.09, 944.801 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:

33-501.101 Academic Education Program Services.

(1) Upon arrival at a department of Corrections' reception center for initial processing, each inmate shall be screened and assessed to determine if the inmate meets the department's criteria for mandated academic education program services participation.

(2) Criteria for mandated academic education program services shall be based upon:

(a) Lack of a verified high school diploma, G.E.D. or college degree;

(b) Other classification or program criteria as determined by the department to ensure security and optimal program placement.

(3) When, in accordance with criteria established in (2), it is determined that an inmate is in need of academic education program services, he or she shall be assigned a priority ranking for services based upon these criteria and shall be placed into available programs or placed on a waiting list for future assignment to a program.

(4) Priority ranking for assignment shall be maintained for all inmates and updated at least monthly. Prioritization ranking shall also be based upon length of sentence remaining to be served and readiness for program services.

(5) If an inmate refuses to participate in mandatory academic education program services, the classification officer shall ensure that this refusal is documented on Form DC6-119, Inmate Refusal to Participate in Mandatory Program. Form DC6-119 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 _____. Inmates who refuse to participate in mandated academic education program services shall be subject to disciplinary action.

(6) Inmates discharged from the academic education program services due to program rule violations, violation of institutional rules, or behavior management problems shall be subject to disciplinary action.

(7) Inmates who refuse to participate in mandated academic education program services shall be removed from the priority listing until such time as the inmate agrees to participate in the academic education program mandated.

(8) Inmates shall only be subject to disciplinary action when a program slot is available and the inmate refuses to enter or participate in the program.

(a) If an inmate recants an earlier refusal to participate in a mandatory program, he or she shall be returned to the priority listing and the priority ranking shall be recalculated.

(b) When a program slot becomes available, the inmate shall be considered for placement into the academic education program. Inmates entering an academic education program after refusal or who are re-admitted to a program after administrative discharge per (6) of this rule shall be considered at the time of program entry for restoration of incentive gain time in accordance with Rule 33-601.105.

(9) Inmates shall not be denied access to academic education program services on the basis of race, gender, ethnicity, age, sexual preference, human immunodeficiency virus status, prior program departure against professional advice, or disability.

Specific Authority 944.09, 944.801 FS. Law Implemented 944.09, 944.801 FS. History—New .

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLES:	RULE NOS.:
Permit Fees	40C-1.603
Timeframe for Providing Requested Information	40C-1.1008

PURPOSE AND EFFECT: The purposes of the proposed rule amendments are to (1) revise the fee structure and fee amounts for Environmental Resource Permits, and (2) revise the time period for an applicant to respond to a request for additional information (RAI) and remove the mandate that District staff prepare a permit application for denial at the next Governing Board meeting because the applicant has failed to respond to an RAI within the allowed time period. The effects of the proposed amendments are to (1) simplify the fee structure and fee amounts for Environmental Resource Permits, and (2) extend the time period in which an applicant must respond to a request for additional information (RAI) before District staff will recommend the application for administrative denial, delegate to certain District staff the authority to further extend that time period, and provide that inactive applications that remain incomplete after the requisite time period shall be subject to denial.

SUBJECT AREAS TO BE ADDRESSED: (1) Fee structure and fee amounts for Environmental Resource Permits, and (2) timeframe for administrative permit denials.

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.109, 373.113, 373.421(2) FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 218.075, 373.083(5), 373.118, 373.421(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 19, 2001

PLACE: Orange County Public Library, 101 East Central Blvd., Orlando, Florida 32801

TIME AND DATE: 10:00 a.m., June 21, 2001

PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Conference Room A, Jacksonville, Florida 32256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459 or Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-1.603 Permit Fees.

A fee is required and shall be paid to the District when certain applications or petitions are filed pursuant to District rules or permit programs delegated to the District. Effective October 1, 1990, governmental entities shall be required to submit the fees established except as provided in subsection (12). This fee recovers some of the District's costs of processing applications. The fee schedule is:

(1) through (4) No change.

(5) Chapter 40C-4, F.A.C., environmental resource permits:

(a) Individual and conceptual permits	<u>\$4,500</u>
1. Systems with less than one acre of dredging or filling in wetlands or other surface waters and which involve the construction of fewer than 10 new boat slips	\$3,000
2. Systems which involve:	
a. The construction of docking facilities that provide 10 or more new boat slips	\$6,500
b. Dredging and filling of one acre or greater of wetlands or other surface waters	\$4,500
(b) Mitigation Bank permits and conceptual approvals	<u>\$10,000</u> 4,500
(c) Applications for modification of individual or conceptual environmental resource permits, or Mitigation Bank permits or conceptual approval permits, where the total land area of the project is not increased	\$1,000
(d) Applications for modification of individual or conceptual environmental resource permits, or Mitigation Bank permits or conceptual approval permits, where the total land area of the project is increased	\$3,000

(e) Chapter 40C-40, F.A.C., standard environmental resource permits:

1. Systems which have a project area greater than or equal to 40 acres do not involve dredging or filling in wetlands or other surface waters \$1,500 ~~\$1,000~~

2. Systems which have a project area less than 40 acres and greater than 1 acre involve dredging or filling in less than one acre of wetlands or other surface waters and have a project area of 40 acres or more \$1,000 ~~\$1,500~~

3. Systems which have a project area of less than or equal to one acre involve dredging or filling in less than one acre of wetlands or other surface waters and have a project area of less than 40 acres \$500 ~~\$700~~

4. Systems which involve dredging or filling in less than one acre of wetlands or other surface waters and have a project area of less than or equal to one acre \$500

5. Systems which do not involve dredging or filling in wetlands or other surface waters and have a project area of less than or equal to 10 acres \$250

(f) Chapter 40C-400, F.A.C., noticed general environmental resource permits set forth in sections 40C-400.417 through 40C-400.499, F.A.C. \$100

(g) through (k) No change

(6) through (13) No change

Specific Authority ~~373.044, 373.109, 373.113, 373.171, 373.421(2) FS. Law Implemented 218.075, 373.109, 373.421(2)-(7) FS., Ch. 94-278, Fla. Laws. History-New 10-1-87, Amended 6-1-88, 10-17-88, Formerly 40C-1.202, Amended 8-1-89, 10-19-89, 8-19-90, 7-21-91, 7- 23-91, 8-11-91, 9-25-91, 11-12-91, 10-20-92, 11-30-92, 1-6-93, 12-6-93, 1-23-94, 4-12-95, 1-4-96, 4-25-96, 10-2-96,_____.~~

40C-1.1008 Timeframe for Providing Requested Information.

The applicant shall have ~~120~~ 90 days from receipt of a request for additional information regarding a permit or license application undergoing review by the District to submit that information to the District. If an applicant requires more than ~~120~~ 90 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause shown means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information. The Executive Director, Assistant Executive Director, the Department Directors and Assistant Department Directors of the Departments of Water Resources and Resource Management, the Director of the Division of Water Use Regulation and any Service Center Director are authorized

to make a determination that such good cause has been provided. Any application which has not been completed by the applicant within the given time period following a request for additional information by the District shall be ~~recommended for subject to denial at the next regularly scheduled Board meeting.~~ The requested information or written request showing good cause for additional time may be submitted to the District at any time prior to the denial of the application. Denial of an application due to failure to submit requested additional information shall be a denial without prejudice to the applicant's right to file a new application. The applicant may request a section 120.569, F.S., hearing pursuant to chapter 28-106 and section 40C-1.1006, F.A.C., to dispute the necessity of the information required.

Specific Authority ~~120.54(5), 373.044, 373.113 FS. Law Implemented 120.54(5), 120.60, 373.083(5), 373.118 FS. History-New 8-4-98, Amended 1-11-99,_____.~~

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Publications Incorporated by Reference RULE NO.: 40C-2.101

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for administrative denial. This amendment will achieve consistency with the District's concurrent proposed amendment to Rule 40C-1.1008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Time frame for administrative permit denials.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.219, 373.223, 373.229, 373.236, 373.239, 373.250 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 19, 2001

PLACE: Orange County Public Library, 101 East Central Blvd., Orlando, Florida 32801

TIME AND DATE: 10:00 a.m., June 21, 2001

PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Conference Room A, Jacksonville, Florida 32256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459 or Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-2.101 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Parts I, II and III, and the "Water Conservation Public Supply" requirements in Appendix I of the document entitled "Applicant's Handbook, Consumptive Uses of Water", _____ 2-8-99. The purpose of the document is to provide information regarding the policy, procedure, criteria, and conditions which pertain to the District's administration of the consumptive use permitting program.

(2) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.109, 373.219, 373.223, 373.229, 373.236, 373.239, 373.250 FS. History--New 1-1-83, Amended 5-31-84, Formerly 40C- 2.101, 40C-2.0101, Amended 10-1-87, 1-1-89, 8-1-89, 10-4-89, 7-21-91, 7-23-91, 11-12-91, 9-16-92, 1-20-93, 12-6-93, 2-15-95, 7-10-95, 4-25-96, 10-2-96, 1-7-99, 2-8-99, _____.

APPLICANT'S HANDBOOK SECTION

5.3.3 The applicant has 120 ~~90~~ days from the date of the request for additional information to supply that information to the District. If an applicant requires more than 120 ~~90~~ days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown the application shall be held in active status for ~~one~~ additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Publications Incorporated by Reference RULE NO.: 40C-4.091

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for administrative denial. This amendment will achieve consistency with the District's concurrent proposed amendment to rule 40C-1.1008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Time frame for administrative permit denials.

SPECIFIC AUTHORITY: 373.044, 373.046(4), 373.113, 373.413, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421(2), 373.461(3) FS.

LAW IMPLEMENTED: 373.016, 373.046, 373.413, 373.4135, 373.4136 373.414, 373.415, 373.416, 373.421(2)-(6), 373.426 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 19, 2001

PLACE: Orange County Public Library, 101 East Central Blvd., Orlando, Florida 32801

TIME AND DATE: 10:00 a.m., June 21, 2001

PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Conference Room A., Jacksonville, Florida 32256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459 or Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I "Policy and Procedures," Part II "Criteria for Evaluation," subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin", "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Econlockhatchee River Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Alachua County," "Legal Description Tomoka River Hydrologic Basin," "Legal Description Spruce Creek Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Marion County," and "Legal Descriptions of the Lake Apopka Drainage Basin," and Appendix M "Regional Watersheds for Mitigation Banking," of the document entitled "Applicant's Handbook: Management and Storage of Surface Waters," effective _____ 8-21-00.

(b) through (c) No change.

(2) No change.

Specific Authority 373.044, 373.046(4), 373.113, 373.413, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421(2), 373.461(3) FS. Law Implemented 373.016, 373.046, 373.413, 373.4135, 373.4136 373.414., 373.415, 373.416, 373.421(2)-(6), 373.426 FS. History--New 12-7-83, Amended 10-14-84, Formerly 40C- 4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 8-11-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, _____.

APPLICANT'S HANDBOOK SECTION

5.3.3 The applicant has 120 ~~90~~ days from the date of the request for additional information to supply that information to the District. If an applicant requires more than 120 ~~90~~ days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for

additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

6.4.3 If an applicant requires more than 120 ~~90~~ days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Publications Incorporated by Reference
 RULE NO.: 40C-42.091
 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for administrative denial. This amendment will achieve consistency with the District’s concurrent proposed amendment to rule 40C-1.1008, F.A.C.
 SUBJECT AREA TO BE ADDRESSED: Time frame for administrative permit denials.
 SPECIFIC AUTHORITY: 120.54(8), 373.044, 373.113, 373.171, 373.418 FS.
 LAW IMPLEMENTED: 373.413, 373.416, 373.426 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:
 TIME AND DATE: 10:00 a.m., June 19, 2001
 PLACE: Orange County Public Library, 101 East Central Blvd., Orlando, Florida 32801
 TIME AND DATE: 10:00 a.m., June 21, 2001
 PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Conference Room A., Jacksonville, Florida 32256
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459 or Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-42.091 Publications Incorporated by Reference.

(1) The Governing Board adopts by reference Part I “Policy and Procedures”, Part II, “Criteria for Evaluation”, and Part III “Operation and Maintenance”, of the document entitled “Applicant’s Handbook: Regulation of Stormwater Management Systems, Chapter 40C-42, F.A.C.”, effective ~~1-11-99~~.

(2) through (3) No change.

Specific Authority 120.54(8), 373.044, 373.113, 373.171, 373.418 FS. Law Implemented 373.413, 373.416, 373.426. History—New 4-11-94, Amended 7-20-95, 10-3-95, 1-11-99, _____.

APPLICANT’S HANDBOOK SECTION

5.6.3 If an applicant requires more than 120 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information. ~~If an applicant requires more than 90 days in which to respond to the request for additional information that will complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for one additional period of up to 90 days.~~

6.4.3 The applicant has 120 ~~90~~ days from the date of the request for additional information to supply that information to the District. If an applicant requires more than 120 ~~90~~ days in which to respond to the request for additional information that will complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Publications Incorporated by Reference
 RULE NO.: 40C-44.091
 PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to extend the time period for an applicant to respond to a request for additional information from 90 days to 120 days, to allow more time before an incomplete application will be recommended for

administrative denial. This amendment will achieve consistency with the District's concurrent proposed amendment to Rule 40C-1.1008, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Time frame for administrative permit denials.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.406, 373.418 FS.

LAW IMPLEMENTED: 373.406, 373.413, 373.416 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., June 19, 2001

PLACE: Orange County Public Library, 101 East Central Blvd., Orlando, Florida 32801

TIME AND DATE: 10:00 a.m., June 21, 2001

PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Conference Room A., Jacksonville, Florida 32256

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459 or Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-44.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference Part I "Policy and Procedures" and Part II "Criteria for Evaluation," of the document entitled "Applicant's Handbook: Agricultural Surface Water Management Systems, effective _____ 11-1-99.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.171, 373.406, 373.416, 373.418 FS. Law Implemented, 373.406, 373.413, 373.416 FS. History--New 10-20-92, 7-4-93, 10-3-9, 11-1-99, _____.

APPLICANT'S HANDBOOK SECTION

5.3.3 If an applicant requires more than 120 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information. The applicant has 90 days from the date of the request for additional information to supply that information to the District. If an applicant requires more than 90 days in which to complete an application, the applicant may notify the District in writing of the

~~circumstances and for good cause shown, the application shall be held in active status for one additional period of up to 90 days.~~

5.3.4 If, within the given time frame, the applicant does not submit the requested information (which was requested within 30 days after receipt of the application) the application may be prepared for denial in accordance with section 40C-1.1008 ~~40C-1.605~~, F.A.C. In such instances, the applicant will be mailed or delivered a notice of the intent to take such action at a minimum of 14 days prior to the meeting at which the Board will consider denial. The applicant may request a section 120.569 ~~120.57~~, F.S., hearing pursuant to chapter 28-106 and section 40C-1.1007 ~~40C-1.511~~, F.A.C., to dispute the necessity of the information required. The applicant may present evidence to the Board stating why the permit application should not be denied. Denial pursuant to this procedure is not a determination of the merit of an application and does not preclude reapplying at a later time.

6.4.3 If an applicant requires more than 120 ~~90~~ days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown. As used herein, good cause means a demonstration that the applicant is diligently acquiring the requested information, and that the additional time period requested is both reasonable and necessary to supply the information.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: RULE NO.:

Seals Acceptable to the Board 61G17-7.001

PURPOSE AND EFFECT: The Board proposes to review the seals in this rule to determine if amendments or other changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Seals acceptable to the Board.

SPECIFIC AUTHORITY: 472.008, 472.025 FS.

LAW IMPLEMENTED: 472.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE CHAPTER TITLE: Continuing Education
 RULE CHAPTER NO.: 61G18-16

PURPOSE AND EFFECT: The Board proposes to discuss this chapter to determine if amendments are necessary due to the passage of recent legislation and other Board concerns.

SUBJECT AREA TO BE ADDRESSED: Continuing education.

SPECIFIC AUTHORITY: 474.206, 474.211, 474.212, 878.058 FS.

LAW IMPLEMENTED: 474.211, 474.212, 474.214(1)(hh), 828.058 FS.

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

TIME AND DATE: 8:00 a.m., or shortly thereafter, June 6, 2001

PLACE: The Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sherry Landrum, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 01-26R

RULE TITLE: Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters
 RULE NO.: 62-302.700

PURPOSE AND EFFECT: To discuss and receive public comment on the proposed designation of the Weeki Wachee Riverine and Spring System as Outstanding Florida Waters (OFW) under Rule 62-302.700, F.A.C. The primary intent of an OFW designation is to preserve existing ambient water quality. If designated as OFW, these waters would receive a high level of water quality protection.

SUBJECT AREA TO BE ADDRESSED: The Department received a petition to designate the Weeki Wachee Riverine and Springs System as OFW under Rule 62-302.700, F.A.C. The workshop listed below is being conducted as part of the Department's analysis of the proposal to designate the Weeki Wachee Riverine System as OFW.

SPECIFIC AUTHORITY: 403.061, 403.087, 403.088, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.062, 403.087, 403.088, 403.101, 403.141, 403.182, 403.502, 403.702, 403.708, 403.918 FS.

THE DEPARTMENT ALSO ANNOUNCES A PUBLIC WORKSHOP FOR RULE DEVELOPMENT TO BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 7:00 p.m., Thursday, July 26, 2001

PLACE: Hernando County Board Chamber Room, 20 North Main Street, Brooksville, Florida 34601

If an Americans with Disabilities Act accommodation is needed to participate in this activity, please contact Linda Harvey, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE WORKSHOP AGENDA MAY BE OBTAINED IS: Janet Klemm, Division of Water Facilities, Mail Station 3570, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9928

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Determination of Probable Cause
 RULE NO.: 64B5-13.001

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule text with regard to the number of members required to constitute a quorum.

SUBJECT AREA TO BE ADDRESSED: Determination of probable cause.

SPECIFIC AUTHORITY: 456.073(4), 466.004(4) FS.

LAW IMPLEMENTED: 456.073(4) 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:

64B5-13.001 Determination of Probable Cause.

(1) No change.

(2) The probable cause panel shall be appointed by the Chairman and shall be composed of three members, two of which must be dentists who hold valid and active dental licenses in this State. At least two members of the probable cause panel must be present to constitute a quorum. If only two members are present, the determination of probable cause shall require the affirmative vote of both members present.

(a) through (e) No change.

(3) No change.

Specific Authority 456.073(4), 466.004(4) FS. Law Implemented 456.073(4) FS. History--New 11-11-79, Amended 12-7-81, 7-13-82, Formerly 21G-13.01, Amended 1-18-89, Formerly 21G-13.001, Amended 11-22-93, Formerly 61F5-13.001, 59Q-13.001, Amended_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Remediable Tasks Delegable to a

RULE NO.: 64B5-16.006

Dental Hygienist

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule text with regard to remediable tasks delegable to a dental hygienist,

SUBJECT AREA TO BE ADDRESSED: Remediable tasks delegable to a dental hygienist.

SPECIFIC AUTHORITY: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 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:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

(a) through (n) No change.

(o) Placing subgingival resorbable chlorhexidine, doxycycline hyclate, or minocycline hydrochloride.

(2) through (5) No change.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Proprietorship by Nondentists

RULE NO.: 64B5-17.013

PURPOSE AND EFFECT: The Board proposes to amend this rule to rename the rule title and set forth rule text which will describe proprietorship by nondentists.

SUBJECT AREA TO BE ADDRESSED: Proprietorship by nondentists.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.003, 466.0285, 466.028(1)(g),(z) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-17.013 Proprietorship by Nondentists ~~Dental Practice Management Services.~~

(1) No corporation, lay body, organization, or individual other than a licensed dentist or a professional corporation or limited liability company composed of dentists shall engage in the practice of dentistry through the means of engaging the services, upon a salary, commission, or other means of inducement, of any person licensed to practice dentistry in this state.

(2) No dentist shall enter into any agreement with a nondentist which directs, controls, or interferes with the dentist's clinical judgment, or which controls the use of any dental equipment or material while such is being used for the provision of dental services. Nor shall any dentist enter into an agreement which permits, or facilitates any entity which itself is not a licensed dentist to practice dentistry, or to offer dentistry services to the public through the licensed dentist. The clinical judgment of the licensed dentist must be exercised solely for the benefit of his/her patients, and shall be free from any compromising control, influences, obligations, or loyalties.

(3) For the purposes of this rule:

(a) The term “clinical” means having a significant relationship, whether real or potential, direct or indirect, to the actual rendering or outcome of dental care, the practice of dentistry or the quality of dental care being rendered to one or more patients.

(b) The term “control” shall mean to exercise authority or dominating influence over; having the authority or ability to regulate, direct, or dominate.

(4) A licensed dentist may enter into an agreement with a nondentist to receive “Practice Management Services.” The term “Practice Management Services” is defined to include consultation or other activities or services offered by someone other than a Florida licensed dentist regarding one or more of the following types of products or services:

(a) through (i) No change.

~~(2) The term “clinical” means having a significant relationship, whether real or potential, direct or indirect, to the actual rendering or outcome of dental care, the practice of dentistry or the quality of dental care being rendered to one or more patients.~~

~~(5)(3) No change.~~

(6) For purposes of implementing the provisions of Section 466.028(1)(h), no dentist shall enter into any agreement, or series of agreements, with anyone other than a dentist or group of dentists, which constitutes a de facto employment of the dentist by a nondentist. The following shall be considered as evidence that the dentist has violated Section 466.028(1)(h):

(a) Any agreement or series of agreements that contractually bind a dentist to purchase practice management services from a nondentist for a period of more than 5 years.

(b) Any clause in an agreement or series of agreements which seeks to penalize a dentist seeking to terminate an agreement to purchase practice management services from a nondentist through a non compete clause. Except as permitted by Section 542.33, Florida Statutes, licensed dentists are prohibited from agreeing not to compete in the provision of dental services with any entity which is not itself a licensed dentist, or which is not licensed or otherwise permitted by law to provide the services which are the subject not to compete.

(7) The provisions of this rule are not intended to impair the validity of any contract in existence as of the effective date of this rule.

Specific Authority 466.004 FS. Law Implemented 466.003, 466.0285, 466.028(1)(g),(z) FS. History—New 10-16-96, Formerly 59Q-17.013, Amended _____.

**DEPARTMENT OF HEALTH
Board of Hearing Aid Specialists**

RULE TITLE:
Licensure by Examination

RULE NO.:
64B6-2.003

PURPOSE AND EFFECT: Due to monetary constraints, changing technology, and a change in the law effective July 1, 2001, the Department’s examination services has determined that parts of this rule are out-of-date and need to be updated or repealed.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination.

SPECIFIC AUTHORITY: 455.574(1)(b), 484.044 FS.

LAW IMPLEMENTED: 455.574(1)(b), 484.045, 484.0445(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Board Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way Bin #C08, Tallahassee, Florida 32399-3258

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on Arbitrary Territorial Boundaries	4-175.007
Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Surcharges Based on Type of Vehicle	4-175.009

PURPOSE, EFFECT AND SUMMARY: The referenced Rules 4-175.007 and 4-175.009, FAC. were identified as not having statutory authority, pursuant to the rules review project required by Section 120.536(2)(b), F.S. The rules prohibit discrimination in ratemaking based on arbitrary rate boundaries and type of vehicle. Therefore the rules are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.31(1)(a), 627.0651, 627.0651(6), (7), 627.072(3) FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, June 19, 2001

PLACE: Room 312C, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Greg Jenkins, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, phone (850)413-2820

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:

4-175.007 Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on Arbitrary Territorial Boundaries.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.031(1)(a), 627.062(1), 627.0651, 627.072(3) FS. History–New 3-1-80, Formerly 4-43.04, 4-43.004, Repealed _____.

4-175.009 Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Surcharges Based on Type of Vehicle.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.0651(6), (7) FS. History–New 11-2-92, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Jenkins, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Beth Vecchioli, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 16, 2001

DEPARTMENT OF INSURANCE

Table with 2 columns: RULE TITLES and RULE NOS.: Claims Reporting 4-184.015, Single Interest Insurance 4-184.016, Certificate Must Show Coverage 4-184.019, Compliance Required 4-184.022

PURPOSE AND EFFECT: To repeal the aforementioned rules, which are not authorized pursuant to review under section 120.536(1), F.S.

SUMMARY: The rules apply to insurance in connection with installment sales and are being repealed.

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 626.022, 626.861, 627.425, 627.413 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., Tuesday, June 19, 2001

PLACE: Room 312C, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wayne Johnson, Division of Insurer Services, 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 at (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-184.015 Claims Reporting.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.861, 627.425 FS. History–Repromulgated 12-24-74, Formerly 4-4.14, 4-4.014, Repealed _____.

4-184.016 Single Interest Insurance.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.413 FS. History–Repromulgated 12-24-74, Formerly 4-4.15, 4-4.015, Repealed _____.

4-184.019 Certificate Must Show Coverage.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.413 FS. History–Repromulgated 12-24-74, Formerly 4-4.18, 4-4.018, Repealed _____.

4-184.022 Compliance Required.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.022 FS. History–Repromulgated 12-24-74, Formerly 4-4.22, 4-4.022, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wayne Johnson, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Roddenberry, Department of Insurance

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

DEPARTMENT OF INSURANCE

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Title Insurance	4-186
RULE TITLES:	RULE NOS.:
Disclosure; Mortgagee Policyholders	4-186.001
Approved Forms	4-186.002
Title Insurance Rates	4-186.003
Usury of Claims of Usury Excluded from Title Insurance Coverages	4-186.006
Escrow Requirements	4-186.008
Independent Searcher/Abstractor Coverage	4-186.012
Insurer Reporting For Non-Licensed Agents	4-186.014

PURPOSE AND EFFECT: The purpose of this amendment is to comply with Section 627.7825, Florida Statutes, which codified much of the rule. Also parts of the rule needs to be repealed pursuant to Section 120.536(2)(b), Florida Statutes.

SUMMARY: Amendments to comply with Section 627.7825, Florida Statutes and some repeals pursuant to Section 120.536(2)(b), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SERC has been prepared.

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

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.782, 627.7825 FS.

LAW IMPLEMENTED: 624.307(1), 624.608, 626.9541(1)(h)3.a., 626.8473, 627.777, 627.778(1)(a), 627.782, 627.7825, 627.783, 627.7831, 627.7841, 627.7845, 628.151 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., June 19, 2001
PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDINT THE PROPOSED RULE AND A COPY OF THE PRELIMINARY DRAFT IS: Wally Senter, Financial Examiner/analyst Supervisor, Insurer Services, Department of Insurance, (850)413-2554

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 Wally Senter, (850)413-2554.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-186.001 Disclosure; Mortgagee Policyholders.

~~All title insurers and business trust title insurers, agents of title insurers, and members of business trust title insurers, and agents, employees, officials of lending or other institutions, issuing mortgagee title insurance or engaging in acts involving the issuance of mortgagee title insurance upon a loan made simultaneously with the purchase of all or a part of the real estate securing such loans, where no owner's title insurance policy has been requested, shall give written notice to the purchaser-mortgagor that a mortgagee title insurance policy is to be issued, and that such policy does not provide title insurance protection to the purchaser as owner. Such notice shall be executed by the purchaser-mortgagor and the original thereof or a durable reproduction of same shall be filed with the home or branch office of the title insurer or business trust title insurer issuing the policy, or in the office of the agent or member thereof involved in such issuance for a period of not less than five years after the title insurance to the mortgagee lender has been issued.~~

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.778(1)(a) FS. History--New 9-23-69, Repromulgated 12-24-74, Formerly 4-21.01, Amended 6-25-86, Formerly 4-21.001, Repealed _____.

4-186.002 Approved Form.

Any form of written notice given by the title insurers, ~~business trust title insurers~~, agents, members, employees thereof, or by agents, employees, officials of lending or other institutions to the purchaser-mortgagor in substantially the following language shall be deemed in compliance with Section 627.798, Florida Statutes Rule 4-186.001:

NOTICE TO PURCHASER-MORTGAGOR

Pursuant to Section 627.798, Florida Statutes Rule 4-186.001 ~~of the Insurance Commissioner and Treasurer~~, notice is hereby given by _____ (Name of Title Insurer ~~or Business Trust Title Insurer~~) to the undersigned purchaser-mortgagor that a mortgagee title insurance policy is to be issued to your mortgagee lender, and that such policy does not provide title insurance protection to you as the owner of the real estate you are purchasing.

The undersigned has read the above notice and understands that such mortgage title insurance policy to be issued to the mortgagee lender does not provide title insurance protection to the undersigned as owner.

Dated this _____ day of _____, 20 _____

(Signature of Purchaser)

Specific Authority 624.308, 627.798 FS. Law Implemented 624.307(1), 627.778(1)(a), 627.7825 FS. History--New 9-23-69, Repromulgated 12-24-74, Formerly 4-21.02, Amended 6-25-86, Formerly 4-21.002, Amended _____.

4-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums), multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00.

(1) Owner's and Leasehold Rates

(a) The risk premium for original owner's or leasehold insurance shall be:

	Per Thousand
From \$0 to \$100,000 of liability written	\$5.75
From \$100,000 to \$1 million, add	5.00
Over \$1 million and up to \$10 million, add	3.00
Over \$10 million, add	2.25
Minimum Premium for all conveyances except multiple conveyances	100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing)	\$60.00

(b) In all cases the owner's policy shall be issued for the full insurable value of the premises.

(2) Owner's, Mortgage, and Leasehold Reissue Rates.

(a) The reissue risk premium charge for Owner's, Mortgage, and Leasehold Title insurance policies shall be:

	Per Thousand
Up to \$100,000 of liability written	\$3.30
Over \$100,000 and up to \$1 million, add	3.00
Over \$1 million and up to \$10 million, add	2.00
Over \$10 million, add	1.50
Minimum Premium	100.00

(b) Provided a previous owner's policy was issued insuring the seller or the mortgagor in the current transaction and that both the reissuing agent and the reissuing underwriter retain for their respective files copies of the prior owner's policy(ies), the reissue risk rate premiums above shall apply to:

1. Policies on real property which is unimproved except for roads, bridges, drainage facilities and utilities where the current owner's title has been insured prior to the application for a new policy, or

2. Policies on the first sale of property with an improvement that is granted a certificate of occupancy, provided the seller has not leased or occupied the premises, or

3. Policies issued with an effective date of less than one year after the effective date of the policy insuring the seller or mortgagor in the current transaction, or

4. Mortgage policies issued on refinancing of property insured by an original owner's policy which insured the title of the current mortgagor.

(c) Any amount of new insurance, in the aggregate, in excess of the amount under the previous policy shall be computed at the owner's or leasehold rates, as provided in this rule.

(1)(3) Contract Purchaser – Lessee Rates. If a contract purchaser, who has obtained a policy from an insurer insuring his contract, and thereafter obtains a deed given in pursuance of the contract, makes application for an owner's policy and surrenders the policy, insuring his contract; or a lessee who has obtained a leasehold policy of an insurer, insuring his lease, and thereafter purchases the property, makes application for an owner's policy, and surrenders such policy, the re-issue risk rate shall be:

Up to \$100,000 of liability written	25% of the rates set forth in subsection (1)
Over \$100,000 add	20% of the rates set forth in subsection (1)
Minimum premium shall be	\$100.00

(4) Mortgage Title Insurance Rates

(a) The risk premium for mortgage title insurance shall be:

	Per Thousand
From \$0 to \$100,000 of liability written	\$5.75
From \$100,000 to \$1 million of liability written, add	\$5.00
Over \$1 million and up to \$10 million, add	3.00
Over \$10 million, add	2.25
Minimum Premium	100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing)	60.00

(b) A mortgage title policy cannot be issued for an amount less than the full principal debt. A policy can, however, be issued for an amount up to 25% in excess of the principal debt to cover interest, foreclosure costs, etc.

(5) Substitution Loans Rates. The following risk premium for substitution loans shall apply:

(a) When the same borrower and the same lender make a substitution loan on the same property, the title to which was insured by an insurer in connection with the original loan.

Age of Original Loan	Rates
3 years or under	30% of original rates
From 3 years to 4 years	40% of original rates
From 4 years to 5 years	50% of original rates
From 5 years to 10 years	60% of original rates
Over 10 years	100% of original rates
Minimum premium	\$100.00

(b) At the time a substitution loan is made, the unpaid principal balance of the original loan will be considered the amount of insurance in force on which the foregoing rates shall be calculated. To these rates shall be added the regular rates in the applicable schedules for any new insurance, that is, the difference between the unpaid principal balance of the original loan and the amount of the new loan.

~~(2)(6)~~ Simultaneous Issue Rates. The risk premium for simultaneous issues shall be as follows:

(a) When an owner's and a mortgagee's policy or policies covering identical land are to be issued simultaneously the risk premiums applicable for the owner's policy shall be the regular owner's rate as provided for herein. The rate for the mortgage policy or policies so simultaneously issued will be a minimum \$25.00 for an amount of insurance not in excess of the owner's policy. The risk premium on the amount of the mortgage policy or policies in excess of the owner's policy shall be figured at the regular original title insurance rates for mortgage policies.

(b) The title must be examined to a date which includes the filing for record of both the deed to the mortgagor and the mortgage itself. Both policies must bear identical date and the owner's policy must show the mortgage as an exception under Schedule "B" thereof. It is not essential that the property be acquired simultaneously with the giving of the mortgage, but this rate, where applicable, has reference to the simultaneous issuance of an owner's and mortgagee's policy or policies.

(c) When an owner's and leasehold policy covering identical land are to be issued simultaneously, the risk premium applicable for the owner's policy shall be the regular owner's rate as provided for herein. The rate for the leasehold policy will be 30% of the rate for the owner's policy with which it is being issued simultaneously up to the amount of said owner's policy. The risk premium on the amount of a leasehold policy in excess of the owner's policy will be figured at the regular rate for owner's policies in the applicable schedule.

~~(3)(7)~~ Unmarketability of Title – Coverage Required. Every title insurance policy issued after the effective date of this Rule shall include coverage up to the face amount of the policy against loss or damage due to the unmarketability of such title. Unless otherwise prohibited by law, this requirement shall not preclude a title insurer from inserting specific exceptions under Schedule B of the policy as to specific matters affecting the title. This subsection shall not affect policies issued pursuant to commitments or binders for policies issued prior to the effective date of this Rule unless the additional premium is paid and unmarketability of title coverage is agreed upon by the insured and the insurer.

~~(8) Rate Deviation. The legislature has made provision for rate deviation. A title insurer may petition the Department for an order authorizing a specific deviation from the adopted risk premium, and a title insurer or title agent may petition the Department for an order authorizing and permitting a specific deviation above the reasonable charge for other services rendered as specified in section 627.782(1), Florida Statutes.~~

~~(4)(9)~~ Binders and Commitments. A binder of title insurance, or a commitment to insure a title or risk, imposes certain obligations and liabilities upon a title insurer and agents with consequent benefits for an insured. Since such binders

and commitments are being increasingly utilized in transactions involving title insurance, it is deemed necessary that in accordance with section 627.7831, Florida Statutes, a portion of the risk premium must be charged for such binder or commitment when it is issued, except for transactions involving residential properties. The risk premium charge for binders and commitments shall be credited to the risk premium due on the policy to be issued.

~~(5)(10)~~ Construction Loans Secured by Revolving Notes and Mortgages. When a mortgage policy is issued to insure a mortgage securing periodic advances of the loan proceeds to finance improvements on real property, an additional risk rate premium shall be charged for the value of each new parcel of real property added to the policy's coverage after its original issuance.

~~(6)(11)~~ Minimum Retention of Premium by Insurer.

(a) A title insurer shall receive and retain at least 30% of the risk premium for policies sold by agents, including risk premium for endorsements, and it shall not be decreased, directly or indirectly, by an insurer providing services to any agent for less than actual cost.

(b) Any retention of premium by an insurer in excess of 30% shall not be decreased, directly or indirectly, by providing services to an agent for less than actual cost.

(c) The required retention of funds must be remitted to the insurer by the agent at least monthly, and until remitted these funds are "collected funds" subject to the accountability provisions of 4-186.009.

~~(7)(12)~~ Effect of Amendments to Risk Premium. Any change in the risk premium due to an amendment to this rule shall not affect policies for which a binder or commitment to issue a policy has been issued prior to the effective date of the amendment.

~~(8)(13)~~ Unlawful Rebates or Abatement of Charges.

(a) No title insurer, title insurance agent or agency, including attorney agent, shall decrease the risk premium by an illegal rebate or abatement of charges for abstracting, examinations, or closing charges. At least actual cost must be charged for related title services in addition to the adopted risk premium.

(b) Charges for related title services (title search, examination, and closing) shall be shown separately on the closing statement, and shall, at a minimum, show title search charges, examination fees, and closing charges. The risk premium as defined by section 627.7711(2), Florida Statutes, and as provided in section 627.780(1), Florida Statutes, shall be shown separately on the closing statement.

(c) Charges by an insurer for title searches, abstracting, and examination of title shall be billed and collected within 60 days of closing or within 90 days of furnishing such services if there has been no closing.

(d) Any ongoing or standing offer of gifts, compensation or special services to the same person or customer on a continuing basis as an inducement to referring title insurance transactions is prohibited.

Specific Authority 624.308(1), 626.9611, 627.782, 627.7825, FS. Law Implemented 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, 627.7825, 627.783, 627.7831, 627.7841, 627.7845 FS. History–New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.00, Amended _____.

4-186.006 Usury or Claims of Usury Excluded from Title Insurance Coverages.

~~No title insurer or business trust title insurer admitted to transact the business of title insurance in this state shall undertake to insure any risk arising from or related to usury or claims of usury. Thenceforth, it will not be necessary for title insurers or business trust title insurers to file exclusionary endorsements relating to usury or claims of usury with the Department of Insurance nor will any filings purporting to withdraw such exclusionary endorsements be accepted by the Department of Insurance.~~

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.608, 627.777 FS. History–New 11-18-71, Repromulgated 12-24-74, Formerly 4-21.06, Amended 6-25-86, Formerly 4-21.006, Repealed _____.

4-186.008 Escrow Requirements.

(1) through (3) No change.

~~(4)(a) All collected funds shall be deposited in a trust account held in a fiduciary capacity as required by section 626.8473, Florida Statutes, and shall be insured by an agency of the federal government.~~

(4)(b) Funds received from depositors in excess of the insured amount must be deposited in a financial institution that has a rating not less than the minimum standards established by Government National Mortgage Association (GNMA).

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.8473, 627.776(1)(m), 628.151 FS. History–New 6-25-86, Amended 2-26-90, Formerly 4-21.010, Amended 2-13-95, _____.

4-186.012 Independent Searcher/Abstractor Coverage.

~~No title insurance policy shall be issued from a search performed by any person other than an employee of a title insurer or title insurance agency, unless that person has in effect an Errors and Omissions policy with minimum coverage limits of \$250,000 with a deductible no greater than \$10,000.~~

Specific Authority 624.308 FS. Law Implemented 626.8418, 626.8419 FS. History–New 2-13-95, Repealed _____.

4-186.014 Insurer Reporting for Non-Licensed Agents.

~~(1) Within 60 days of adoption of this rule, every insurer shall file with the Department a list containing the name and address of every appointed agent exempt from licensure under section 626.8417(4), Florida Statutes, who issues or countersigns binders, commitments, title insurance policies, or guarantees of title.~~

~~(2) On a monthly basis thereafter, every insurer shall report to the Department the name and address of every non-licensed agent whose appointment is granted or terminated.~~

Specific Authority 624.308 FS. Law Implemented 624.307, 624.307(1), 626.8417, 626.8421 FS. History–New 2-13-95, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wally Senter, Financial Examiner/Analyst Supervisor, Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Roddenberry, Deputy Director of Insurer Services, Department of Insurance

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

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

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Extension of Benefits	4-203.024
Conversion of Contracts; Conditions	4-203.029
Completion of Service or Treatment	4-203.033
Primary Care Person	4-203.038

PURPOSE AND EFFECT: To repeal these rules as per the review of section 120.536(2)(b), F.S.

SUMMARY: To Repeal Rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 636.067 FS.

LAW IMPLEMENTED: 626.008, 636.016, 636.022, 636.034 FS.

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

TIME AND DATE: 9:00 a.m., June 18, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Bracher, Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0320, phone (850)413-2500

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

THE FULL TEXT OF THE PROPOSED RULES IS:

4-203.024 Extension of Benefit.

Specific Authority 636.067 FS. Law Implemented 636.034 FS. History--New 11-15-94, Repealed.

4-203.029 Conversion Contracts; Conditions.

Specific Authority 636.067 FS. Law Implemented 636.016, 636.022 FS. History--New 11-15-94, Repealed.

4-203.033 Completion of Service or Treatment.

Specific Authority 636.067 FS. Law Implemented 636.034 FS. History--New 11-15-94, Repealed.

4-203.038 Primary Care Person.

Specific Authority 636.067 FS. Law Implemented 636.008, 636.016 FS. History--New 11-15-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jim Bracher, Division of Insurer Services, Department of Insurance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2001

DEPARTMENT OF INSURANCE

RULE TITLES: CONDUCT OF PUBLIC ADJUSTERS: 4-220.051

ETHICAL REQUIREMENTS: 4-220.201

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

SUMMARY: This amendment will establish the required conduct of public adjusters and will explicitly categorize them as a code of ethics required by s. 626.878, F.S.

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

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

SPECIFIC AUTHORITY: 624.308, 626.878, 626.9611 FS.

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

IF REQUESTED 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 19, 2001

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

4-220.051 Conduct of Public Adjusters.

(1) Purpose and Scope. This rule sets forth Department policy as to certain matters generally affecting public adjusters. Procedures regarding application for licensure are not dealt with in this rule. Ethical provisions are not dealt with in this rule.

(2) Definitions. The following definitions shall apply for purposes of this rule.

(a) "Compensation" means anything of value, whether received directly or indirectly.

(b) "Department" means the Florida Department of Insurance.

(c) "Licensed public adjuster" and "public adjuster" refer to and include only persons actually currently licensed in good standing by the Department as public adjusters, whether the licensure is resident licensure under section 626.865, Florida Statutes, or emergency licensure under section 626.874, Florida Statutes, and whether the licensure is limited or unlimited. The phrase does not include persons licensed as public adjusters by other states but not by the State of Florida.

(d) "Resident public adjuster" and references thereto refer to a public adjuster not licensed on an emergency basis as contemplated by section 626.874, Florida Statutes, and rule 4-220.001, and who is a bona fide resident of this state.

(e) "Unlicensed persons," as used in this rule, means and refers to persons who are not actually currently licensed in good standing by this Department as resident or emergency public adjusters.

(3) Communications Concerning Public Adjuster Services.

(a) Solicitation. The solicitation of public adjusting business for compensation is deemed to be a material part of the business of public adjusting and, therefore, requires licensure as a public adjuster under the laws of Florida and the rules of the Department, and shall be engaged in only by persons licensed by this Department as resident public adjusters. Unlicensed persons shall not engage in such activity even under the supervision of a licensed public adjuster. The

phrase "solicitation of public adjusting business" and similar phrases as used in this rule means, for compensation, initiating contact with any person, whether in person, by mail, by telephone, or otherwise, and therein seeking, causing, urging, advising, or attempting:

1. To have any person enter into any agreement engaging the services of a public adjuster in any capacity; or

2. To have any person subsequently speak or meet with a licensed public adjuster for the purpose of engaging the services of a public adjuster in any capacity or for the purpose of being advised by a public adjuster in any regard.

(b) Answering Telephone Calls. The answering of incoming telephone calls by unlicensed persons, at the place of business of a public adjuster, is not violative of this rule so long as the unlicensed persons engage in purely administrative matters and not in judgment or interpretation with regard to any insurance contract, claim, or potential claim.

~~(c) Referrals. A public adjuster shall not accept referrals of business from any person with whom the public adjuster may conduct business where there is any form or manner of agreement to compensate the person, whether directly or indirectly, for referring business to the public adjuster. Except as between licensed public adjusters, or licensed public adjusters and members of the Florida Bar, no public adjuster may compensate any person, whether directly or indirectly, for the principal purpose of referring business to the public adjuster.~~

(4) Advertising.

(a) As with all forms of advertising concerning the business of insurance, public adjusters shall not falsely inform or advertise as set forth in section 626.9541(1)(b), Florida Statutes, as well as any other section within the Insurance Code which relates to advertising.

(b) Only Licensed Adjusters to Advertise. No person or entity shall in any way advertise services as a public adjuster in this state, unless licensed as a resident public adjuster or a member of the Florida Bar.

(c) Advertisements to Show Licensee's Full Name. Any advertisement by a resident public adjuster shall state the full name as specified in Department records of the public adjuster who has caused the advertisement to appear. Where a firm containing multiple licensed public adjusters is causing the advertisement to appear, the firm shall designate one of said licensees whose full name as specified in Department records shall appear in the advertisement.

1. Print Advertisements. In print advertisements the public adjuster's full name as specified in Department records shall be in typeface no smaller than the typeface of the main body of text in the advertisement. Print advertisements include newspapers, magazines, flyers, brochures, business cards, adhesive and magnetic publication, and similar printed

materials. If the material is already printed when this rule takes effect, the required public adjuster's full name shall be added by means of rubber stamp, adhesive label, or other means.

2. Television Advertisements. In television advertisements the public adjuster's full name as specified in Department records shall be made to appear on the screen for a period reasonably calculated to allow a viewer to write the name down.

3. Radio Advertisements. In radio advertisements, the public adjuster's full name as specified in Department records shall be read during the advertisement, and at a speed reasonably calculated to allow an average listener to note the name of the licensee as it appears on his or her licensure.

(d) Responsibility of Advertising Licensee. The licensed adjuster whose name appears in the advertisement is responsible for personally reviewing the content of the advertisement and assuring that the advertisement complies with the rules of the Department and the Insurance Code and is in all regards fair, accurate, and in no way misleading.

(5) It is an affirmative duty of every resident public adjuster to supervise their business affairs and their staff to ensure to the extent it is within the public adjuster's power that this rule is not violated.

~~(6) All contracts for public adjuster services must be in writing. Required Contract Terms. Public adjusters shall ensure that all contracts for their services shall be in writing, and shall contain the following terms:~~

~~(a) The contract must legibly state the full name as specified in Department records of the public adjuster signing the contract. (b) The contract must be signed by the public adjuster who solicited the contract. If the public adjuster is licensed by the Department as an emergency public adjuster, the contract shall show the public adjuster's permanent home address and home phone number, and permanent home state business address and phone number and Florida Department license number.~~

~~(c) The contract must show the insured's full name, street address, address of loss, and a brief description of the loss. The contract shall also show the insured's insurance company name and policy number if these are available.~~

~~(d) The contract must show the date the contract with the public adjuster was actually signed by the insured or claimant.~~

~~(e) The full and total compensation to the public adjuster shall be stated in the contract. If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified. Any costs to be reimbursed to the public adjuster out of the proceeds must be specified by type, with dollar estimates of same set forth in the contract.~~

~~(7) Required Disclosure.~~

~~(a) Public adjusters shall advise insureds and claimants of their right to choice of counsel to represent the insured or claimant, and that such choice is to be made solely by the insured or claimant.~~

(b) The insured or claimant is to be notified in advance of the name and location of any proposed contractor, architect, engineer, or similar professional, before any bid or proposal by any of these persons may be used by the public adjuster in estimating the loss or negotiating settlement, and the insured or claimant may exercise veto power of any of these persons in which case that person shall not be used in estimating costs.

(c) The public adjuster shall ensure that if a contractor, architect, engineer, or other licensed professional is used in formulating estimates or otherwise participates in the adjustment of the claim the professional must be licensed by the Florida Department of Business and Professional Regulation.

(7)(8) No public adjuster may settle a claim unless the terms and conditions of settlement are approved by the insured.

Specific 624.308(1), 626.854, 626.9611 FS. Law Implemented 624.307(1); 624.501, 626.112(1), 626.854, 626.865(2); 626.872, 626.874, 626.878, 626.9541(1)(b),(i) FS. History—New 4-26-94, Amended _____.

4-220.201 Ethical Requirements.

(1) through (3) No change.

(4) Code of Ethics. The following code of ethics shall be binding on all adjusters

(a) The work of adjusting insurance claims engages the public trust. An adjuster must put the duty for fair and honest treatment of the claimant above the adjuster's own interests, in every instance. The following are standards of conduct that define ethical behavior.

(a) An adjuster shall disclose all financial interest in any direct or indirect aspect of an adjusting transaction. For example: an adjuster shall not directly or indirectly refer or steer any claimant needing repairs or other services in connection with a loss to any person with whom the adjuster has an undisclosed financial interest, or which person will or is reasonably anticipated to provide the adjuster any direct or indirect compensation for the referral or for any resulting business.

(b) An adjuster shall treat all claimants equally. An adjuster shall not provide favored treatment to any claimant. An adjuster shall adjust all claims strictly in accordance with the insurance contract. An adjuster shall have no undisclosed financial interest in any direct or indirect aspect of an adjusting transaction. This includes the following: An adjuster shall not directly or indirectly refer or steer any claimant needing repairs or other services in connection with a loss to any person with whom the adjuster has an undisclosed financial interest, or which person will or is reasonably anticipated to provide the adjuster any direct or indirect compensation for the referral or for any resulting business.

(c) An adjuster shall approach investigations, adjustments, and settlements with an unprejudiced and open mind. An adjuster shall treat all claimants equally; an adjuster shall not

provide favored treatment to any claimant. An adjuster shall adjust all claims strictly in accordance with the insurance contract.

(d) An adjuster shall make truthful and unbiased reports of the facts after making a complete investigation. No adjuster may negotiate or effect settlement directly or indirectly with any third party claimant represented by an attorney, if said adjuster has knowledge of such representation, except with the consent of the attorney. For purposes of this subsection, the term "third party claimant" does not include the insured or the insured's resident relatives.

(e) An adjuster shall handle every adjustment and settlement with honesty and integrity and allow a fair adjustment or settlement to all parties without any remuneration to himself except that to which he is legally entitled. An adjuster is permitted to interview any witness, or prospective witness, without the consent of opposing counsel or party. In doing so, however, the adjuster shall scrupulously avoid any suggestion calculated to induce a witness to suppress or deviate from the truth, or in any degree affect their appearance or testimony at the trial or on the witness stand. If any witness making or giving a signed or recorded statement so requests, the witness shall be given a copy thereof.

(f) An adjuster, upon undertaking the handling of a claim, shall act with dispatch and due diligence in achieving a proper disposition thereof. No adjuster may advise a claimant to refrain from seeking legal advice, nor advise against the retention of counsel to protect the claimant's interest.

(g) An adjuster shall promptly report to the Department any conduct by any licensed insurance representative of this state, which conduct violates any insurance law or Department rule or order. Unless approved in writing in advance by the insurer and such written communication can be demonstrated to the Department, no company or independent adjuster may draft special releases called for by the unusual circumstances of any settlement or otherwise draft any form of release. Except as provided above, a company or independent adjuster is only permitted to fill in the blanks in a release form approved by the insurer they represent.

(h) An adjuster shall exercise extraordinary care when dealing with elderly clients, to assure that they are not disadvantaged in their claims transactions by failing memory or impaired cognitive processes. No adjuster may attempt to negotiate with or obtain any statement from a claimant or witness at a time that the claimant or witness is, or may reasonably be expected to be, in shock or serious mental or emotional distress as a result of physical, mental, or emotional trauma associated with a loss. Further, the adjuster may not conclude a settlement when such settlement would be disadvantageous or to the detriment of a claimant who is in the traumatic or distressed state described above.

(i) An adjuster shall not negotiate or effect settlement directly or indirectly with any third-party claimant represented by an attorney, if said adjuster has knowledge of such representation, except with the consent of the attorney. For purposes of this subsection, the term "third-party claimant" does not include the insured or the insured's resident relatives. An adjuster shall not knowingly fail to advise a claimant of their claim rights in accordance with the terms and conditions of the contract and of the applicable laws of this state. An adjuster shall exercise care not to engage in the unlicensed practice of law as prescribed by the Florida Bar.

(j) An adjuster is permitted to interview any witness, or prospective witness, without the consent of opposing counsel or party. In doing so, however, the adjuster shall scrupulously avoid any suggestion calculated to induce a witness to suppress or deviate from the truth, or in any degree affect their appearance or testimony at the trial or on the witness stand. If any witness making or giving a signed or recorded statement so requests, the witness shall be given a copy thereof. An adjuster shall approach investigations, adjustments, and settlements with an unprejudiced and open mind.

(k) An adjuster shall not advise a claimant to refrain from seeking legal advice, nor advise against the retention of counsel to protect the claimant's interest. An adjuster shall make truthful and unbiased reports of the facts after making a complete investigation.

(l) An adjuster shall not attempt to negotiate with or obtain any statement from a claimant or witness at a time that the claimant or witness is, or would reasonably be expected to be, in shock or serious mental or emotional distress as a result of physical, mental, or emotional trauma associated with a loss. Further, the adjuster would not conclude a settlement when such settlement would be disadvantageous or to the detriment of a claimant who is in the traumatic or distressed state described above. An adjuster shall handle each and every adjustment and settlement with honesty and integrity and allow a fair adjustment or settlement to all parties without any remuneration to himself except that to which he is legally entitled.

(m) An adjuster shall not knowingly fail to advise a claimant of their claim rights in accordance with the terms and conditions of the contract and of the applicable laws of this state. An adjuster shall exercise care not to engage in the unlicensed practice of law as prescribed by the Florida Bar. An adjuster, upon undertaking the handling of a claim, shall act with dispatch and due diligence in achieving a proper disposition thereof.

(n) A company or independent adjuster shall not draft, unless approved in writing in advance by the insurer and such written communication can be demonstrated to the Department, special releases called for by the unusual circumstances of any settlement or otherwise draft any form of release. Except as provided above, a company or independent

adjuster is only permitted to fill in the blanks in a release form approved by the insurer they represent. An adjuster shall not undertake the adjustment of any claim concerning which the adjuster is not currently competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the adjuster's current expertise.

(o) No person shall as a public adjuster represent any person or entity whose claim they previously adjusted while acting as an adjuster representing any insurer or independent adjusting firm. No person shall, as a company or independent adjuster, represent themselves or any insurer or independent adjusting firm, against any person or entity which they previously represented as a public adjuster.

(p) A public adjuster shall not represent or imply to any client or potential client to the effect that insurance companies, company adjusters, or independent adjusters, routinely attempt to or do in fact deprive claimants of their full rights under an insurance policy. No insurer, independent adjuster, or company adjuster shall represent or imply to any claimant that public adjusters are unscrupulous, or that engaging a public adjuster will delay or have other adverse effect upon the settlement of a claim.

(q) No public adjuster, while so licensed in the Department's records, may represent or act as an insurance company adjuster, independent adjuster, or general lines agent. No independent adjuster or company adjuster, while so licensed in the Department's records, may represent or act as a public adjuster.

(r) An adjuster shall promptly report to the Department any conduct by any licensed insurance representative of this state, which conduct violates any insurance law or Department rule or order.

(s) An adjuster shall exercise extraordinary care when dealing with elderly clients, to assure that they are not disadvantaged in their claims transactions by failing memory or impaired cognitive processes.

(5) Public Adjusters, Other Ethical Constraints. In addition to considerations set out above for adjusters, The following ethical considerations are specific to public adjusters and shall be binding upon public adjusters, in addition to considerations set out elsewhere in this rule for adjusters.

(a) A public adjuster's contract with a client shall be revocable or cancellable, without penalty or obligation, by the insured or claimant, for at least three business days after the contract is entered into for the insured to elect to settle the claim directly with an adjuster representing the insurer. If the insured elects to cancel the contract, prompt notice must be received by the adjuster. The public adjuster must disclose to the insured that the insured has the right to cancel with prompt notice within the revocation period. Nothing in this provision shall be construed to prevent an insured from pursuing any civil remedy after the three-day cancellation period. A public adjuster shall not prevent, or attempt to dissuade or prevent, a

claimant from speaking privately with the insurer, company or independent adjuster, attorney, or any other person, regarding the settlement of the claim.

(b) A public adjuster shall ensure that all contracts for the public adjuster's services are in writing, set forth all terms and conditions of the engagement, and contain the following: A public adjuster's contract with a client shall be revocable or cancellable, without penalty or obligation, by the insured or claimant, for at least three business days after the contract is entered into for the insured to elect to settle the claim directly with an adjuster representing the insurer. If the insured elects to cancel the contract, prompt notice must be received by the adjuster. The public adjuster must disclose to the insured that the insured has the right to cancel with prompt notice within the revocation period. Nothing in this provision shall be construed to prevent an insured from pursuing any civil remedy after the three-day cancellation period.

1. The contract must legibly state the full name as specified in Department records of the public adjuster signing the contract.

2. The contract must be signed by the public adjuster who solicited the contract. If the public adjuster is licensed by the Department as an emergency public adjuster, the contract shall show the public adjuster's permanent home address and home phone number, and permanent home state business address and phone number and Florida Department license number.

3. The contract must show the insured's full name, street address, address of loss, and a brief description of the loss. The contract shall also show the insured's insurance company name and policy number if these are available.

4. The contract must show the date the contract with the public adjuster was actually signed by the insured or claimant.

5. The full and total compensation to the public adjuster shall be stated in the contract. If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified. Any costs to be reimbursed to the public adjuster out of the proceeds must be specified by type, with dollar estimates of same set forth in the contract.

(c) A public adjuster shall advise insureds and claimant in advance of their right to choice of counsel to represent the insured or claimant, and that such choice is to be made solely by the insured and claimant. The full compensation to the public adjuster shall be stated in the contract with the client. If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified. Any cost to be reimbursed to the public adjuster out of the proceeds, or to be paid by the consumer otherwise, must be specified by type, with dollar estimates set forth in the contract.

(d) The public adjuster shall notify the insured or claimant in advance of the name and location of any proposed contractor, architect, engineer, or similar professional, before any bid or proposal by any of these persons may be used by the public adjuster in estimating the loss or negotiating settlement,

and the insured or claimant may exercise veto power of any of these persons in which case that person shall not be used in estimating costs. Choice of counsel to represent the insured or claimant is to be made solely by the insured or claimant.

(e) The public adjuster shall ensure that if a contractor, architect, engineer, or other licensed professional is used in formulating estimates or otherwise participates in the adjustment of the claim the professional must be licensed by the Florida Department of Business and Professional Regulation. A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall perform repair work.

(f) A public adjuster shall not enter into a contract or accept a power of attorney which vests in the public adjuster the effective authority to choose the persons who shall perform repair work. A public adjuster shall assure that all contracts for the public adjuster's services are in writing and set forth all terms and conditions of the engagement.

(g) A public adjuster shall not prevent, or attempt to dissuade or prevent, a claimant from speaking privately with the insurer, company or independent adjuster, attorney, or any other person, regarding the settlement of the claim. A public adjuster shall not acquire any interest in salvaged property, except with the consent and permission of the insured.

(h) A public adjuster shall not acquire any interest in salvaged property, except with the consent and permission of the insured.

(i) A public adjuster shall not accept referrals of business from any person with whom the public adjuster may conduct business where there is any form or manner of agreement to compensate the person, whether directly or indirectly, for referring business to the public adjuster. Except as between licensed public adjusters, or licensed public adjusters and members of the Florida Bar, no public adjuster may compensate any person, whether directly or indirectly, for the principal purpose of referring business to the public adjuster.

Specific Authority 624.308, 626.878, 626.9611 FS. Law Implemented 624.307(1), 626.611, 626.621, 626.865(2), 626.878, 626.9541(1)(i) FS. History—New 6-2-93, Amended _____.

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

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

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

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Financial Records and Reports
RULE NO.: 6A-14.072

PURPOSE AND EFFECT: The purpose is to prescribe the data and procedures to be used to maintain financial records in a consistent manner at the 28 community colleges. The effect is to ensure the financial records at the 28 community colleges and data shown on financial reports will be comparable throughout the Community College System.

SUMMARY: The current rule requires each community college to keep financial records in accordance with the 1999 Accounting Manual for Florida's Public Community Colleges. The proposed rule amendment would require the records to be kept in accordance with the 2001 Manual.

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.

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

TIME AND DATE: 9:30 a.m., June 26, 2001

PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges, Division of Community Colleges, 325 West Gaines St., Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.072 Financial Records and Reports.

(1) Each community college shall keep financial records according to the Department of Education publication, "Accounting Manual for Florida's Public Community Colleges, 2001 ~~1999~~," incorporated herein by reference. Copies may be obtained from the Division of Community Colleges, Department of Education, Tallahassee, Florida 32399-0400.

(2) Enrollment related financial records shall be kept for all instruction so as to facilitate verification, confirmation, and comparison.

(3) If financial reports are not received from a community college when due, the State Board of Community Colleges may withhold apportionments of state funds to the college until the reports are received.

Specific Authority 229.053(1), 240.325 FS. Law Implemented ~~240.311, 240.325, 240.347, 240.349, 240.363~~ FS. History—Formerly 6A-8.11, Repromulgated 12-19-74, Amended 12-26-77, 7-2-79, 5-14-85, Formerly 6A-14.72, Amended 11-12-91, 7-7-92, 2-16-94, 12-18-94, 11-27-95, 11-13-96, 12-9-97, 5-18-99, 2-29-00. Cf. Accounting Manual for Florida's Public Community Colleges.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: J. David Armstrong Jr., Executive Director

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2001

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Incorporation by Reference
RULE CHAPTER NO.: 14-15

RULE TITLE: Toll Facilities Description and
Toll Rate Schedule
RULE NO.: 14-15.0081

PURPOSE AND EFFECT: The purpose of this notice of rulemaking is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule required by the construction of the Western Beltway, Part C. Section 338.155(1), Florida Statutes, does not permit the use of the State's toll facilities without paying a toll. The Florida Department of Transportation will construct the Western Beltway, Part C, from Interstate 4 in Osceola County to Seidel Road in Orange County, a distance of approximately 11 miles. Tolled ramps are proposed to be located at the following interchanges: Sinclair Road, US 192, and Seidel Road. A mainline toll plaza will also be constructed north of US 192. Additionally, the Western Beltway, Part C, from Seidel Road to SR 50 will be constructed by the Orlando/Orange County Expressway Authority.

SUMMARY: The proposed action is being taken to determine the Toll Rate Schedule resulting from the Florida Department of Transportation's construction of the Western Beltway, Part C, from Interstate 4 to Seidel Road and its associated toll plazas. The project is located in Osceola and Orange counties. The Toll Rate Rulemaking Public Hearing is being held in conjunction with the Design Public Hearing for the Western Beltway, Part C, from I-4 to Seidel Road. The required Toll Rate Rule Development Workshop was held September 16, 1999.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 338.222, 338.231, 338.155 FS.

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.

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

TIME AND DATE: 7:00 p.m., June 21, 2001 (Informal session to begin at 6:00 p.m.)

PLACE: Ramada Plaza Hotel and Inn, 7470 Highway 192, West, Kissimmee, Florida

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:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, ~~and~~ June 21, 1999, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Deborah Stemle, Director, Office of Toll Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 1999

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 00-30R

RULE CHAPTER TITLE: Florida Aquatic Preserves
 RULE CHAPTER NO.: 18-20

RULE TITLE: Lake Weir Aquatic Preserve
 RULE NO.: 18-20.018

PURPOSE, EFFECT AND SUMMARY: The proposed rulemaking is required to conform the rules to Chapter 2000-197, Laws of Florida, effective June 5, 2000. This law repealed section 258.3989, F.S., which removed Lake Weir

from designation as an aquatic preserve. Therefore, section 18-20.018 containing the standards and criteria to conduct activities or construct structures in Lake Weir must be repealed. Also, reference to Lake Weir as an aquatic preserve will be deleted from Rule 18-21.003(13), F.A.C., under separate rulemaking.

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

Any person who wishes to provide information regarding a 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: 258.42, 258.43(1) FS.

LAW IMPLEMENTED: 258.398, 258.42, 258.43(1), 258.44 FS., Chapter 2000-197, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Heathcock, Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, or e-mail at Alice.Heathcock@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

18-20.018 Lake Weir Aquatic Preserve.

Specific Authority 258.42, 258.43(1) FS. Law Implemented 258.398, 258.42, 258.43(1), 258.44 FS. History—New 5-22-97, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby B. Green, III, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2001

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 00-31R

RULE CHAPTER TITLE: Sovereignty Submerged Lands Management
 RULE CHAPTER NO.: 18-21

RULE TITLE: Definitions
 RULE NO.: 18-21.003

PURPOSE AND EFFECT: The proposed rulemaking is required to conform the rule to Chapter 2000-197, Laws of Florida, effective June 5, 2000. This law repealed section 258.3989, F.S., which removed Lake Weir from designation as

an aquatic preserve. Therefore, reference to Lake Weir as an aquatic preserve must be deleted from 18-21.003(13), F.A.C. Additionally, repeal of section 18-20.018 containing the standards and criteria to conduct activities or construct structures in Lake Weir will be repealed under separate notice. SUMMARY: Deletion of rule reference to Lake Weir as an aquatic preserve.

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

Any person who wishes to provide information regarding a 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: 253.03(7), 253.0345 FS.

LAW IMPLEMENTED: 253.002, 253.02, 253.03, 253.0345, 253.1221, 253.67, 253.77 FS., Chapter 2000-197, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Heathcock, Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, or e-mail at Alice.Heathcock@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (12) No change.

(13) "Coastal island" means a coastline geological feature lying above mean high water that is completely separated from the coastal mainland by marine or estuarine waters, including those parcels of land which become insular due to natural causes, and is composed of any substrate material, including spoil material. This specifically includes, in addition to exposed coastal islands:

(a) all islands within aquatic preserves except for Lake Jackson, Rainbow River, ~~Lake Weir~~ and Wekiva River Aquatic Preserves; and

(b) No change.

(14) through (57) No change.

Specific Authority 253.03(7), 253.0345 FS. Law Implemented 253.002, 253.02, 253.03, 253.0345, 253.1221, 253.67, 253.77 FS. History--New 9-26-77, Formerly 16C-12.01, 16Q-17.01, Amended 3-27-82, 8-1-83, 2-25-85, Formerly 16Q-21.03, 16Q-21.003, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 3-20-94, 10-15-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mimi Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby B. Green, III, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2001

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

STATE BOARD OF ADMINISTRATION

RULE TITLES: RULE NOS.:

Asset Transfer Procedures: True Up Transfer for Initial Transfers Occurring Between 7/1/02 and 3/31/03 19-10.002

Asset Transfer Procedures: For Employees Who Become Eligible to Participate in PEORP by Reason of Employment in a Regularly Established Position With a State Employer Commencing After June 1, 2002; or With a District School Board Employer Commencing After September 1, 2002; or With a Local Employer Commencing After December 1, 2002 19-10.003

PURPOSE AND EFFECT: These two new rules provide for additional asset transfer procedures as required by Section 121.4501(3)(c)4., Florida Statutes.

SUMMARY: Proposed new Rule 19-10.002, FAC. provides procedures for the true-up transfer after the initial transfer of assets for public employees choosing to move from the defined benefit program of the Florida Retirement System to the defined contribution program. Proposed new Rule 19-10.003, FAC. provides procedures for those employees who become employed after the dates for the initial transfers and adopts a form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be appropriately divided between the defined benefit program and the defined contribution program. 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 121.4501(3)(c)4.,(8)(a) FS.

LAW IMPLEMENTED 121.4501(2),(3),(4),(5),(6),(8),(15), 121.571(1),(2), 215.44(8)(b) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m. – 11:30 a.m., Monday, June 18, 2001

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, Assistant General Counsel, State Board of Administration, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1199

THE FULL TEXT OF THE PROPOSED RULES IS:

19-10.002 Asset Transfer Procedures: True Up Transfer for Initial Transfers Occurring between 7/1/02 and 3/31/03.

(1) Purpose. The primary purpose of this rule is to implement subsection (3)(c)4. of Section 121.4501, Florida Statutes, regarding procedures for transferring assets from the current defined benefit plan of the Florida Retirement System to the new defined contribution program, called the Public Employee Optional Retirement Program. However, since the implementation procedures will necessarily involve several other entities, the roles and responsibilities of those entities are part of this rule.

(2) Definitions.

(a) “ABO” means the present value of the member's accumulated benefit obligation in the defined benefit program of the Florida Retirement System to which the member would be entitled if the member retired from the current defined benefit plan. This present value shall be calculated in accordance with the formula set out in Section 121.4501(3)(c)2., Florida Statutes. This amount will be shown on Form SBA-PEORP election, rev. 3/2001, (the enrollment form), and will be called the “current value of my FRS benefit.”

(b) “Division” means the Division of Retirement within the Department of Management Services.

(c) “Effective date of enrollment in PEORP” means the date on which the employee is entitled to receive employer contributions for his PEORP account or accounts in accordance with Section 121.571(2), Florida Statutes.

(d) “Effective enrollment in PEORP” means that the employee has completed the enrollment form; that the completed enrollment form has been received by the employee's employer; that the employer has forwarded the completed enrollment form to the TPA; that the TPA has entered the employee into its recordkeeping system; and that the TPA has informed the division of the employee's effective enrollment in PEORP.

(e) “Employee” means an eligible employee as defined in Section 121.4501(2)(d), Florida Statutes.

(f) “Employer” means an employer as defined in Section 121.4501(2)(e), Florida Statutes. For purposes of the PEORP, there are three general categories of employers: state agencies; school districts; and local employers.

(g) “Florida Retirement System Trust Fund” or “FRSTF” shall mean the trust fund holding the assets of the defined benefit plan of the Florida Retirement System.

(h) “Participant” means an employee who has joined the PEORP after the effective dates in Section 121.4501(4), Florida Statutes.

(i) “Public Employee Optional Retirement Program” or “PEORP” means the new defined contribution retirement program of the Florida Retirement System established by Section 121.4501, Florida Statutes.

(j) “SBA” means the State Board of Administration.

(k) “TPA” means the third-party administrator hired by the SBA, pursuant to Section 121.4501(8)(b)1., Florida Statutes, to provide administrative services to the PEORP.

(l) “True-up Amount” means the difference between the ABO calculated by using the participant's actual creditable service and the actual final average compensation as of the participant's effective date in PEORP and the ABO initially transferred.

(3) Election by Current Employees to Transfer to PEORP from the Defined Benefit Plan of the Florida Retirement System. The procedure for current employees to transfer to PEORP from the Defined Benefit Plan is provided for in Rule 19-10.001.

(4) The total amount initially credited to each PEORP participant's account who chooses to move his or her ABO out of the Defined Benefit Plan is an estimate of the participant's ABO as calculated by the division, in accordance with the provisions of Rule 19-10.001. Thereafter, pursuant to Section 121.4501(3)(c)3., Florida Statutes, the division shall recompute the ABO not later than 60 days after the initial transfer of funds and, if the recomputed amount differs from the transferred ABO amount by \$10 or more, the division shall cause an adjustment of the transfer of assets between PEORP account(s) of the affected participant(s) and the FRSTF through a true-up transfer in accordance with that statutory section.

(5) If the recomputed ABO is greater than the initial amount transferred by \$10 or more, the amount to be transferred to the participant's PEORP account from the FRSTF will equal the excess of the recomputed ABO over the amount initially transferred plus interest. The amount transferred to each investment product shall be based on the percentage of total investment allocated to each investment product by the participant on his or her election form as adopted and incorporated by reference in Rule 19-10.001.

(6) If the recomputed ABO is less than the original amount transferred by \$10 or more, the TPA shall cause to be transferred from the participant's PEORP account to the FRSTF an amount equal to the excess of the initial amount transferred over the recomputed ABO plus interest. The amount transferred from each investment product shall be based on the percentage of total investment allocated to each

investment product by the participant on his or her election form as adopted and incorporated by reference in Rule 19-10.001.

(7) The division shall notify the SBA of the aggregate true-up amount plus interest within 45 days of the initial transfer. The division shall notify the TPA of the true-up amounts plus interest by participant account within 45 days of the initial transfer. The true-up transfer shall include the true-up amount determined by the division plus interest at the rates specified in Section 121.4501(3)(c)3., Florida Statutes, from the date of the initial transfer to the date of the true-up transfer. The transfer of the true-up amount plus interest shall occur on the 60th day following the initial transfer. In the event the 60th day following the initial transfer falls on a Saturday, Sunday, or a legal holiday, the true-up transfer shall occur on the last business day preceding the Saturday, Sunday, or legal holiday.

(8) The division shall calculate the interest owed on true-up amounts. If the recomputed ABO is greater than the original amount transferred by \$10 or more, the participant will be owed a true-up amount plus interest. Interest will be calculated using the rate of 8% effective annual interest, compounded annually, and the number of days from the date of the initial transfer to the date of the true-up transfer, as specified in subsection (7), above. If the recomputed ABO is less than the original amount transferred by \$10 or more, the participant will owe a true-up amount plus interest. Interest will be calculated on the amount owed based upon 6% effective annual interest, compounded annually, and the number of days from the date of the initial transfer to the date of the true-up transfer.

(9) Costs associated with the liquidation or transfer of assets from the FRSTF to the PEORP will be deducted from the FRSTF. The FRSTF will not be responsible for any transaction costs associated with the purchase or liquidation of PEORP assets. Those costs will be deducted from PEORP accounts or otherwise charged to PEORP participants.

(10) In order to effectively and efficiently administer the investment programs of the SBA and in accordance with Section 215.44(8)(b), Florida Statutes, the records and other information relating to investments made by the SBA will be confidential and exempt from Chapter 119, Florida Statutes, until 30 days after completion of each investment transaction.

Specific Authority 121.4501(3)(c)4.,(8)(a) FS. Law Implemented 121.4501(2),(3),(4),(5),(6),(8),(15), 121.571(1),(2), 215.44(8)(b) FS. History—New _____.

19-10.003 Asset Transfer Procedures: For Employees Who Become Eligible to Participate in PEORP By Reason of Employment in a Regularly Established Position With a State Employer Commencing After June 1, 2002; or With a District

School Board Employer Commencing After September 1, 2002; or With a Local Employer Commencing After December 1, 2002.

(1) Purpose. The primary purpose of this rule is to implement Section 121.4501(3)(c)4., Florida Statutes, regarding procedures for transferring assets from the current defined benefit plan of the Florida Retirement System to the new defined contribution program, called the Public Employee Optional Retirement Program. However, since the implementation procedures will necessarily involve several other entities, the roles and responsibilities of those entities are part of this rule.

(2) Definitions.

(a) “ABO” or the accumulated benefit obligation means the present value of a member’s benefit in the defined benefit program of the Florida Retirement System to which the member would be entitled if the member retired from the current defined benefit plan. This present value shall be calculated in accordance with the formula set out in Section 121.4501(3)(c)2., Florida Statutes. This amount will be shown on Form SBA-PEORP election, rev. 3/2001, (The Enrollment Form) and will be titled the “current value of my FRS benefit.”

(b) “Division” means the Division of Retirement within the Department of Management Services.

(c) “Effective date of enrollment in PEORP” means the date on which the employee is entitled to receive employer contributions for his PEORP account or accounts in accordance with Section 121.571(2), Florida Statutes.

(d) “Effective enrollment in PEORP” means that the employee has completed the enrollment form; that the completed enrollment form has been received by the employee’s employer; that the employer has forwarded the completed enrollment form to the TPA; that the TPA has entered the employee into its recordkeeping system; and that the TPA has informed the division of the employee’s effective enrollment in PEORP.

(e) “Employee” means an eligible employee as defined in Section 121.4501(2)(d), Florida Statutes.

(f) “Employer” means an employer as defined in Section 121.4501(2)(e), Florida Statutes. For purposes of the PEORP, there are three general categories of employers: state agencies; school districts; and local employers.

(g) “Florida Retirement System Trust Fund” or “FRSTF” shall mean the trust fund holding the assets of the defined benefit plan of the Florida Retirement System.

(h) “Participant” means an employee who elects to join the PEORP after the effective dates in Section 121.4501(4)(a)1., (b)1, or (c)1., Florida Statutes.

(i) “Public Employee Optional Retirement Program” or “PEORP” means the new defined contribution retirement program of the Florida Retirement System established by Section 121.4501, Florida Statutes.

(j) "SBA" means the State Board of Administration.

(k) "TPA" means the third-party administrator hired by the SBA, pursuant to Section 121.4501(8)(b)1., Florida Statutes, to provide administrative services to the PEORP.

(3) Election by employees who become eligible to participate in PEORP by reason of employment in a regularly established position with a state employer commencing after June 1, 2002; or with a district school board employer commencing after September 1, 2002; or with a local employer commencing after December 1, 2002.

(a) For employees hired after the initial PEORP enrollment dates specified in Section 121.4501(4)(a)1., (b)1., or (c)1., Florida Statutes, the employee shall have 180 days after his/her employment commences to enroll in the PEORP or to elect to remain in the defined benefit plan.

(b) Employees hired after the initial PEORP enrollment dates specified in Section 121.4501(4)(a)1., (b)1., or (c)1., Florida Statutes, must complete an enrollment form, Form SBA/PEORP – New Employee Election, rev. 5/2001, which is hereby adopted and incorporated by reference.

(c) The enrollment form shall be complete if all the required information is clearly indicated. Specifically, the form shall include a statement that the employee elects to remain in the defined benefit program, elects to transfer to the PEORP with a transfer of his or her ABO, or elects to transfer to the PEORP without a transfer of his or her ABO which shall then remain in the defined benefit plan.

(d) The employer shall determine that the employee's enrollment in PEORP is within the prescribed 180 days, the form in toto is complete, and the employee's election is clearly indicated. If the employer determines that the form is incomplete, the form shall be returned to the employee and resubmitted when complete.

(e) If the employee has elected to enroll in PEORP and the employer has determined the form is complete, it shall be distributed as follows:

1. One copy of the completed form is retained by the employee.

2. One copy of the completed form is retained by the employer.

3. One copy of the completed form is forwarded by the employer to the TPA.

4. One copy of the completed form is forwarded by the employer to the division.

(f)1. The employer shall submit the enrollment forms for employees electing to enroll in PEORP during the month to the TPA and the division on the last business day of the month. Enrollment in the optional program for employees under this rule shall be effective on the first day of the month for which a full month's employer contribution is made to the optional program.

2. Example: If the employer submits the enrollment forms received during the month of June by June 30th, the employee's effective date of enrollment in PEORP is July 1st.

(g) Upon receipt of the form by the TPA, the TPA shall enroll the employee in the PEORP. Upon completion of the enrollment, but no later than three days after enrollment, the TPA shall send confirmation of the effective enrollment to the employee at the employee's home address, to the employee's employer, and to the division to inform the division that the employee is no longer in the defined benefit plan.

(h) Employers shall pay retirement contributions monthly for their PEORP employees and those contributions are due to the division by the 5th business day of the month following the month for which the contributions are made. The employer shall correct its employee records to reflect that the contribution rates effective on the effective date of enrollment, in accordance with Section 121.571(2), Florida Statutes, are applicable to those of its employees who have elected to transfer to PEORP.

(4) Asset Transfer Procedures.

(a) For employees who elect to transfer to PEORP with a transfer of his or her ABO, the division shall determine the amount of the employee's ABO. This amount shall be transferred to the employee's PEORP account and shall be allocated to each investment product selected by the participant on his or her election form as adopted and incorporated by reference in this rule.

(b)1. The division shall determine the employee's ABO as of the last day of the month prior to the employee's effective date of enrollment in PEORP.

2. Example: If the division receives the enrollment form during the month of June, the effective date of enrollment for the employee in PEORP is July 1. The division shall determine the employees accumulated benefit through June 30.

(c) By the 15th day of the month, the division shall notify the TPA of the ABO for each employee whose effective date of enrollment is the first day of the month and the division shall notify the SBA of the aggregate ABO of employees whose effective date of enrollment is the first day of the month.

(d) Within 30 days of the employee's effective date of enrollment in PEORP, the SBA shall transfer the aggregate ABO amount to the PEORP custodian for distribution to PEORP participant accounts. Such distribution shall be directed by the TPA and shall be based on the percentage of total investment allocated to each investment product by the participant on his or her election form.

(e) Once a new employee has made an election to transfer to PEORP or remain in the defined benefit plan, that election is irrevocable, even though the 180-day period may not have expired. Section 121.4501(4)(e), Florida Statutes, provides one additional opportunity for an employee to change his or her mind after the employee's 180-day election period.

(5) Costs associated with the liquidation or transfer of assets from the FRSTF to the PEORP will be deducted from the FRSTF. The FRSTF will not be responsible for any transaction costs associated with the purchase of PEORP assets. Those costs will be deducted from PEORP accounts or otherwise charged to PEORP participants.

(6) The amount transferred to each investment product shall be based on the percentage of total investment allocated to each fund by the participant on his or her election form as adopted and incorporated by reference in this rule, in subsection (3)(a), above. However, pursuant to Section 121.4501(4)(d), Florida Statutes, amounts not specified will be invested in the default option designated in the Investment Policy Statement, as approved by the Trustees on February 27, 2001, and adopted and incorporated by reference in Rule 19-9.001.

(7) In order to effectively and efficiently administer the investment programs of the SBA and in accordance with Section 215.44(8)(b), Florida Statutes, the records and other information relating to investments made by the SBA will be confidential and exempt from Chapter 119, Florida Statutes, until 30 days after completion of each investment transaction.

Specific Authority 121.4501(3)(c)4.,(8)(a) FS. Law Implemented 121.4501(2),(3),(4),(5),(6),(8),(15), 121.571(1),(2), 215.44(8)(b) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Herndon, Executive Director, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 29, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Grievance Procedures
RULE NO.: 33-302.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify titles and procedures relating to offender grievances.

SUMMARY: The proposed rule clarifies titles, alters time frames for the filing of grievances, ensures complete review by providing for the forwarding of grievances and responses to the next level for purposes of review, and clarifies the routing process for grievances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giselle 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:

33-302.101 Offender Grievance Procedures.

(1) No change.

(2) The following procedures outline the steps to be taken by an offender under field supervision, including an offender in pretrial intervention, who has a complaint concerning actions on supervision. Steps for filing complaints are:

(a) The offender should first discuss any complaint with the correctional probation officer assigned to her or his case to determine if a resolution to the problem can be obtained. Additionally, the offender may discuss the complaint with the officer's supervisor in order to reach a resolution.

(b) If the offender is dissatisfied with the outcome of the verbal discussion with the officer, and the officer's supervisor if the offender chooses to discuss the complaint verbally with the supervisor, the offender may submit a written grievance outlining the problem to the officer's immediate supervisor for further review if the issue is not resolved with his correctional probation officer. The supervisor shall respond, in writing, with a response that attempts to resolve the issue, within 20 ~~45~~ calendar days of the receipt of the grievance. A copy of both the grievance and the supervisor's response shall be forwarded to the circuit correctional probation administrator for informational purposes. A copy of the grievance and all responses to the grievance shall be maintained in the offender file.

(c) In the event the issue is not resolved with the supervisor, the offender may forward her or his grievance, along with the supervisor's response, to the circuit administrator for review ~~contact can be made by the offender with the correctional probation administrator for the purpose of review.~~ The circuit correctional probation administrator shall respond to the offender in writing, with a response that attempts to resolve the issue, within 20 ~~40~~ calendar days of receipt of the grievance ~~of contact~~.

(d) In the event the issue is not resolved with the circuit correctional probation administrator, the offender may forward her or his grievance, along with the circuit administrator's response to file a written complaint with the regional director of regional community corrections for review. The ~~regional~~ director of regional community corrections shall provide a

written response, which attempts to resolve the issue, within 20 30 calendar days of receipt of the grievance with a copy to the Department of Corrections Inspector General's Office.

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

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shari Britton

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2001

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Classification System

RULE NO.: 33-302.107

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish an offender classification system whereby offenders are systematically assessed and evaluated to allow placement in the appropriate level of supervision.

SUMMARY: The proposed rule establishes requisite criteria for evaluation of an offender's needs and risk of re-offending or violating supervision, establishes applicable time frames, provides applicable forms, and provides for appropriate referrals to treatment and community resources.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.107 Offender Classification System.

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

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

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

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

- (a) Academic level;
- (b) Vocational skills;
- (c) Employment needs;
- (d) Alcohol or drug usage;
- (e) Mental illness;
- (f) Mental ability;
- (g) Sexual behavior; and,

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

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

- (a) Prior convictions;
- (b) Prior incarceration;
- (c) Age at first commitment;
- (d) Commitment offense;
- (e) Any supervision revoked;
- (f) Drug or alcohol dependence; and,
- (g) The employment, education, and supervision plan for the offender.

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

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

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

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

(6) The correctional probation officer shall make referrals to treatment and community resources available based on individual offender needs identified during the assessment and reassessment. The correctional probation officer cannot require or impose conditions or restrictions that are not included in the supervision order.

(7) The following offenders are not included in the Offender Classification System's minimum, medium, and maximum levels of supervision due to their unique supervision requirements:

- (a) Sex offenders;
- (b) Offenders on community control supervision;
- (c) Offenders on administrative probation;
- (d) Offenders on administrative control release;
- (e) Offenders on administrative conditional release; and,
- (f) Offenders reduced to quarterly, semi-annual, or annual reporting.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shari Britton

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

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

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

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish procedures relating to orientation of offenders under Department supervision.

SUMMARY: The proposed rule establishes a two-day time frame in which orientation is to occur, and establishes guidelines for the manner in which orientation is to occur and the topics to be addressed therein.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.109 Offender Orientation.

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

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

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

(2) Orientation topics shall include:

(a) An introduction explaining the role of the correctional probation officer in supervising the offender;

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

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

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

- a. Reporting requirements;
- b. Residence and employment;
- c. Statutory employment restrictions;
- d. Travel restrictions;
- e. Violations of the law;
- f. Supporting legal dependents;
- g. Association with persons engaged in criminal activity;
- h. Random substance abuse testing;
- i. Possessing, carrying, or owning a firearm or weapon;
- j. Use of intoxicants to excess or possessing non-prescription narcotics;

k. Cost of supervision;

l. Following instructions;

m. Answering inquiries truthfully; and,

n. Visits by the correctional probation officer to the offender's residence or other location within the community.

2. Instruction and review of any special conditions imposed by the court or releasing authority including:

a. Restitution;

- b. Court costs, fines, or other financial obligations;
- c. Public service work requirements;
- d. Evaluation and treatment requirements;
- e. Prohibitions against contact with the victim or victims;
- f. Participation in education or self-improvement programs;
- g. Participation in HIV or AIDS awareness programs;
- h. Incarceration required as a condition of supervision;
- i. Victim related special conditions; and,
- j. Any other special conditions imposed by the court or releasing authority.

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

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

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

(4) Restoration of Civil Rights:

(a) If the offender is convicted of a felony offense, the officer shall advise the offender that statutory employment restrictions may apply during the supervision period until the offender's rights are restored.

(b) The officer shall advise the offender that more information regarding the restoration of civil rights process shall be provided as the offender's scheduled termination date approaches.

(c) The officer shall direct further questions regarding the civil rights review process to the Office of Executive Clemency.

(5) The correctional probation officer shall instruct on and review the information contained in Section 944.512, F.S., which prohibits all felons convicted in Florida or their assignees, from receiving any financial benefits from literary or cinematic accounts of crimes for which the offender was convicted and which empowers and sets guidelines for the courts to place liens upon proceeds payable or accruing to offenders, or their assignees.

(a) The correctional probation officer and offender shall sign and date an Acknowledgment of Understanding of Responsibilities for Notification of Involvement in Crimes Accounts, Form DC1-204, certifying that the offender has received instructions regarding requirements stated in Section 944.512, F.S. Form DC1-204 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(b) The correctional probation officer shall provide the offender with a copy of the executed Form DC1-204 and place the original in the offender file.

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

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

1. The offender grievance procedure;
2. The means whereby the offender may obtain twenty-four hour emergency access to the correctional probation office or officer;
3. Drug testing procedures;
4. Criminal registration requirements;
5. Firearms prohibition instructions; and,
6. Employer notification instructions.

(b) The correctional probation officer and offender shall sign and date Form DC3-246, Instructions to the Offender, certifying that the offender has received orientation regarding the topics listed in section (6)(a).

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shari Britton

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

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

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

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish procedures relating to the written monthly report offenders on supervision must submit to their correctional probation officer.

SUMMARY: The proposed rule establishes guidelines as to notification of this requirement, provides requisite forms, establishes guidelines for the content of written monthly reports, and establishes procedures for the review and retention of written monthly reports.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.110 Written Monthly Reports.

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

(a) Form DC3-268, Written Monthly Report, is the form offenders shall submit on a monthly basis to their correctional probation officer. Form DC3-268 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

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

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

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

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

(f) Make referrals in order to assist the offender with community resources and services available, as necessary.

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Shari Britton

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

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

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

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to clarify procedures related to community release programs.

SUMMARY: The proposed rules update form numbers and titles, correct program titles, correct form incorporation language, and clarify ineligibility criteria for community release programs.

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: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.602 Community Release Programs.

(1) Definitions.

(a) through (d) No change.

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

(f) through (g) No change.

(2) Inmate Conduct While On Community Release.

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

1. through 10. No change.

(b) No change.

(c) Every inmate assigned to a community release facility shall immediately, upon arrival, sign a Letter of Notice, Form DC6-102 DC4-866, or the inmate shall be terminated from the program. The inmate shall be furnished a copy of the Letter of Notice and must agree to abide by the conditions of the Letter of Notice. Form DC6-102 DC4-866 is incorporated by reference in (16) of this rule.(d) The work release center classification officer shall complete a Personalized Program Plan for Work Release Centers, Form DC6-118A DC4-838, on all inmates assigned to the work release center within 14 days of receipt of the inmate at the center. Form DC6-118A DC4-838 is incorporated by reference in (16) of this rule. The completed personalized program plan shall be signed by the inmate, the classification officer and the correctional officer major. Once the personalized program plan is signed, it shall be given to the staff member assigned to work with the inmate. Any changes in the personalized program plan shall be discussed with the inmate and shall be documented on Form DC6-118B DC4-838A, Personalized Program Plan – Modification Plan. Form DC6-118B DC4-838A is incorporated by reference in (16) of this rule. The inmate's progress towards achieving the goals of the personalized program plan shall be reviewed bi-weekly with the inmate. The outcome of each review shall be documented on Form DC6-118C DC4-838B, Personalized Program Plan – Monthly Progress Review. Form DC6-118C DC4-838B is incorporated by reference in (16) of this rule. Staff are authorized to schedule subsequent progress reviews upon request of the inmate.

(e) No change.

(3) through (6) No change.

(7) Employment.

(a) through (e) No change.

(f) The prospective employer shall sign an Employer's Community Work Release Agreement, Form DC6-124. Form DC6-124 is incorporated by reference in (16) of this rule.

Inmates engaged in paid employment are not considered an employee of the state or the department while engaging in or traveling to and from such employment.

(g) through (h) No change.

(i) Facility personnel shall visit the inmate's place of employment for new employers within the first five working days to verify employment. Documentation of on-site employment verification shall be placed in the inmate's file by utilizing Form DC6-125 DC4-832, Employment Contacts. Form DC6-125 DC4-832 is incorporated by reference in (16) of this rule.(j) There shall be a minimum of three employment contacts per inmate per month by facility personnel to substantiate attendance and discuss any problems that may have arisen. Two of the contacts shall be accomplished either through telephone calls or site visits to the inmate's place of employment, and documentation of the contacts shall be made on Form DC6-125 DC4-832, Employment Contacts. One of the three monthly contacts shall be a personal on-site job check. The documentation of the contacts shall be made on Form DC6-125 DC4-832 and placed in the inmate's file for future reference.(k) Facility personnel shall establish a primary and secondary job contact person at all employment sites. The primary and secondary contact person shall be named on Form DC6-125 DC4-832, Employment Contacts.

(l) No change.

(8) through (9) No change.

(10) Disbursement of Earnings.

(a) through (g) No change.

(h) A work releasee who is receiving Worker's' Compensation or sick pay shall pay subsistence fees commensurate with the rate set forth in subparagraph (d) above based on the amount of compensation received, less any legally required payroll deductions.

(i) through (k) No change.

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

(11) Restitution.

(a) through (d) No change.

(e) Restitution requirements shall be recorded on Form DC6-123 DC4-803A, Monetary Reimbursement Agreement. Form DC6-123 DC4-803A is incorporated by reference in (16) of this rule.

(12) through (15) No change.

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

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

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

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

~~(b)(4) No change.~~

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

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

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

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

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

~~(h)(j) No change.~~

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

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

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

33-601.606 Placement of Inmates into Community Release Programs.

(1) No change.

(2) Eligibility and Ineligibility Criteria.

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

1. through 4. No change.

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Tune

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

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE TITLE: Medical Director

RULE NO.: 59A-4.1075

PURPOSE AND EFFECT: The Agency proposes to develop a rule consistent with the provisions of s. 400.141(2), Florida Statutes, that became effective July 1, 1999. The legislation provides for specific criteria for the appointment of a medical director.

SUMMARY: Specific criteria for the appointment of a medical director.

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: 400.141 FS.

LAW IMPLEMENTED: 400.141(2) FS.

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

TIME AND DATE: 10:00 a.m., June 20, 2001

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room E, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kelly, Agency for Health Care Administration, Long-Term Care Unit, 2727 Mahan Drive, Suite 228, Tallahassee, Florida 32308, (850)488-5861

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-4.1075 Medical Director.

(1) Each facility will have only one physician who is designated as Medical Director.

(2)(a) The Medical Director must be a physician licensed under Chapter 458 or 459, Florida Statutes. The nursing home administrator may require that the Medical Director be certified or credentialed through a recognized certifying or credentialing organization.

(b) A Medical Director who does not have hospital privileges shall be certified or credentialed through a recognized certifying or credentialing body, such as the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), the American Medical Directors Association, the Florida Medical Directors Association or a health maintenance organization licensed in Florida.

(c) A physician must have his/her principal office within 60 miles of all facilities for which he/she serves as Medical Director. Principal office is the office maintained by a physician pursuant to ss. 458.351, Florida Statute and

applicable rules, where the physician delivers the majority of medical services. The physician must specify the address of his/her principal office at the time of becoming Medical Director. The agency may approve a request to waive this requirement for rural facilities that exceed this distance requirement. A rural facility is a facility located in a county with a population density of no greater than 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other nursing home facility within the same county.

(d) The facility shall appoint a Medical Director who shall visit the facility at least once a month. The Medical Director shall review all new policies and procedures; review all new incident and new accident reports from the facility to identify clinical risk and safety hazards. The Medical Director shall review the most recent grievance logs for any complaints or concerns related to clinical issues. Each visit must be documented in writing by the Medical Director.

(3) A physician may be Medical Director of a maximum of 10 nursing homes at any one time. The Medical Director, in an emergency where the health of a resident is in jeopardy and the attending physician or covering physician cannot be located, may assume temporary responsibility of the care of the resident and provide the care deemed necessary.

(4) The Medical Director appointed by the facility shall meet at least quarterly with the quality assessment and assurance committee of the facility.

(5) The Medical Director appointed by the facility shall participate in the development of the comprehensive care plan for the resident when he/she is also the attending physician of the resident.

Specific Authority 400.141 FS. Law Implemented 400.141(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard F. Kelly, Health Services and Facilities Consultant,
Managed Care and Health Quality

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 30, 2001

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Outpatient Hospital Services
RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of the rule amendment is to incorporate by reference the Florida Medicaid Hospital Coverage and Limitations Handbook, January 2001. The handbook contains the 2001 outpatient hospital laboratory

and pathology codes and fee schedule. The effect will be to incorporate in the rule the current Florida Medicaid Hospital Coverage and Limitations Handbook.

SUMMARY: The proposed rule incorporates by reference the Florida Medicaid Hospital Coverage and Limitations Handbook, January 2001. The handbook update consists of code and fee revisions to Appendix C, Laboratory and Pathology Codes and Fee Schedule, routinely updated every year in January. The revised code list is effective for dates of service beginning on January 1, 2001.

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

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m. – 10:00 a.m., June 18, 2001

PLACE: Agency for Health Care Administration, 2728 Fort Knox Blvd., Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ouida Mazzoccoli, Medical/Health Care Program Analyst, Medicaid Program Development Office, 2728 Fort Knox Boulevard, Building 3, Tallahassee, FL 32308, (850)922-7351

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all hospital providers enrolled in the Medicaid program.

(2) All hospital providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospital Coverage and Limitations Handbook, January 2001 ~~May 2000~~, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, October 1998, both incorporated by reference in this rule. Both handbooks are available from the fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ouida Mazzoccoli

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Barbers'

RULE TITLE: Special Assessment Fee
RULE NO.: 61G3-20.022

PURPOSE AND EFFECT: The Board proposes to promulgate this new rule to be included in Chapter 61G3-20.

SUMMARY: The proposed rule set forth guidelines for Special Assessment Fees.

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

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

SPECIFIC AUTHORITY: 455.219(2), 476.064(4) FS.

LAW IMPLEMENTED: 455.219(2) 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: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.022 Special Assessment Fee.

(1) In order to eliminate the current cash deficit in the operating funds of the Board and to maintain the Board's financial integrity, each active and voluntary inactive licensee, including all licensed barbers, restricted barbers, barbers assistants, and barbershop license holders, who received their initial license prior to the effective date of this rule shall pay a one-time special assessment fee of one hundred dollars (\$100.00).

(a) All licensed barbers, restricted barbers, and barbers assistants who receive their initial license after the effective date of this rule shall pay a one-time special assessment fee of one hundred dollars (\$100.00) no later than 5:00 p.m. on July 31, 2002.

(b) All barbershop license holders who receive their initial license after the effective date of this rule shall pay a one-time special assessment fee of one hundred (\$100.00) no later than 5:00 p.m. on November 30, 2002.

(c) All licensed barbers, restricted barbers, and barbers assistants who are scheduled to renew their license during 2002 shall pay the special assessment fee of one hundred dollars (\$100.00) no later than 5:00 p.m. on July 31, 2002.

(d) All barbershop license holders who are scheduled to renew their license during 2002 shall pay the special assessment fee of one hundred (\$100.00) no later than 5:00 p.m. on November 30, 2002.

(2) The special assessment fee applies to all licensees, including those whose licenses are in delinquent status, suspended and who have been placed on probation.

(3) Failure to comply with this rule and pay the required fee shall constitute grounds for disciplinary action pursuant of Section 476.204(i), and 455.227(1)(b) and (q) F.S.

Specific Authority 455.219(2), 476.064(4) FS. Law Implemented 455.219(2) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Barbers'

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2001

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Time for Compliance With Final Order
RULE NO.: 61G4-12.008

PURPOSE AND EFFECT: The Board proposes to amend this rule to set forth the terms and status of a probationers license if the probationer fails to make satisfactory appearances before the Board.

SUMMARY: Language is being added to this rule to clarify the effects that unsatisfactory appearances by probationers will have on the length of the probation period.

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

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

SPECIFIC AUTHORITY: 455.227(2), 489.108 FS.

LAW IMPLEMENTED: 455.227(2), 489.129(2),(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marlene Gundy, Interim Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.008 Time for Compliance With Final Order.

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

(d) Should the licensee fail to make a satisfactory appearance as determined by the Board, the term of the probationary period shall automatically be extended by six (6) months. If there occurs a second such failure, then the term of the probationary period will be extended an additional year. Should the Board determine a third failure of the licensee to make a satisfactory appearance, then the stay of suspension of the licensee's licensure to practice contracting shall be lifted and the license shall remain in suspended status unless and until a further stay is granted by the Board.

(e)(4) Should the licensee's licensure to practice contracting be suspended or otherwise placed on inactive status, or if the licensee leaves the practice of contracting for thirty (30) days or more, the probation period shall be tolled and shall resume running at the time the licensee reactivates the license or returns to the active practice of contracting, and the licensee shall then serve the time remaining in the term of probation.

(f)(e) The licensee's licensure to practice contracting shall be suspended for the period of probation, with the suspension stayed for the period of probation. The time of the suspension and the stay shall run concurrently with the period of probation, except as provided otherwise in the Final Order. If the licensee successfully completes probation, the suspension shall terminate. If the licensee fails to comply with the requirements set forth in this rule or in the Final Order imposed in this case, or fails to make satisfactory appearances as determined by the Board, the stay shall be lifted. Once the stay is lifted, the license shall remain in suspended status unless and until a further stay is granted by the Board.

Specific Authority 455.227(2), 489.108 FS. Law Implemented 455.227(2), 489.129(2),(6) FS. History--New 1-6-80, Amended 12-19-82, Formerly 21E-12.08, Amended 5-29-90, 7-21-92, Formerly 21E-12.008, Amended 8-21-95, 11-25-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Suspension
RULE NO.: 61G18-15.009

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule entitled "Suspension", numbered 61G18-15.009.

SUMMARY: The Board has determined that a new rule should be created which will set forth the time period if the Board determines a suspension is appropriate.

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: 474.206, 474.215 FS.

LAW IMPLEMENTED: 474.215 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: Sherry Landrum, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-15.009 Suspension.

If the Board determines that a period of suspension against a permit is appropriate, such suspension shall be for one year.

Specific Authority 474.206, 474.215 FS. Law Implemented 474.215 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B8-55.001

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

SUMMARY: This amendment addresses specific requirements for disciplinary guidelines.

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: 456.072, 456.079, 478.52(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 478.52(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-55.001 Disciplinary Guidelines.

(1) through (3) No change.

(4) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. The Board shall consider as aggravating or mitigating factors the following:

(a) through (c) No change.

~~(d) The number of times the same offense or offenses have previously been committed by the licensee or applicant;~~

~~(d)(e)~~ The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice;

~~(e)(f)~~ Pecuniary benefit or self-gain inuring to the applicant or licensee;

~~(f)(g)~~ Any other relevant mitigating or aggravating factors.

Specific Authority 456.072, 456.079, 478.52(4) FS. Law Implemented 456.072, 456.079, 478.52(4) FS. History—New 11-16-93, Formerly 61F6-80.001, Amended 1-2-95, Formerly 59R-55.001, Amended 2-9-98, 10-12-98, 3-1-00, 9-28-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2000

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

DEPARTMENT OF HEALTH

School Psychology

RULE TITLES:

Collection and Payment of Fees

Biennial Renewal Fee

RULE NOS.:

64B21-501.001

64B21-501.003

Application Fees	64B21-501.005
Reactivation Fee	64B21-501.006
Change of Status Fee	64B21-501.0065
Inactive Renewal Fee	64B21-501.007
Application Fee for Inactive Status	64B21-501.008
Initial Licensure Fee	64B21-501.009
Continuing Education Provider Fee	64B21-501.010
Delinquency Fee	64B21-501.011
Fee to Enforce Prohibition Against Unlicensed Activity	64B21-501.012
Duplicate License and Wall Certificate Fee	64B21-501.013

PURPOSE AND EFFECT: The Department of Health is proposing amendments to school psychology rules regulating fees.

SUMMARY: Proposed amendments are being made by the Department of Health to increase existing fees and establish new fees for the profession of school psychology.

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

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

SPECIFIC AUTHORITY: 490.015, 490.007, 490.008, 456.013, 456.036, 490.085, 456.025(2),(7) FS.

LAW IMPLEMENTED: 490.007(1), 456.013, 490.005, 490.006, 490.085, 456.036, 456.025(2),(7), 456.065 FS.

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

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 5 calendar days before the meeting by contacting Ivy Shivers at: (850)245-4444, Ext. 3482. If you are hearing or speech impaired, please contact the agency by calling (850)245-4474.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B21-501.001 Collection and Payment of Fees.

Specific Authority 120.53(1), 490.015(2) FS. Law Implemented 490.005(2) FS. History—New 4-13-82, Formerly 21U-501.01, Amended 1-28-92, 6-21-92, Formerly 21U-501.001, 61E9-501.001, Repealed.

64B21-501.003 Biennial Renewal Fee.

The fee for biennial license renewal is \$250.00 ~~\$100.00~~ for school psychologists.

Specific Authority ~~120.53(1)~~, 490.007(1), 490.015(2), ~~455.219(1)~~ FS. Law Implemented 490.007(1) FS. History—New 4-13-82, Amended 4-20-83, 3-19-85, Formerly 21U-501.03, Amended 7-10-89, 1-10-91, Formerly 21U-501.003, 61E9-501.003, Amended.

64B21-501.005 Application Fees.

(1) The non-refundable application fee for ~~initial~~ licensure by examination is \$250.00 ~~\$150~~.

(2) The non-refundable application fee for licensure by endorsement is \$250.00 ~~\$150~~.

Specific Authority ~~120.53(1)~~, 456.013, 490.015, ~~455.217(2)~~ FS. Law Implemented 490.005 ~~490.005(2)~~, 490.006 FS. History—New 8-27-84, Amended 12-16-84, 2-21-85, Formerly 21U-501.05, Amended 1-28-92, 6-21-92, Formerly 21U-501.005, 61E9-501.005, Amended.

64B21-501.006 Reactivation Fee.

The fee for reactivation of an inactive license shall be \$150.00 ~~\$50.00~~. Such fee shall be in addition to the biennial licensure fee as prescribed in Rule 64B21-501.003, F.A.C., ~~the inactive status application fee as prescribed by Rule 64B21-501.008, F.A.C.,~~ and any other applicable fees ~~inactive renewal fee as prescribed by Rule 64B21-501.007, F.A.C.~~

Specific Authority ~~120.53(1)~~, 456.036, 490.015(2), ~~490.008(3)~~ FS. Law Implemented 456.036 ~~490.008~~ FS. History—New 3-13-85, Formerly 21U-501.06, Amended 7-10-89, 1-10-91, Formerly 21U-501.006, 61E9-501.006, Amended.

64B21-501.0065 Change of Status Fee.

If a licensee seeks to change the status of his or her license at any time other than the biennial renewal period, a change of status fee of \$50.00, shall be applied.

Specific Authority 490.015(2) FS. Law Implemented 456.036 FS. History—New _____.

64B21-501.007 Inactive Renewal Fee.

The fee for renewal of an inactive status shall be \$150.00 ~~\$50.00~~.

Specific Authority ~~120.53(1)~~, 490.015(2), 456.036, ~~490.008(3)~~ FS. Law Implemented 456.036 ~~490.008~~ FS. History—New 2-21-85, Formerly 21U-501.07, Amended 7-10-89, 1-10-91, Formerly 21U-501.007, 61E9-501.007, Amended.

64B21-501.008 Application Fee for Inactive Status.

Specific Authority 490.008(3), 490.015 FS. Law Implemented 490.008 FS. History—New 7-10-89, Amended 1-10-91, Formerly 21U-501.008, 61E9-501.008, Repealed.

64B21-501.009 Initial Licensure Fee.

The fee for initial licensure shall be \$250.00 ~~\$100.00~~. This fee is refundable if the applicant is not eligible for licensure.

Specific Authority ~~455.213(2)~~, 456.013, 490.015, ~~455.219(1)~~ FS. Law Implemented 456.013 ~~455.213(2)~~ FS. History—New 7-10-89, Amended 1-10-91, 6-21-92, Formerly 21U-501.009, 61E9-501.009, Amended.

64B21-501.010 Continuing Education Provider Fee.

The application fee and the renewal fee for Department approval of a provider of continuing education for school psychologists shall be \$500.00 ~~\$100.00~~.

Specific Authority 490.015, 490.085(2) FS. Law Implemented 490.085(2) FS. History—New 7-10-89, Formerly 21U-501.010, 61E9-501.010, Amended.

64B21-501.011 Delinquency fee.

If a licensee fails to renew his or her license before the license expires, the license becomes delinquent in the license cycle following expiration. When such licensee applies for an active or inactive license, the licensee shall pay a delinquency fee of \$250.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New _____.

64B21-501.012 Fee to Enforce Prohibition Against Unlicensed Activity.

Each initial licensee and each renewing licensee shall pay \$5.00 in addition to the fee for initial licensure and licensure renewal to fund the efforts of the Department of Health to combat unlicensed activity.

Specific Authority 456.004 FS. Law Implemented 456.065 FS. History—New _____.

64B21-501.013 Duplicate License and Wall Certificate Fee.

(1) Licensees may obtain duplicate licenses for replacement of a lost or destroyed license by submitting a written request to the Department along with a \$25.00 fee.

(2) Licensees licensed prior to July 1, 1998, may obtain wall certificates by submitting a written request to the Department along with a \$25.00 fee.

(3) Licensees may obtain a duplicate wall certificate by submitting a written request to the Department along with a \$25.00 fee.

Specific Authority 456.025(2),(7) FS. Law Implemented 456.025(2),(7) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kaye Howerton, Executive Director, Department of Health,
4052 Bald Cypress Way, BIN #C05, Tallahassee, FL
32399-3255

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kaye Howerton, Executive
Director, Department of Health, 4052 Bald Cypress Way, BIN
#C05, Tallahassee, FL 32399-3255

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 14, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 18, 2001

DEPARTMENT OF HEALTH

School Psychology

RULE TITLES:	RULE NOS.:
Continuing Education	64B21-502.001
Continuing Education Credit Guidelines	64B21-502.004
Initial Licensure Period	64B21-502.005

PURPOSE AND EFFECT: The Department of Health is proposing amendments to school psychology rules regulating continuing education requirements.

SUMMARY: Amendments are proposed to school psychology continuing education rules to simplify and clarify the conditions with which a licensee must comply, and to include a statutory requirement that one (1) of every thirty (30) hours of continuing education be on domestic violence.

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

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

SPECIFIC AUTHORITY: 490.007(2), 490.0085, 490.015 FS.

LAW IMPLEMENTED: 490.0085, 456.031 FS.

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

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 5 calendar days before the meeting by contacting Ivy Shivers at: (850)245-4444, Ext 3482. If you are hearing or speech impaired, please contact the agency by calling (850)245-4474.

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

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE DEPARTMENT WITH RESPECT TO ANY MATTER CONSIDERED AT THIS

HEARING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B21-502.001 Continuing Education.

(+) Every applicant for renewal of licensure shall demonstrate evidence of having obtained thirty (30) contact hours of continuing education credit earned during each biennial renewal period. One (1) of the thirty (30) hours must be on domestic violence consistent with Section 456.031, F.S. The licensee shall retain for four (4) years certificates of attendance or other records to document the completion of the continuing education requirement. The Department will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met.

~~(2) The Department may grant provider approval for programs relating to the profession for which license renewal is sought.~~

Specific Authority ~~120.53(1), 490.007(2), 490.0085,~~ 490.015 FS. Law Implemented 456.031, 490.007(2), 490.0085 FS. History—New 4-13-82, Amended 11-27-83, 2-21-85, Formerly 21U-502.01, Amended 12-26-91, 6-24-92, Formerly 21U-502.001, 61E9-502.001, Amended _____.

64B21-502.004 Continuing Education Credit Guidelines.

(1) Licensees who obtain initial licensure in the first year of a biennium will be required to demonstrate fifteen (15) hours of continuing education during the biennium in which licensure was obtained for the first renewal of their license. Persons certified for licensure in the second half of a biennium are exempt from the continuing education requirements for that biennium. Continuing education requirements must be met for each biennium thereafter.

~~(2)(1)~~ For the purpose of renewing or reactivating a school psychologist license, only those continuing education hours approved by the Department of Health will be acceptable for credit. Credit will be approved for programs ~~approved pursuant to Section (3) or~~ offered by a continuing education provider ~~Provider~~ approved pursuant to the requirements of this rule Section (8).

~~(2) One (1) hour of continuing education credit is defined as no less than fifty (50) minutes of uninterrupted learning in one (1) hour.~~

~~(3) Programs approved for continuing education credits will contain the following characteristics:~~

~~(a) Continuing education speakers must:~~

1. Be faculty, post graduate faculty or former faculty of a university or college accredited by an accrediting agency approved by the United States Department of Education, or

2. Have been awarded a doctorate which is psychological in nature from a college or university which is accredited by an accrediting agency approved by the United States Department of Education, or

3. Are licensed as medical doctors in the state of their residence and can document completion of a residency in psychiatry which was approved by the American Medical Association, or

4. Be able to present two (2) signed affidavits from persons licensed under Chapter 490, Florida Statutes, which can verify that the presenter has extensive experience, to include not less than two (2) years of practical application or research, involving the subject area being taught in the program.

(b) The content of all continuing education programs must be psychological in nature and provide information concerning human behavior and/or methods of providing psychological services. Continuing education credit will be granted only for those courses designed to improve the counseling skills of the licensee.

(3)(e) Programs accepted for continuing education credit shall be offered by providers approved by the National Association of School Psychologists (NASP), the American Psychological Association, or fall into one of the following categories.

(a)1. Post-graduate courses; and seminars related to school psychology and approved courses given by universities accredited by an accrediting agency approved by the United States Department of Education, or recognized hospitals and training institutes.

(b)2. Continuing education programs presented at international, national, regional and state school psychology and psychology association conferences meetings.

3. Workshops and institutes, which include approved workshops at conventions.

4. Post masters graduate level courses completed at an accredited college or university.

(4) Continuing education credit received during conventions or conferences must be verified by the provider of the continuing education credit. Continuing education credit will be awarded for preparing to teach a continuing education program.

(5) Presenters/Moderators of programs designed for continuing education may receive credit on a one (1) time basis for programs where they are actually in attendance for the complete program. A maximum of ten (10) hours of credit per biennium may be received for presenting/moderating a program.

(6) A licensee attending a continuing education program must have that attendance verified in writing by the program's registrar or sponsor. Such verification will only be submitted to the Department if the licensee's file is audited.

(7) In order to receive approval for a continuing education program from the Department of Health, one must provide the following information:

(a) A completed form provided by the Department titled "Request for Approval of Continuing Education Program";

(b) A vita of all speakers, moderators and/or leaders of the activity which includes names, titles, degrees awarded, and any faculty status ever held at an accredited university or college; and

(c) An outline of the program which details the method of learning, the content, and the specific time scheduled for each speaker and topic.

(8) Continuing education providers will be approved for one (1) biennial renewal cycle who meet to the Department's satisfaction the following criteria:

(a) Provide to the Department:

1. A proposed program which meets the criteria of subsection (3);

2. A completed Provider Application form.

(b) Sign and abide by a written agreement to:

1. Provide an identifiable person to act as the Continuing Education Director and be responsible for each presentation of the continuing education programs;

2. Retain a list of attendees for at least three (3) years;

3. Provide all programs for continuing education credit in accordance with subsection (3);

4. Assign an identifiable person to be present at each continuing education activity whose responsibilities will include recording of attendance and monitoring of attendance to assure that credit is awarded only for those hours actually attended;

5. Provide the participants with the Department approved certificate of attendance containing the provider's name and number, title of the program, instructor, date of the program, location, number of hours of continuing education credit and the participant's license number(s);

6. Notify the Department of any significant changes relative to the maintenance of standards as set forth in these rules;

7. The Department retains the right and authority to audit and/or monitor programs given by the provider. The Department may rescind provider status or reject individual programs given by the provider if the provider has disseminated any false or misleading information in connection with the continuing education program; or if the provider has failed to conform to and abide by the written agreement and rules of the Department.

Specific Authority 490.015 FS. Law Implemented 490.0085(4),(2) FS.; Chapter 84-168, Laws of Florida: History-New 7-3-83, Amended 11-27-83, 2-21-85, Formerly 21U-502.04, Amended 12-26-91, 6-24-92, Formerly, 21U-502.004, 61E9-502.004, Amended _____.

64B21-502.005 Initial Licensure Period.

Specific Authority 120.53(1), 490.015 FS. Law Implemented 455.213(2) FS. History-New 2-21-85, Formerly 21U-502.05, Amended 12-26-91, Formerly 21U-502.005, 61E9-502.005, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, FL 32399-3255

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2001

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLE:

RULE NO.:

Control of Communicable Diseases, Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12; Forms and Guidelines

64D-3.011

PURPOSE AND EFFECT: The Bureau proposes an amendment to update forms and guidelines that are incorporated by reference.

SUMMARY: The proposed amendment to Rule 64D-3.011, FAC., provides the required procedure for form completion of the DH Form 680 and immunization guidelines.

STATEMENT OF ESTIMATED REGULATORY COST: At this time, a Statement of Estimated Regulatory cost is not available.

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: 381.003(1)(e),(2) FS.

LAW IMPLEMENTED: 232.032 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 PLACE: 1:00 p.m., (EST), June 15, 2001

PLACE: Room 340N, 2585 Merchants Row Blvd., Tallahassee, FL 32399-1719

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Lincicome, Senior Management Analyst II, Department of Health, Bureau of Immunization,

Room 210N, 2585 Merchants Row Blvd., Tallahassee, FL 32399-1719, whose telephone number is (850)245-4342 (Mailing address is 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719)

THE FULL TEXT OF THE PROPOSED RULE IS:

64D-3.011 Control of Communicable Diseases, Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12; Forms and Guidelines.

- (1) No change.
- (2) Documentation Requirements.

(a) Certification of Immunization – Only fully immunized children shall be issued a Florida Certification of Immunization, which must be provided on DH Form 680 Florida Certification of Immunization, Certificate of Immunization for K-12 Excluding 7th Grade Requirements (Part A-1), and/or Certificate of Immunization Supplement for 7th Grade Requirement (Part A-2), incorporated by reference in Section 64D-3.011(5), F.A.C. DH Form 680, Florida Certification of Immunization, shall be completed per instructions for the appropriate school year provided in Immunization Guidelines Florida Schools and Child Care Facilities ~~School Year 1998-99, or Immunization Guidelines Florida Schools and Child Care Facilities School Year 1999-2000, or Immunization Guidelines Florida Schools and Child Care Facilities~~ Effective August 2000, or Immunization Guidelines Florida Schools, Child Care Facilities and Family Day Care Homes Effective July 2001, as incorporated by reference in Section 64D-3.011(5), F.A.C. A child may attend school only after an authorized school official has examined the certificate for validity. A valid Florida Certification of Immunization shall be properly dated and signed or authorized by a physician. Data elements transferred through the Florida Automated System for Transferring Education Records (FASTER) will include all antigen doses by dates of immunization. The original paper DH Form 680, the Florida Certification of Immunization, shall remain in the student’s cumulative health record.

(b) Exemptions – A child may attend school without a valid DH Form 680, Florida Certification of Immunization, Certificate of Immunization for K-12 Excluding 7th Grade Requirements (Part A-1) and/or Certificate of Immunization Supplement for 7th Grade Requirement (Part A-2) only if he presents a completed DH Form 680, Florida Certification of Immunization Temporary Medical Exemption (Part B), Permanent Medical Exemption (Part C), or completed Form DH 681, Religious Exemption From Immunization, incorporated by reference in Section 64D-3.011(5), F.A.C., or if he is a transfer student. Exemption forms noted shall be completed per instructions for the appropriate school year provided in Immunization Guidelines Florida Schools and Child Care Facilities ~~School Year 1998-99, or Immunization Guidelines Florida Schools And Child Care Facilities School~~

~~Year 1999-2000, or Immunization Guidelines Florida Schools and Child Care Facilities Effective August 2000, or Immunization Guidelines Florida Schools, Child Care Facilities and Family Day Care Effective July 2001,~~ as incorporated by reference in Section 64D-3.011(5), F.A.C.

(5) Forms and Guidelines – Forms used to document compliance with section 232.032, F.S., and guidelines for completion of the forms, are hereby incorporated by reference:

FORM #	EFFECTIVE DATE	TITLE	FORMS AND GUIDELINES AVAILABILITY
DH 680A	(Aug 98)	Florida Certification of Immunization physicians' offices	DOH county health departments (DOH CHDs);
DH 680	(Aug 2000)	Florida Certification of Immunization	DOH CHDs, physicians' offices
DH 680	(July 2001)	Florida Certification of Immunization	DOH CHDs, physicians' offices
DH 681	(May 99)	Religious Exemption From Immunization	DOH CHDs
DH 684	(Nov 96)	Immunization Annual Report of Compliance for Kindergarten and Seventh Grade	DOH CHDs
DH 685	(Nov 96)	Kindergarten and Seventh Grade Annual Report of Compliance County Summary	DOH CHDs
	(Aug 98)	Immunization Guidelines Florida Schools and Child Care Facilities School Year 1998-99	DOH CHDs
	(Aug 99)	Immunization Guidelines Florida Schools and Child Care Facilities School Year 1999-2000	DOH CHDs
	(Aug 2000)	Immunization Guidelines Florida Schools and Child Care Facilities Effective August 2000	DOH CHDs
	(Jul 2001)	Immunization Guidelines Florida Schools, Child Care Facilities and Family Day Care Homes Effective July 2001	DOH CHDs

Specific Authority 232.032(1), 381.0011(13), 381.003(1), 381.003(2), 381.005(2) FS. Law Implemented 232.032(1), 381.0011(4), 381.003(1), 381.005(1)(i), 458, 459, 460 FS. History—New 12-29-77, Amended 6-7-82, 11-6-85, Formerly 10D-3.88, Amended 2-26-92, 9-20-94, 9-21-95, 4-7-96, Formerly 10D-3.088, Amended 7-14-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Henry T. Janowski, M.P.H., Chief, Bureau of Immunization
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Landis K. Crockett, M.D., M.P.H., Director, Division of Disease Control
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Friday, April 20, 2001

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RULE TITLE: Contract Penalties for Noncompliance
RULE NO.: 65-29.001

PURPOSE AND EFFECT: The purpose of this rule is to implement the provisions of Section 402.73(7), Florida Statutes (F.S.), to provide procedures for incremental financial penalties to be imposed by the department upon a service provider as a result of such a provider's failure to comply with a requirement for corrective action.

SUMMARY: This rule provides guidelines that will be used by the department to implement financial penalties for provider noncompliance. Noncompliance determined by the department to have a direct effect on client health and safety will result in a financial penalty of ten percent (10%) imposed upon the provider. Noncompliance issues involving provisions not having a direct effect on client health and safety will result in a five percent (5%) penalty imposed upon the provider. Noncompliance as a result of unacceptable administrative support will result in a two percent (2%) penalty imposed upon the provider.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: An estimate of regulatory cost has not been prepared for this rule.

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: 402.73(7) FS.

LAW IMPLEMENTED: 402.73(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. (EST), June 18, 2001

PLACE: 1317 Winewood Blvd., Building 5, Room 117, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy Neves, ASCA, Policies and Publications, (850)413-7464 or Suncom 293-7464

THE FULL TEXT OF THE PROPOSED RULE IS:

65-29.001 Contract Penalties for Noncompliance.

(1) Purpose. The purpose of this rule is to implement the provisions of Section 402.73(7), F.S., and to provide procedures for the imposition of financial penalties upon providers that fail to comply with a department request for corrective action.

(2) Definitions. For the purpose of this rule, the following definitions shall apply:

(a) "Corrective Action" means required acts of remediation the provider is required to make in response to department findings of noncompliance to the terms and conditions of a contract.

(b) "Corrective Action Plan" means the official plan prepared by the provider and approved by the department, which describes how and when deficiencies for nonperformance or unacceptable performance are to be corrected.

(c) "Department" means the Florida Department of Children and Families.

(d) "Findings of Fact" means the conclusions reached by the department upon factual issues.

(e) "Notice of Intent to Impose a Financial Penalty" means a written notice issued by the department to the provider making the provider aware that a financial penalty is pending if the provider does not successfully complete the required corrective action plan within a specified time limit.

(f) "Provider" means an organization or individual providing services to or on behalf of the department.

(3) Penalty Provision. All contracts entered into by the department for services shall contain penalty provisions for noncompliance with the terms and conditions of a contract. Such provisions shall address the following:

(a) Corrective action plans for noncompliance, nonperformance, or unacceptable performance.

(b) The increments of penalty imposition that shall apply unless the department determines that extenuating circumstances exist. These increments shall be based upon the severity of the provider's noncompliance, and shall not exceed ten percent (10%) of the total contract payments during the period of noncompliance. Noncompliance that is determined to have a direct effect on client health and safety shall result in the imposition of a ten percent (10%) penalty of the total contract payments during the period of noncompliance. Noncompliance involving the provision of service not having a direct effect on client health and safety shall result in the imposition of a five percent (5%) penalty. Noncompliance as a result of unacceptable administrative support shall result in the imposition of a two percent (2%) penalty.

(c) The deadline for payment of a penalty.

(d) The potential deduction of a financial penalty from the department's payments to a provider.

(4) Process. If at any time during the effective contract period the department gives notice to the provider that its delivery of services is unacceptable or is not in compliance with the terms and conditions of the contract, the department shall request corrective action. The department's request for corrective action shall identify the incident(s) of noncompliance or unacceptable performance, and be submitted to the provider in writing. The provider, in turn, must submit a corrective action plan within thirty (30) calendar days of receipt of the department's request. The provider's failure to timely submit a corrective action plan that is determined acceptable to the department shall result in the imposition of a financial penalty.

(5) Source of Funds Available for Payment of Financial Penalty. A provider shall not pay a financial penalty with funds intended to be used, or which are budgeted, to provide services to clients. The provider shall not reduce the quantity or quality of services being delivered to clients as a result of the imposition of a financial penalty pursuant to this rule.

(6) Preliminary Findings of Fact. The department shall give the provider a written Notice of Intent to Impose a Financial Penalty, which shall include the following information:

(a) The factual basis upon which the department determined that contract performance was unacceptable.

(b) A description of the corrective action, which was not implemented or satisfactorily accomplished; and

(c) The amount of the penalty imposed.

(7) Contesting a Penalty. Within twenty-one (21) calendar days of receipt of the Notice of Intent to Impose a Financial Penalty, the provider may file written exceptions to the Preliminary Findings of Fact. If no exceptions are timely filed, the department shall adopt such Preliminary Findings of Fact in its Final Order Imposing a Financial Penalty. FAILURE TO TIMELY FILE WRITTEN EXCEPTIONS TO THE PRELIMINARY FINDINGS OF FACT SHALL CONSTITUTE A WAIVER OF PROCEEDINGS PURSUANT TO CHAPTER 120, FLORIDA STATUTES.

(8) Failure to Pay a Financial Penalty. The department may, at its discretion, deduct the amount of financial penalty from funds that would otherwise be due a provider. This deduction, however, may not exceed ten percent (10%) of the invoice amount that would otherwise be due such provider for the period of noncompliance. A provider's failure to include such deductions in a request for payment may constitute grounds for the department to reject the provider's request for payment.

(9) The remedies identified in this rule do not limit or restrict the department's application of any other remedy available to it in the contract or under law. Furthermore, the remedies described in this rule may be cumulative and may be assessed upon each separate failure in order to enforce provider compliance.

Specific Authority 402.73(7) FS. Law Implemented 402.73(7) FS. History—
New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joy Neves, ASCA (850)413-7464 or Suncom 293-7464

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Bob Fierro, Director of Contracted
Client Services, ASC

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 19, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 20, 2000

FLORIDA HOUSING FINANCE CORPORATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Affordable Housing Loan Program	67-31
RULE TITLES:	RULE NOS.:
Definitions	67-31.002
General Program Restrictions	67-31.004
Application and Selection Criteria for Loans to Very Low-Income and Low-Income Persons	67-31.005
Terms and Conditions for Loans to Very Low-Income and Low-Income Persons	67-31.006
Application and Selection Criteria for Loans to Developers and Sponsors	67-31.007
Terms and Conditions for Loans to Developers and Sponsors	67-31.008
Adjustments for Family Size	67-31.009
Special Allowances to Adjusted Gross Income	67-31.010

PURPOSE AND EFFECT: The purpose of this proposed rule is to repeal these rules related to the Affordable Housing Loan Program. The underlying statutory authority for these rules has been repealed and thus Rules 67-31.002, 67-31.004, 67-31.005, 67-31.006, 67-31.007, 67-31.008, 67-31.009 and 67-31.010, are obsolete and unnecessary. Repeal of Rules 67-31.002, 67-31.004, 67-31.005, 67-31.006, 67-31.007, 67-31.008, 67-31.009 and 67-31.010, Florida Administrative Code, is proposed to eliminate the obsolete and unnecessary rules and should cause no adverse affect.

SUMMARY: The proposed rule would repeal Rules 67-31.002, 67-31.004, 67-31.005, 67-31.006, 67-31.007, 67-31.008, 67-31.009 and 67-31.010, Florida Administrative Code, which are unnecessary and obsolete.

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: 420.507(12) FS.

LAW IMPLEMENTED: 420.507(12) 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 18, 2001

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES AND ECONOMIC STATEMENT IS: Andrew T. Price, Esq., Senior Attorney, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329, phone (850)488-4197

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Corporation at least 5 calendar days before the program by contacting Andrew Price at the above address.

THE FULL TEXT OF THE PROPOSED RULES IS:

67-31.002 Definitions.

Specific Authority 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Amended 11-11-90, Formerly 9I-31.002, Repealed.

67-31.004 General Program Restrictions.

Specific Authority 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Amended 11-11-90, Formerly 9I-31.004, Repealed.

67-31.005 Application and Selection Criteria for Loans to Very Low-Income and Low-Income Persons.

Specific Authority 420.507(12), 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Formerly 9I-31.005, Repealed.

67-31.006 Terms and Conditions for Loans to Very Low-Income and Low-Income Persons.

Specific Authority 420.507(12), 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Amended 2-8-90, Formerly 9I-31.006, Repealed.

67-31.007 Application and Selection Criteria for Loans to Developers and Sponsors.

Specific Authority 420.507(12), 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Formerly 9I-31.007, Repealed.

67-31.008 Terms and Conditions for Loans to Developers and Sponsors.

Specific Authority 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Amended 11-11-90, Formerly 9I-31.008, Repealed.

67-31.009 Adjustments for Family Size.

Specific Authority 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Amended 11-11-90, Formerly 9I-31.009, Repealed.

67-31.010 Special Allowances to Adjusted Gross Income.

Specific Authority 420.507(12), 420.605(6) FS. Law Implemented 420.605 FS. History--New 8-10-89, Formerly 9I-31.010, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Andrew T. Price, Esq.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mark Kaplan

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2000

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Marine Fisheries

RULE CHAPTER TITLE: Shrimping and Stonecrabbing:
Closed Areas and Seasons

RULE TITLE: Taylor County Shrimp Closure
RULE NO.: 68B-38.003

PURPOSE AND EFFECT: The line established in Rule 68B-38.003, F.A.C., separates food shrimp producers from stone and blue crab trappers and smaller scale live bait shrimp producers. During the first week of May, 2001, the Fish and Wildlife Conservation Commission was made aware that two navigational flashing light markers, numbers 18 and 22, used as visible points along the line established to separate food shrimpers from crab trappers and bait shrimpers, had been removed by the United States Coast Guard. The Commission staff determined from discussions with Coast Guard District 7 personnel in Miami that these markers would not be replaced. Emergency Rule 68BER01-1, which inserts latitude and longitude coordinates for the points where the flashing light navigational markers once stood, was adopted. The purpose of this rule amendment is to make the same changes to the rule on a permanent basis and to also insert coordinates as well for the two other markers used in the rule to define the closure line. The effect of this rulemaking should be to preserve the status quo in this sensitive area where conflicts between commercial harvesters using different gear types could erupt otherwise.

SUMMARY: Subsection (3) of Rule 68B-38.003, F.A.C., is amended to insert in parentheses the latitude and longitude coordinates for four navigational markers used to define a closure line keeping food shrimp producers a certain distance from shore in Taylor County waters.

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

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution; Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE, A HEARING ON THE PROPOSED RULES WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED BY NOTICE IN THIS PUBLICATION.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 calendar days before the workshop/meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-38.003 Taylor County Shrimp Closure.

(1) through (2) No change.

(3) Except as provided in subsection (4), no person shall operate any trawl within the following described area of state waters off Taylor County:

Beginning at a point on the shoreline of the Gulf of Mexico on the north side of the channel at Steinhatchee; thence westerly along the line of navigational buoys marking the north side of said channel to flashing light number "1" marking the outer extent of said channel (29°39.21'N., 83°27.21'W.); thence westerly to navigational flashing light number "18" (29°40.045'N., 83°35.218'W.); thence northwesterly to navigational flashing light number "22" (29°53.253'N., 83°53.01'W.); thence north-northwesterly to a privately maintained flashing light at Gamble Point near the mouth of the Aucilla River (30°04.38'N., 83°59.20'W.); thence southeasterly along the shoreline along the Gulf of Mexico to the point of beginning.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 1-1-91, Formerly 46-38.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Allan L. Egbert, Ph.D., Executive Director, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Allan L. Egbert, Ph.D., Executive Director, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2001

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral and Cemetery Services

RULE NO.: 3F-7.012
RULE TITLE: Criteria for Filing a Surety Bond in Lieu of Trusting

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 published in Vol. 27, No. 10, March 9, 2001 issue of the Florida Administrative Weekly. Based on comments received from the JAPC, the Board has voted to amend subsection 5(b) as follows:

(b) The surety company must have an "underwriting limitation" of not less than \$10,000,000 as reported in the U.S. Department of the Treasury's Fiscal Service Dept. Circular 570, incorporated herein by reference and effective _____.

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

DEPARTMENT OF INSURANCE

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

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

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

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 27, No. 15, April 13, 2001, in the April 13, 2001 issue of the Florida Administrative Weekly, have been withdrawn.

DEPARTMENT OF INSURANCE

Division of Fire Marshal

RULE NO.: 4A-47.011
RULE TITLE: Uniform Fire Safety Standards for Elevators

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., Florida Statutes, published in Vol. 27, No. 12, March 23, 2001, of the Florida Administrative Weekly:

4A-47.011 the first sentence of this rule will be changed to read "The following shall be in compliance with those standards adopted in Chapter 61C-5, Florida Elevator Safety Code, which is hereby incorporated by reference:"

The remainder of the rule reads as previously published.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER NO.: 5C-22
RULE CHAPTER TITLE: Contagious Equine Metritis

RULE NOS.: 5C-22.002
RULE TITLES: Definitions

5C-22.003 Procedures, General

5C-22.004 Approval of Quarantine Facilities

5C-22.005 Quarantine and Release from Quarantine for Contagious Equine Metritis

5C-22.009 Disposition of Horses Which Fail to Qualify for Release from Quarantine

5C-22.011 Fees for Services of the Department

NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule amendments, as noticed in Vol. 27, No. 6, February 9, 2001 issue of the Florida Administrative Weekly, have been withdrawn in response to comments received from the Joint Administrative Procedures Committee.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-22	Contractors – Highway – Qualification to Bid
RULE NOS.:	RULE TITLES:
14-22.0011	General Procedural Requirements
14-22.003	Rating the Applicant
14-22.008	Eligibility for Obtaining Proposal Documents
14-22.009	Over Bidding
14-22.012	Suspension, Revocation, or Denial of Qualification
14-22.0141	Contractor Non-Responsibility
14-22.015	Forms

CHANGE NOTICE

Notice of Rulemaking was published in Florida Administrative Weekly, Vol. 27, No. 12, dated March 23, 2001.

SUMMARY OF CHANGES: The following changes result from a review by the Joint Administrative Procedures Committee:

1. Rule Section 14-22.0011(5)(b)1. and 2.: 14-22.0011(5)(b)2. is being deleted and the subsequently numbered 3. through 8. are renumbered to 2. through 7. as shown herein.

“(b) The term “affiliate” also shall include those companies which:

1. Have the same person or entity holding at least five percent ownership interest in both companies owning a majority of the stock of the companies.

~~2. Have one of the companies owning all or a majority of the stock of the other.~~

~~2.3. Have a common director(s) or officer(s).~~

~~3.4. Have one company financing the other, or otherwise making financial advances to the other.~~

~~4.5. Have one company subscribing to all the capital stock of the other, or otherwise causing the incorporation of the other.~~

~~5.6. Have one company paying the salaries, expenses, or losses of the other.~~

~~6.7. Have the directors of one company directing the actions of the directors or officers of the other, so that the directors or officers of each company do not act independently of each other.~~

7. Have one business entity so closely allied with another business entity through an established course of dealings, such as lending of financial assistance or engaging in joint ventures, as to cause a public perception that the two firms are one entity.”

2. Statutory Citations for Rules 14-22.0011, 14-22.003, 14-22.008, 14-22.012, and 14-22.015: Section 337.164, Florida Statutes, is being deleted from the Law Implemented citations for each of these rules.

3. Rule Section 14-22.009(2): This section is reworded to eliminate references to “in the best interest of the Department.” The section is changed to read as follows:

“(2) In the event a bidder submits the low bid on two or more projects in the same letting where ~~and~~ the aggregate dollar amount of the bids is greater than the Current Capacity of the bidder, and the bidder is unable to increase its ~~their~~ Current Capacity by fulfilling the requirements of Rule Section 14-22.009(3), the Department shall select the particular project or projects for to award that will result in the least cost to the Department ~~be in the best interest of the Department, and is within the bidder’s Current Capacity, and shall disqualify and reject their other bid or bid.~~

4. Rule Section 14-22.009(3): This section is reworded to eliminate references to evidence to justify an increase in the Current Capacity rating. The section is changed to read as follows:

“(3) Before the Department takes action under the provisions of either of the preceding two paragraphs, the bidder shall be notified in writing of the Department’s action and, except for the AF provisions of Rule Section 14-22.003(2)(a)2.a., above, shall be allowed a period of 10 days from the date the bid was opened to submit a current Status of Contracts on Hand form ~~evidence to justify an increase in their Current Capacity such as additional bonding capacity (only permitted for firms that possess a Current Ratio Factor of at least 1.00 based on financial statements for current qualification and that have an Ability Score of 75 or higher) or that work on existing contracts has been subcontracted to others. Proposed subcontracts under unexecuted contracts will not be considered. If the Department finds the evidence justifies a change in the bidder’s Current Capacity, its~~ their Current Capacity shall be changed accordingly. Any such change based on bonding capacity will be subject to the Surety Capacity requirements of 14-22.003(2)(b)1. and subject to a time limit.”

5. Rule 14-22.015: The form title form 700-010-25 is changed from “Contractor Past Performance Rating” to Contractor Past Performance Report.”

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-208.101	Employee Grooming, Uniform and Clothing Requirements

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 the Vol. 27, No. 4, January 26, 2001 and Vol. 27, No. 16, April 20, 2001, issues of the Florida Administrative Weekly:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) The following grooming standards shall apply to all Department of Corrections employees:

(a) through (e) No change.

(f) Policies regarding the wearing of neck ties for office staff will be determined by the Secretary, Deputy Secretary, and ~~Directors Assistant Secretaries~~.

(g) No change.

(h) Earrings are prohibited for male staff. Earrings for female staff will constitute the only body piercing ornaments allowed. No employee will display while on duty any other jewelry of which any part has been pierced into or through the skin or flesh of any part of the body. The practice of covering a body piercing ornament on a visible body part, i.e., eyebrow, lip, tongue, nose, with a bandage, band-aid, tape or other device is not acceptable.

(i) through (k) No change.

(2) In addition to the standards set forth in (1), all male employees shall comply with the following grooming standards:

(a) No change.

(b) Sideburns shall not extend below the bottom of the ear, shall not be flared, and shall not connect with a mustache.

~~(c)(b)~~ No change.

~~(d)(e)~~ Beard Policy

1. Security staff shall be clean shaven, other than the wearing of an acceptable mustache or sideburns, however, security staff are permitted to wear a neatly trimmed 1/4 inch beard for bona fide medical or religious reasons to the extent that it is not inconsistent with the state's interest in safety, security, esprit de corps, or uniformity. Requests for security staff to wear facial hair shall be submitted in writing and shall be considered on a case by case basis, based upon the above criteria.

2. No change.

(3) The following are conditions and requirements for wearing department uniforms:

(a) through (h) No change.

(i) Hair length. Male correctional officers shall adhere to standards outlined in (2)(a). Female correctional officers will not wear their hair beyond the shoulders or yoke of the shirt. When wearing the polo shirt, the hair for female staff will not extend past the point on the shirt where the yoke of a comparable Class A uniform shirt would be located. When wearing a hat, female officers will wear their hair in a manner so as not to interfere with the fit or proper wearing of the hat.

(j) through (l) No change.

(4) No change.

(a) Class A Uniform. The correctional officer class A uniform issued by the department shall be worn only while performing official duties as determined by the warden. The class A uniform will be mandatory for all court appearances. The class A uniform will consist of:

1. through 2. No change.

3. Brown clip-on tie worn as directed in (4)(h).

(b) through (g) No change.

(h) The following items may be worn with the correctional officer uniform as defined below:

1. Brown outerwear coat – authorized for wear with class A, B, C, D, E, F, and G uniforms. Rank may be worn on the coat epaulettes. Insignias are not provided by the department, except those worn on the shirt collar.

2. Brown clip-on tie ~~required~~ authorized for wear with the class A uniform only. Tie clasps or tie tacks shall either be plain or have a department emblem or insignia and must match the nameplate and rank insignia in color. The service pin shall be permitted to be worn as a tie tack with the class A uniform.

3. through 13. No change.

14. ~~Chrome W~~ Whistle, as authorized by the warden worn with Class A, B, C, F, and G uniforms. Whistles will be furnished by the department. Correctional officers and sergeants shall be issued whistles that are silver-toned in color to match nameplates and insignia. Officers of the rank of lieutenant and above shall be issued whistles that are gold-toned in color to match nameplates and insignia. At the option of the officer, the whistle may be attached by either a whistle hook or whistle chain in the color that matches that of the whistle. The officer is responsible for purchasing the whistle hook or whistle chain.

15. through 28. No change.

(i) The standard department issue of uniforms will be as follows:

1. through 6. No change.

7. One brown outerwear coat jacket;

8. through 9. No change.

10. One brown clip-on tie.

(5) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00,_____.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed Rule will be held at 9:00 a.m., on Tuesday, June 5, 2001, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-603.201
 RULE TITLE: Transfer of Inmates
 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. 15, April 13, 2001, issue of the Florida Administrative Weekly:

33-603.201 Transfer of Inmates.
 (1) through (10)(e) No change.

(f) The reception centers shall be authorized to transport close management I, II, and III inmates in the secure caged area within a specially designed secure transfer bus without the necessity of a trailing escort vehicle. The restraint requirements for these inmates shall be as outlined in (14)(a).

(g) Protective management inmates shall not be routinely transported on reception center transfer buses. Specific written instructions will be provided from the transportation section of the Bureau of Sentence Structure and Transportation.

(11) through (19) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 7-12-86, Amended 5-21-92, 1-06-94, 2-12-97, 11-8-98, Formerly 33-7.009, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.010
 RULE TITLE: Advanced Registered Nurse Practitioner Services
 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.

Procedure Code and Diagnosis Origination block, Page 3-1
 The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix D, Procedure Codes and Maximum Fee Schedule Page D-53	59410 Vaginal Delivery Only (With or Without 665.60 640.00)
	59430 Postpartum Care Only (Separate Procedure) 41.60 40.00
	59515 Cesarean Delivery only; Including Postpartum 665.60 640.00
	59614 Vaginal Delivery Only, After Previous Cesarean 665.60 640.00
	59622 Cesarean Delivery Only, Following Attempted 665.60 640.00
Appendix D, Procedure Codes and Maximum Fee Schedule Page D 59	W1990 Antepartum Care Only, Per Visit 41.60 40.00
	W1991 Antepartum Visit Which Includes Completion of 83.20 80.00
	W1992 Antepartum Visit Which Includes The Healthy 124.80 120.00

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.030
 RULE TITLE: Birth Center Services
 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.

Procedure Code and Diagnosis Origination block, Page 3-1
 The procedure codes listed in this chapter are and Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Neonatal Critical Care Services. Page 2-46 Included Procedures

Remove the line between bullets for IV fluid administration and transfusing blood Care compounds as a technical error. Label block ~~Included Procedures~~ (continued).

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

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. 15, issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florirda Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, October 2000. The effect will be to incorporate by reference in the rule the updated Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook.

59G-4.055 County Health Department Clinic Services.

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

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

Services Frequency

Services may be reimbursed only once per day per recipient, ~~per provider~~ ~~Members of the same provider group are considered to be one provider.~~

Neonatal Critical Care Services 2-47

~~Readmission services, even if the readmission occurs prior to the 28th day of life, are not reimbursable using NICU Page procedure codes.~~

Readmission Service Limitations

Procedure code 99295 may be reimbursed on the date of admission which the neonate qualifies for critical care services ~~once in a lifetime~~. Procedure code 99298 may be reimbursed for very low birth weight neonates who ~~are no longer critically ill, but~~ continue to require continuous monitoring. Once the neonate attains a body weight exceeding 1500 grams, the subsequent hospital care codes must be billed.

Excluded Services

~~Services for a recipient NICU services are not reimbursed for the neonate whose weight exceeds 1500 grams and who is no longer considered critical, but continues to receive care in a Neonatal Intensive Care Unit.~~ ~~Additional services must be billed using subsequent hospital care codes.~~

Procedure Code and Diagnosis Origination block, Page 3-1

The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the *Physician's Current Procedural Terminology (CPT)* book. ~~HCPCS include CPT procedure codes.~~

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical 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-4.230
 RULE TITLE: Physician Services

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.

Neonatal Critical Care Services, Page 2-45
 Readmission services to an neonate under 30 days of age may be reimbursed utilizing ~~Neonatal Critical Care Services~~ as long as the neonate qualifies for critical care services during the hospital stay.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix J, Procedure Codes and Maximum Fee Schedule Page J-95
~~59400 Routine Obstetric Care Including Antepartum 1,400.00~~
 59410 Vaginal Delivery Only (With or Without) ~~832.00 800.00~~
 59430 Postpartum Care Only (Separate Procedure) ~~52.00 50.00~~
~~59510 Routine Obstetric Care Including Antepartum 1,400.00~~
 59515 Cesarean Delivery only; Including Postpartum ~~832.00 800.00~~
 59614 Vaginal Delivery Only, After Previous Cesarean ~~832.00 800.00~~
 59622 Cesarean Delivery Only, Following Attempted ~~832.00 800.00~~
 Appendix J, Procedure Codes and Maximum Fee Schedule Page J-169
 W1990 Antepartum Care Only, Per Visit ~~52.00 50.00~~
 W1991 Antepartum Visit Which Includes Completion of ~~104.00 100.00~~
 W1992 Antepartum Visit Which Includes The Healthy ~~156.00 150.00~~

copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix D, Procedure Codes and Maximum Fee Schedule Page D 45
 59410 Vaginal Delivery Only (With or Without) ~~665.60 640.00~~
 59430 Postpartum Care Only (Separate Procedure) ~~41.60 40.00~~
 59515 Cesarean Delivery only; Including Postpartum ~~665.60 640.00~~
 59614 Vaginal Delivery Only, After Previous Cesarean ~~665.60 640.00~~
 59622 Cesarean Delivery Only, Following Attempted ~~665.60 640.00~~
 Appendix D, Procedure Codes and Maximum Fee Schedule Page D 59
 W1990 Antepartum Care Only, Per Visit ~~41.60 40.00~~
 W1991 Antepartum Visit Which Includes Completion of ~~83.20 80.00~~
 W1992 Antepartum Visit Which Includes The Healthy ~~124.80 120.00~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.231
 RULE TITLE: Physician Assistant Services
 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.

Procedure Code and Diagnosis Origination block, Page 3-1
 The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.
The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures.
 CPT codes and descriptions are

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist

THIRD NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S. published in the Vol. 26, No. 38 September 22, 2000, issue of the Florida Administrative Weekly, a Notice of Change published in Vol. 27, No. 14, April 6, 2001, issue of the Florida Administrative Weekly, and a Second Notice of Change published in Vol 27, No. 20, May 18, 2001, issue of the Florida Administrative Weekly. With reference to the original Notice of Change published on April 6, 2001, (3) shall be amended to read as follows:

64B3-5.003 Technologist.

(3) Qualifications for Histology Technologist. For the category of histology, applicants for technologist licensure shall have four hours of Board approved HIV/AIDS continuing education as stated in Rule 64B3-11.005 or in subsequent rule of the Department, and have one of the following:

(a) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnologist (HTL) level.

(b) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and five years of pertinent clinical laboratory experience post certification.

(c) Graduation from a NAACLS approved associate degree histotechnology program and Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level.

(d) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level and Qualification in Immunohistochemistry (QIHC).

(e) Florida licensure as a histology technician, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and 10 years of pertinent clinical laboratory experience post licensure. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-7.007
 RULE TITLE: Limited License as Allowed in Section 456.015, F.S.

SECOND NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 11, March 16, 2001, issue of the Florida Administrative Weekly. The Board of Dentistry held its regularly scheduled board meeting on April 28, 2001, and voted to amend Subsection (1)(c) and Subsection (2) of the proposed rule to read as follows:

(1)(c) Practices only in the employ of public agencies or non-profit agencies or institutions which meet the requirements of 501(c)(3) of the Internal Revenue Code, are permitted under 64B5-7.006 and which provide professional liability coverage for acts or omissions of the limited licensee.

(2) A limited licensee may provide services only to the indigent, or critical need populations within the state. The standard for determining indigency shall be recognized by the Federal Poverty Income Guidelines produced by the United States Department of Health and Human Services.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-13.0046
 RULE TITLE: Citation Authority
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. 19, May 11, 2001, issue of the Florida Administrative Weekly. The Board of Dentistry held its regularly scheduled board meeting on April 28, 2001, and voted to amend Subsection (3) of the proposed rule to read as follows:

(3) A first time 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 an administrative fine of \$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. 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 under this rule to the Board office no later than 12 months from the date of the citation. The penalty for a dental hygienist shall be an administrative fine of \$35.00 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. 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 under this rule to the Board office no later than 12 months from the date of the citation.

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.105
 RULE TITLE: Transfer of Prescriptions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 4, January 26, 2001, Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.205
 RULE TITLE: Eligibility Determination Process
 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 the Vol. 27, No. 3, January 19, 2001, issue of the Florida Administrative Weekly.

Add a new paragraph to Rule 65A-1.205 as follows:

(7) The Notice of Case Action (denial) (automated notice), Request for Assistance Withdrawal (automated notice) and Appointment Letter (automated notice) used in the eligibility determination process are hereby incorporated by reference. Referral to the Family Safety Program for the caregiver home study as to adequacy and readiness of the caregiver to provide permanent care will be on the Relative Caregiver Program Request for Eligibility Consideration, CF-ES 2305, Apr 01 (incorporated by reference). Copies of these forms may be obtained from the Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Building 3, Room 427, Tallahassee, Florida 32399-0700.

In the law implemented history note of Rule 65A-1.205 as the first entry, add "414.045."

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 353, STARS & STRIPES
 RULE NO.: 53ER01-31
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 353, "STARS & STRIPES," 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, General Counsel, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-31 Instant Game Number 353, STARS & STRIPES.

(1) Name of Game. Instant Game Number 353, "STARS & STRIPES."

(2) Price. STARS & STRIPES tickets sell for \$1.00 per ticket.

(3) STARS & STRIPES 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 STARS & STRIPES 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 STARS & STRIPES lottery ticket, the VIRN number under the latex shall prevail over the bar code.

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

INSERT SYMBOLS

(5) Determination of Prize Winners.

A ticket having three like amounts exposed in the play area shall entitle the claimant to a prize of that amount. The prize amounts are: \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$100, \$250, and \$500. A ticket having three "TICKET" symbols exposed in the play area shall entitle the claimant to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a STARS & STRIPES lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(6) The value, number of prizes, and odds of winning in Instant Game Number 353 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS</u>	<u>ODDS</u>
<u>3-TICKETS</u>	<u>\$1 TICKET</u>	<u>1,209,600</u>	<u>1 in 8.33</u>
<u>3-\$1s</u>	<u>\$1</u>	<u>504,000</u>	<u>1 in 20.00</u>
<u>3-\$2s</u>	<u>\$2</u>	<u>436,800</u>	<u>1 in 23.08</u>
<u>3-\$3s</u>	<u>\$3</u>	<u>235,200</u>	<u>1 in 42.86</u>
<u>3-\$5s</u>	<u>\$5</u>	<u>100,800</u>	<u>1 in 100.00</u>
<u>3-\$10s</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>3-\$15s</u>	<u>\$15</u>	<u>33,600</u>	<u>1 in 300.00</u>
<u>3-\$25s</u>	<u>\$25</u>	<u>25,200</u>	<u>1 in 400.00</u>
<u>3-\$50s</u>	<u>\$50</u>	<u>6,720</u>	<u>1 in 1,500.00</u>
<u>3-\$100s</u>	<u>\$100</u>	<u>392</u>	<u>1 in 25,714.29</u>

3-\$250s	\$250	50	1 in 201,600.00
3-\$500s	\$500	20	1 in 504,000.00

(7) The overall odds of winning any prize in Instant Game Number 353 are 1 in 3.85.

(8) For reorders of Instant Game Number 353, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(9) By purchasing a STARS & STRIPES 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 5-11-01.

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

EFFECTIVE DATE: May 11, 2001

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 352, SPARKLING GOLD
 RULE NO.: 53ER01-32
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 352, "SPARKLING GOLD" 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:

53ER01-32 Instant Game Number 352, SPARKLING GOLD.

(1) Name of Game. Instant Game Number 352, "SPARKLING GOLD."

(2) Price. SPARKLING GOLD tickets sell for \$2.00 per ticket.

(3) SPARKLING GOLD 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 SPARKLING GOLD 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 SPARKLING GOLD 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) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten matching sets of numbers. The prizes are: TICKET, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, \$10,000. A claimant who is entitled 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 SPARKLING GOLD lottery ticket which entitles the claimant 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) A ticket having a "gold bar" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50.00.

(c) A ticket having a "\$\$" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of double the corresponding prize amount.

(9) The value, number of prizes, and odds of winning in Instant Game Number 352 are as follows:

GAME PLAY TICKET	WINNERS IN 42 POOLS OF 180,000 TICKETS		
	WIN	PER POOL	ODDS
\$2	\$2	352,800	1 in 21.43
\$2 (D)	\$4	201,600	1 in 37.50
\$2 + \$3	\$5	201,600	1 in 37.50
\$5	\$5	151,200	1 in 50.00
\$2 + \$2 + \$2 + (\$2 (D))	\$10	100,800	1 in 75.00
\$5 + \$5	\$10	50,400	1 in 150.00
\$10	\$10	50,400	1 in 150.00
(\$2 x 5) + \$5 + (\$5 (D))	\$25	12,600	1 in 600.00
(\$5 x 3) + (\$5 (D))	\$25	25,200	1 in 300.00
\$25	\$25	12,600	1 in 600.00
"Gold Bar" symbol	\$50	16,800	1 in 450.00
(\$10 x 10)	\$100	294	1 in 25,714.29
(\$20 x 3) + (\$20 (D))	\$100	294	1 in 25,714.29
\$100	\$100	294	1 in 25,714.29
(\$100 x 5)	\$500	63	1 in 120,000.00
\$500	\$500	63	1 in 120,000.00
(\$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

(10) The overall odds of winning any prize in Instant Game Number 352 are 1 in 3.46.

(11) For reorders of Instant Game Number 352, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

(12) By purchasing a SPARKLING GOLD 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 5-11-01.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: May 11, 2001

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Amended Petition for Waiver filed by CITY OF OLDSMAR and PINELLAS COUNTY. This petition was assigned the number DCA01-WAI-052. Notice of this petition appeared in the April 13, 2001, edition of the Florida Administrative Weekly. It is ordered that the

Petition for Waiver by Petitioner CITY OF OLDSMAR and PINELLAS COUNTY be, and by this Final Order is, hereby GRANTED with respect to FCT Project number 00-026-P10.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the CITY OF NEW SMYRNA BEACH and VOLUSIA COUNTY. This petition was assigned the number DCA01-WAI-062. Notice of this petition appeared in the April 20, 2001, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner CITY OF NEW SMYRNA BEACH and VOLUSIA COUNTY be, and by this Final Order is, hereby GRANTED with respect to FCT Project number 00-059-P10.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection has taken action on a petition for variance received from MCC Technology, Inc., on December 4, 2000. Notice of receipt of this petition was published in the Florida Administrative Weekly on January 26, 2001. No public comment was received. 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 a patented remediation process, Biosparge, which is used in the biodegradation of petroleum hydrocarbons, MTBE, BTEX, and other petroleum-based contaminants in soil and ground water. For remediation of sites in Florida, it is expected that the following parameters will most often be present in the re-injected vapor, which could cause a temporary exceedance of the following ground water standards or cleanup target levels: Ammonia 2.8 mg/L; Chloride 250 mg/L; Nitrate 10 mg/L; Nitrite 1 mg/L; Benzene 0.001mg/L; Toluene 0.04 mg/L; Ethylbenzene 0.03 mg/L; Xylenes 0.02 mg/l; Methyl tertiary butyl ethyl .05 mg/L; Naphthalene .02 mg/l; 1-Methylnaphthalene .02 mg/L; 2-Methylnaphthalene .02 mg/L; Perchloroethylene .003 mg/L; Trichloroethylene .003 mg/L; trans 1,2-Dichloroethylene 0.1 mg/l; Vinyl chloride .001 mg/L; and 1,1,1-Trichloroethane .2 mg/L. The final order granted a variance from the zone of discharge prohibition, and contained conditions. The conditions require that the use of the process 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 the

contaminants listed above shall be a 200-foot radius from the point of injection and of a duration not to exceed two years; 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 aquifer; 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; and that the variance specifically prohibits the use of Biosolve surfactant for any remediation permissible under this variance.

For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, telephone (850)921-9610.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on May 4, 2001, a petition from Environmental Business Solutions International, Inc., seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under Rule 62-522.300(3), Florida Administrative Code, for the use of On-Contact Process® to clean up sites that are contaminated with organic and inorganic contamination. The petition has been assigned OGC File No.: 01-0752.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Underground Injection Control Section, Mail Station 3530, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400; Attn: Cathy McCarty. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on May 11, 2001, a petition from Thomas Kaleel, seeking a waiver from the installation of overflow protection devices of rule 62-761.500(2)(d), F.A.C. because the tanks are being filled through a hand controlled nozzle. The petition has been assigned OGC case number 01-0807.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Rebecca Grace. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Notice is hereby given that on February 22, 2001, the Board of Opticianry conducted a hearing and voted to deny the petition for variance of Rule 64B12-9.0015(5), Florida Administrative Code filed on 1/24/01 by Petitioner, Marc J. Barbier. The order

denying the petition was filed on March 30, 2001. The petition requested a variance of the Board of Opticianry's requirement that applicant for a license must pay the initial licensure fee and obtain licensure within one (1) year of notification of passing the examination. The Petitioner was not present at the Board of Opticianry's hearing. The Board denied Petitioner's request as he failed to demonstrate substantial hardship or that the purpose of the statute has been met by some other means. The Petition was first published in the Florida Administrative Weekly, Vol. 27, No. 5, February 2, 2001.

The Order Denying Petition and a copy of the petition may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, Department of Health, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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: June 12, 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 Board of Trustees of **Historic Pensacola Preservation Board** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 12:00 Noon

PLACE: J. Earle Bowden Building, 120 Church Street, Pensacola, FL 32501

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting.

A copy of the agenda may be obtained by contacting: Historic Pensacola Preservation Board, P. O. Box 12866, Pensacola, FL 32576-2866.

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

The Board of Directors of **Historic Pensacola, Inc.**, the direct support organization of the Historic Pensacola Preservation Board announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, immediately following the meeting of the Historic Pensacola Preservation Board, which will begin at 12:00 Noon

PLACE: J. Earle Bowden Building, 120 Church Street, Pensacola, FL 32501

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting.

A copy of the agenda may be obtained by contacting: Historic Pensacola Preservation Board, P. O. Box 12866, Pensacola, Florida 32576-2866.

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

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

The **Department of State**, Florida State Historical Records Advisory Board announces a public meeting to which all persons are invited:

DATE AND TIME: June 15, 2001, 1:00 p.m. – 3:00 p.m.

PLACE: R. A. Gray Building, Third Floor, Training Room 316, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation of newly appointed Board members.

A copy of the agenda may be obtained by contacting: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)487-2073, Suncom 277-2073.

Pursuant to Chapter 286.26, Florida Statutes, any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of State, Division of Cultural Affairs** announces public meetings to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, June 5, 2001, 1:30 p.m.

PLACE: Alachua County Health Department, Conference Room. 224 S. E. 24th Street, Gainesville, FL 32641, (352)334-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting to select artwork for Art-in-State-Buildings Project No. DOH 9706/1000, Alachua County Health Department, Gainesville, Florida

COMMITTEE: Art Selection Committee

DATE AND TIME: Friday, June 8, 2001, 9:30 a.m.

PLACE: 5th District Court of Appeals, Judge Conference Room, 33 South Beach Street, Daytona Beach, FL 32114, (904)947-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting to select artwork for Art-in-State-Buildings Project No. JB 9003/7000, 5th District Court of Appeals Addition, Daytona Beach, Volusia County, Florida

COMMITTEE: Art Selection Committee

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

PLACE: Gulf County Health Department, Conference Room, 502 4th Street, Port St. Joe, FL 32456, (850)227-1276

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide review meeting to select artwork for Art-in-State-Buildings Project No. DOH 9823/7000, Gulf County Health Department, Port St. Joe, Gulf County, Florida

A copy of the agenda may be obtained by contacting: 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** announces a public meeting to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: June 12, 2001, 10:00 a.m.

PLACE: Humanities Council Conference Room, Florida Center for Teachers, University of South Florida, St. Petersburg Campus, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Art-in-State-Buildings Meeting, BR-557.

A copy of the agenda may be obtained by contacting: Vincent Ahern, Coordinator of Public Art, University of South Florida Contemporary Art Museum, 4202 E. Fowler Avenue, CAM 101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings 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 Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services**, Seed Technical Council announces a public meeting to which all persons are invited:

DATE AND TIME: June 13, 2001, 2:00 p.m.

PLACE: Hilton Daytona Beach Oceanfront Resort, 2637 S. Alantic Avenue, Daytona Beach, Florida, (904)767-7350

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seed Technical Council Meeting.

A copy of the agenda may be obtained by contacting: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly, as soon as possible.

DEPARTMENT OF EDUCATION

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 persons are invited:

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, Banyan Room, 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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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.

The **Florida State University** announces a public meeting to which all persons are invited:

COMMITTEE: Art-in-State-Buildings Art Selection

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

PLACE: Construction trailer at building site of FSU Golf Clubhouse, Pottsdamer Rd. opposite the FAMU/FSU School of Engineering, Florida State University, Tallahassee, FL 32306

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation Meeting for Art-in-State-Buildings Project BR# 244, FSU Business School Hospitality Program Improvements Tallahassee, Florida State University.

A copy of the agenda may be obtained by contacting: Diane Greer, Director of Cultural Resources, Florida State University, Room 216, Westcott Bldg., Tallahassee, FL 32306-1350.

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 Florida State University.

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 Diane Greer, (850)644-1001. If you are hearing or speech impaired, please contact the agency by calling (850)644-1001.

The **State Board of Independent Colleges and Universities** announces public meetings to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 6:30 p.m.

PLACE: Adam’s Mark Hotel (Florida Mall), 1500 Sand Lake Road, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SBICU Recognition Dinner (Le Jardin Restaurant).

DATE AND TIME: Friday, June 8, 2001, 9:00 a.m.

PLACE: Adam's Mark Hotel (Florida Mall), 1500 Sand Lake Road, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SBICU Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: Any person who desires a copy of the proceedings should arrange to tape the meetings.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise the Board at least five calendar days before the meeting by contacting Mary Cook, (850)488-8695.

The Board welcomes participation from any interested members of the public.

The **Gulf Coast Community College**, District Board of Trustees announces a public meeting to which all persons are invited:

DATE AND TIME: June 14, 2001, 10:00 a.m. (CDT)

PLACE: Gardner Seminar Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

A copy of the agenda may be obtained by contacting: Dr. Robert L. McSpadden, President.

The **Florida Rehabilitation Council** announces a public meeting to which all persons are invited:

MEETING: Florida Rehabilitation Council Conference Calls; Executive Committee and Evaluation Committee

DATE AND TIMES: June 7, 2001, 10:30 a.m. – 11:30 a.m.; 11:30 a.m. – 12:30 p.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, FL 32399-0696

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct conference calls of the Council's Executive and Evaluation Committees.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Shawnee T. Sumpter at the Council address.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696, (850)488-6210. Any

interested parties that need further information may contact Vicki Welch, Extension 150 or her Assistant, Shawnee Sumpter, Extension 128.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advise that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or 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. (Florida Statutes, 286.0105)

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: June 5, 2001, 1:00 p.m. – 6:00 p.m.

PLACE: District 6, Department of Transportation, Auditorium, 1000 N. W. 111th Avenue, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: District 6, Field Review.

DATE AND TIME: June 6, 2001, 9:00 a.m. – 2:00 p.m.

PLACE: Board of County Commissioners, County Commission Chambers, Second Floor, 111th N. W. First Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

A copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman, (850)414-4105.

The **Florida Department of Transportation**, Transportation Outreach Program Advisory Council announces a public meeting to which all persons are invited:

DATE AND TIME: June 7, 2001, 11:00 a.m.

PLACE: Greater Orlando Aviation Authority Boardroom, 2nd Level, Executive Offices, Orlando International Airport, One Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to plan for the 2002 Transportation Outreach Program. Discussion will include: Schedule of key target dates/deadlines for the 2002 program; Future TOPAC meeting

dates; Proposed criteria for project selection; Sample application and program requirements; Proposed Scope of Service for the Trade Corridor Strategy Study and other general discussion topics.

A copy of the agenda may be obtained by contacting: One week in advance, Lorenzo Alexander, Manager, Seaport Office, Florida Department of Transportation, M.S. #68, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in the meetings should advise Lorenzo Alexander, (850)414-4500.

The Florida **Department of Transportation**, District 5 announces a public hearing to which all persons are invited:

DATE AND TIME: June 12, 2001, 7:00 p.m.

PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social and environmental effects of State Project Number 75080-1501, Financial Item Number 239266, otherwise known as the SR 15 Widening Study from SR 528 (Beeline) to CR 506 (Conway Road) in Orange County, Florida.

A copy of the agenda may be obtained by contacting: Mr. Frederick R. Birnie, P. E., District Environmental Management Engineer, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

Anyone need project or public hearing information or special accommodation under the American With Disability Act of 1990 should write to the address above or call the telephone number (386)943-5387. Special accommodation requests under the Americans With Disabilities Act should be made in at least seven days prior to the public hearing.

The Florida **Department of Transportation** announces additional Rule Development Workshops for Rule Chapter 14-40, Highway Beautification and Landscape Management to which all interested parties are invited to attend.

The rule development notice for Part II (Rule 14-40.020, Grant Procedure and Rule 14-40.021, Projects) was published in Florida Administrative Weekly, Vol. 27, No. 13, March 30, 2001. The rule development notices for Part I (Rule 14-40.003, Highway Landscape Projects) and Part III (Rule 14-40.030, Application and Permit Issuance) were published in Florida Administrative Weekly, Vol. 27, No. 16, April 20, 2001.

In addition to the rule development workshops scheduled for Tallahassee on May 24, 2001, notice of which was published in Florida Administrative Weekly, Vol. 27, No. 18, dated May 4, 2001, the Department announces the scheduling of additional rule development workshops as follows:

Jacksonville Area Workshop:

DATE AND TIME: June 20, 2001, 1:00 p.m.

PLACE: Department of Transportation, Jacksonville Urban Office, Acosta Room, 2250 Irene Street, Jacksonville, Florida (Just off I-10 at Stockton Exit)

Fort Myers Area Workshop:

DATE AND TIME: June 22, 2001, 10:00 a.m.

PLACE: Department of Transportation, Ft. Myers Urban Office (Regional Service Center), Large Conference Room, West Wing, 2295 Victoria Avenue, Fort Myers, Florida

These rule development workshops will be conducted to cover the subject of each of the three parts of the amendment to Rule Chapter 14-40. Part I covers General Provisions. Part II covers the Florida Highway Beautification Council Grants. Part III covers Vegetation Management at Outdoor Advertising Signs.

The Florida **Department of Transportation**, District 5 announces a public hearing to which all persons are invited:

DATE AND TIME: June 21, 2001, 6:00 p.m.

PLACE: Leesburg Community Center, 109 East Dixie Highway, Leesburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social and environmental effects of Financial Item Number 238394-1, Federal Aid Number XA-399-4(31), otherwise known as the US 441 widening and transportation improvement project in Lake County, Florida.

A copy of the agenda may be obtained by contacting: Mr. Frederick R. Birnie, P. E., District Environmental Management Engineer, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address above or call telephone number (386)943-5387. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

The **Department of Transportation** announces a public hearing to which all persons are invited:

DATE AND TIMES: June 21, 2001, Open House – 6:00 p.m.; Formal Presentation – 7:00 p.m.

PLACE: Ramada Plaza Hotel and Inn, 7470 Highway 192, West, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with the Federal-Aid Highway Act of 1968, as amended, 23 U.S.C. 128, 40 C.F.R. 1500-1508, 23 C.F.R. 771, and Section 339.155, Florida Statutes, and is also consistent

with the Americans With Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the location, proposed design, social and environmental impacts of Financial Project ID Nos. 403497-2, 403497-3, 403498-2 and 403498-3 otherwise known as the Western Beltway Part C, Sections 1, 2 and 3. The limits of the project corridor are from Interstate 4 (I-4) in Osceola County to Seidel Road in Orange County, a distance of approximately 11 miles. Wetlands may be given special consideration under Executive Orders 11990 and 11988.

A Toll Rate Rulemaking Public Hearing is being held in conjunction with the Design Public Hearing to allow the public an opportunity to comment on the proposed toll rates for the section of the Western Beltway Part C from I-4 to Seidel Road. Anyone needing project or public hearing information may contact Kevin Hoeflich, P. E., Project Manager at the Turnpike District Headquarters, (407)532-3999, Ext. 3431 or in writing P. O. Box 613069, Ocoee, Florida 34761.

Anyone requesting special accommodations under the Americans With Disabilities Act of 1990 should contact Ms. Catherine Bradley, (407)532-3999, Ext. 3802 or by writing to the above address. Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by contacting: Kevin Hoeflich, P. E., Project Manager, Florida Department of Transportation, Turnpike District Headquarters.

In the unlikely event that an emergency or act of nature should cause the hearing to be rescheduled, the new date would be August 23, 2001.

The Florida **Department of Transportation**, Florida **Department of Community Affairs** and Monroe County announces a public Habitat Conservation Plan (HCP) Coordinating Committee meeting to which all persons are invited:

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

PLACE: National Key Deer Refuge Office, Big Pine Key, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, Florida Department of Community Affairs and Monroe County are jointly funding the development of a Habitat Conservation Plan for the Key deer and other protected species on Big Pine and No Name Keys. Representatives of these three agencies, the U.S. Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission and local citizen representatives serve on an HCP Coordinating Committee. The Committee meets regularly to review and provide input on the HCP consultant's progress and findings.

A copy of the agenda may be obtained by contacting: Catherine B. Owen, Florida Department of Transportation, (305)470-5399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Jeff Dodge, (305)470-5349. If you are hearing or speech impaired, please contact the agency by calling 1(800)648-6084.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public Internal Affairs Meeting to which all persons are invited:

DATE AND TIME: *June 11, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda may be obtained by contacting: Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

* In the event of a scheduling conflict, this meeting may be moved to June 12, 2001, immediately following the Commission Conference, in Room 140.

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

The Florida **Public Service Commission** announces a public prehearing docket to which all persons are invited:

Docket No. 991378-TL – Initiation of show cause proceedings against BellSouth Telecommunications, Inc. for violation of service standards.

DATE AND TIME: June 11, 2001, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 public prehearing docket to which all persons are invited:

Docket No. 001797-TP – Petition by DIECA Communications, Inc. d/b/a Covad Communications Company for arbitration of unresolved issues in interconnection agreement with BellSouth Telecommunications, Inc.

DATE AND TIME: June 11, 2001, 1:30 p.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 public conference to which all persons are invited:

DATE AND TIME: June 12, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 contacting: Division of Records and Reporting, (850)413-6770, or writing to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. 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.). The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a public prehearing docket to which all persons are invited:

Docket No. 000075-TP – Investigation into appropriate methods to compensate carriers for exchange of traffic subject to Section 251 of the Telecommunications Act of 1996.

DATE AND TIME: June 13, 2001, 9:30 a.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 public hearing docket to which all persons are invited:

Docket No. 000028-TL – Petition by BellSouth Telecommunications, Inc. for waiver of Rules 25-4.107, 25-4.108 and 25-4.113, F.A.C., which require provision of basic telecommunications service to certain locations and persons.

DATE AND TIME: June 15, 2001, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition by BellSouth Telecommunications, Inc. for waiver of Rules 25-4.107, 25-4.108 and 25-4.113, F.A.C., which require provision of basic telecommunications service to certain locations and persons, 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 March 12, 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Black Business Support Corporation**, Board of Directors, Loan and Transition Committees announces a public teleconference meeting to which all persons are invited:

DATE AND TIME: June 6, 2001, 10:00 a.m.

PLACE: Hyatt Regency/Orlando International Airport, 9300 Airport Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To plan and discuss the Board’s business plan to identify areas for future Board priorities, loan committee discussion/review/approval of loan related issues, transition committee discussion and approve actions taken by the Chairman under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1713 S. Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal 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 verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBSC office, (850)487-4850, at least seven (7) days prior to the meeting.

The **Executive Office of the Governor, Florida Black Business Investment Board**, its Loan and Transition Committees announces a public teleconference meeting to which all persons are invited:

DATE AND TIME: June 6, 2001, 10:00 a.m.

PLACE: Hyatt Regency/Orlando International Airport, 9300 Airport Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss the Board’s business plan to identify areas for future Board priorities, loan committee discussion/review/approval of loan related issues, transition committee discussion and approve actions taken by the Chairman under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Investment Board, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meetings. If you are hearing or speech impaired, please contact the Office of the Governor by using the Citizen Service Office, (850)488-4441.

The **Office of the Film Commissioner** and the Florida Film Advisory Council announces a public seventh meeting to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 8:30 a.m.

PLACE: Westin Grande Bohemian, Room TBA, 325 South Orange Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review projects, discuss committee tasks, legislative issues and related general administrative matters of the Council.

A copy of the agenda may be obtained by contacting: Mrs. Rebecca Dirden-Mattingly, Commissioner, Office of the Film Commissioner, State of Florida, Executive Office of the Governor, Bloxham Building, Suite 111, Tallahassee, Florida 32399-0001, (850)410-4765.

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

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

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** and the Council’s Executive Committee announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 9:30 a.m.

PLACE: W. H. Stuart Center, 1710 US Highway 17, South, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by contacting: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 8:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive/Budget Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tampa Bay Regional Planning Council.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 14, 2001, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency on Bay Management Committee Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, June 25, 2001, 9:30 a.m. (Subject to cancellation – please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

PURPOSE: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following Projects Committee Tour to which all persons are invited:

DATE AND TIME: Friday, June 1, 2001, 9:00 a.m. (a helicopter tour of Lake Apopka/Ocklawaha immediately followed by a boat tour in Lake Dora, Haines Creek and Lake Griffin areas.

PLACE: The Committee will meet at the Lakeside Inn at 8:00 for a briefing on the Apopka Projects and Ocklawaha Projects. The Committee will disperse immediately to a nearby destination (to be determined) for take-off for the aerial tour. The Committee will meet in the lobby at the Lakeside Inn (Thursday, May 31) at 6:45 to attend dinner at a nearby restaurant. (To be determined.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is for information only.

For a copy of the itinerary write to the St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or call Sonia Kuecker, Business Resource Specialist IV, Department of Water Resources, (904)312-2330.

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 **St. Johns River Water Management District** announces public meetings and hearings to which all persons are invited:

INFORMATION TECHNOLOGY COMMITTEE MEETING

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

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Information Technology Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD MEETING

DATE AND TIME: Tuesday, June 12, 2001, 10:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE COMMITTEE MEETING

DATE AND TIME: Wednesday, June 13, 2001, 8:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Wednesday, June 13, 2001, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FIFTH PUBLIC HEARING ON ENVIRONMENTAL RESOURCE PERMIT STREAMLINING RULE AMENDMENTS

DATE AND TIME: Wednesday, June 13, 2001, following Governing Board meeting which begins at 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and evidence and to consider further changes regarding the proposed ERP Streamlining amendments to Chapters 40C-1, 40C-4, 40C-40, 40C-41, 40C-42 and 40C-400, F.A.C., and Applicant Handbooks: Management and Storage of Surface Waters and Regulation of Stormwater Management Systems.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Executive Office.

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman, (904)329-4101. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited:

DATE AND TIME: May 30, 2001, 1:30 p.m.

PLACE: Bartow Service Office, 170 Century Blvd., Bartow, FL 33830-7770

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District is scheduled to develop minimum flows for the Upper and Middle Peace River by the end of 2001. The purpose of the meeting is to identify issues of concern with regard to the

establishment of minimum flows for the Upper and Middle Peace River, seek stakeholder participation in formulating clearly defined goal(s) on which minimum flows might be based and solicit information and identify data that stakeholders feel may be relevant to the establishment of minimum flows for the water body.

A copy of the agenda may be obtained by contacting: Martin H. Kelly, Manager Ecologic Evaluation Section, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, Extension 4235.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

Two or more Governing Board members may attend this meeting.

The Southwest Florida Water Management District announces a public meeting to which all persons are invited:

DATE AND TIME: June 8, 2001, 9:00 a.m.

PLACE: Riverview Civic Center, 11020 Park Drive, Riverview, FL 33569

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District is scheduled to develop minimum flows for the Alafia River by the end of 2001. The purpose of the meeting is to identify issues of concern with regard to the establishment of minimum flows for the Alafia River, seek stakeholder participation in formulating clearly defined goal(s) on which minimum flows might be based, and solicit information and identify data that stakeholders feel may be relevant to the establishment of minimum flows for the water body.

A copy of the agenda may be obtained by contacting: Martin H. Kelly, Manager Ecologic Evaluation Section, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, Extension 4235.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax number (352)754-6878, Suncom 663-6878.

Two or more Governing Board members may attend this meeting.

The Southwest Florida Water Management District announces a public meeting to which all persons are invited:

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, June 5, 2001, 5:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meeting.

A copy of the agenda may be obtained by contacting: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The Southwest Florida Water Management District announces a public hearing to which all persons are invited:

DATES AND TIMES: June 26, 2001, 9:00 a.m. and may be continued; June 27, 2001, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Water Management Lands Trust Fund (Save Our Rivers)/Florida Preservation 2000 Trust Fund which lands are further described as follows:

Part of the Weekiwachee Preserve project comprised of one parcel referred to as SWF Parcel No. 15-773-106 consisting of approximately 454± acres. The parcel is located on the north and the south side of County Road 50, lying west and east of U.S. Highway 19. Subject parcel is within Sections 2 and 3, Township 23 South, Range 17 East in Hernando County, Florida; and

Part of the Weekiwachee Preserve project comprised of one parcel referred to as SWF Parcel No. 15-773-121 consisting of approximately 136.9± acres. The parcel is located on County Road 597 and lies in Section 31, Township 22 South, Range 17 East in Hernando County, Florida; and

Part of the Weekiwachee Preserve project comprised of two parcels referred to as SWF Parcel Nos. 15-773-173 and 15-773-168, consisting of approximately 25± acres and 65± acres, respectively. The parcels are located on the south side of Aripeka Road (County Road 595) and lie in Section 12, Township 24 South, Range 16 East in Pasco County, Florida.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting: Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TTD only 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all persons are invited:

DATE AND TIME: June 1, 2001, 8:30 a.m. – 5:00 p.m.

PLACE: City of Stuart City Hall, 121 Flagler Avenue, Stuart, FL 34994

PURPOSE: To review and rank local projects submitted for funding by the St. Lucie River Issues Team.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Martin/St. Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994.

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, please contact Patricia K. Goodman, 1(800)250-4100, Ext. 3604, South Florida Water Management District Martin/St. Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994

The **South Florida Water Management District** announces a public meeting to which all persons are invited:

DATES AND TIME: June 5, 2001; June 12, 2001; June 19, 2001; June 26, 2001, 1:00 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Building, Egret Conference Room, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold its regular meeting to discuss appraisal issues and, if necessary, select an appraiser from proposals received on upcoming appraisal assignments.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information or those wishing to submit written or physical evidence may contact Kenneth Daw, Chief Appraiser, (561)682-6737.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Tuesday, June 5, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: South Florida Water Management District, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)686-8800 or 1(800)432-2046

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Wednesday, June 6, 2001, 1:00 p.m. – 5:00 p.m.

PLACE: South Florida Water Management District, Fort Lauderdale Field Station, 2535 Davie Road, Ft. Lauderdale, FL 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to solicit comments and discuss the development of a Report Card for the implementation of the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, MS #4330, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact Agnes McLean, SFWMD, Lead Planner, (561)682-6493 or John Ogden, SFWMD, Lead Environmental Scientist, (561)682-6173.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Wednesday, June 6, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: Bardsley Room, (back of the John Boy Auditorium), 1200 South W. C. Owens Avenue, Clewiston, FL 33440, (863)983-1492

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

The **South Florida Water Management District** announces a public meeting to which all persons are invited:

DATE AND TIME: June 7, 2001, 8:30 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Water Resources Advisory Commission to set the schedule and agendas for the Commission and to consider regular Commission business.

A copy of the agenda may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: South Florida Water Management District, Fort Myers Service Center Conference Room, 2301 McGregor Boulevard, Fort Myers, FL 33901, (941)338-2929, 1(800)248-1201

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Monday, June 11, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: Broward County Library, Fort Lauderdale Branch, 1300 E. Sunrise Blvd., Fort Lauderdale, FL 33304, (954)765-4263

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Tuesday, June 12, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: Joseph Caleb Center, 5400 N. W. 22nd Ave., Miami, FL 33142, (305)636-2250

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

The **South Florida Water Management District** announces a public workshop and meeting to which all persons are invited:

DATE AND TIME: June 13, 2001, 9:00 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, FL. Which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board workshop and meeting to discuss and consider District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members. Any item on the Thursday, June 14, 2001, Governing Board Regular Meeting may be considered on this agenda.

DATE AND TIME: June 14, 2001, 8:30 a.m.

PLACE: District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, FL. Which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting for consideration of District business including regular and regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agendas may be obtained by contacting: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information or those wishing to submit written or physical evidence may contact Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

The **South Florida Water Management District** and the U.S. Army Corps of Engineers announces a public workshop to which all persons are invited:

DATE AND TIME: Thursday, June 14, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: W. R. Thomas Middle School, Cafeteria, 13001 S. W. 26th St., Miami, FL 33175, (305)995-3800

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to solicit final comments for the 1) draft Public Outreach Management Plan and 2) draft Socio-Economic and Environmental Justice Management Plan – both of which are for the Comprehensive Everglades Restoration Plan (CERP).

A copy of the agenda may be obtained by contacting: South Florida Water Management District, Attention: Ellen Underwood, MS #6390, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance of the workshop to make appropriate arrangements.

For more information, contact Ellen Underwood, SFWMD, Senior Government and Public Affairs Representative, (561)682-6013 or 1(800)432-2045, Ext. 6013.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces a public Workshop and Regular Board Meeting to which all persons are invited:

DATE AND TIME: Friday, June 1, 2001, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: System Configuration II Project Workshop with the emphasis on the Seawater Desalination 2 Project.

DATE AND TIME: Monday, June 11, 2001, 10:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he will need a record of the proceedings, and for such purposes 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 an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

The **Peace River/Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 6, 2001, 10:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although the Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

SPACEPORT FLORIDA AUTHORITY

The **Spaceport Florida Authority** announces a public Board of Supervisors meeting to which all persons are invited:

DATE AND TIME: June 6, 2001, 1:00 p.m. – 5:00 p.m.

PLACE: Port Everglades Administration Building, 1850 Eller Drive, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will continue discussion on the status of Authority projects, development and administrative issues of the Authority and to consider other matters related to the business of the Authority.

A copy of the agenda may be obtained by contacting: Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited meeting or hearing, 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 accommodation at this meeting because of a disability or physical impairment should contact the Spaceport Florida Authority, at least seven (7) days prior to the meeting.

For more information, contact Ms. Patricia Sweetman, (321)730-5301, Ext. 1210.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public informational meeting to which all persons are invited:

DATE AND TIME: Thursday, May 31, 2001, 10:30 a.m. – 1:30 p.m.

PLACE: Marriott Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide information on the state supplemental rebate process to the Medicaid prescribed drug program.

Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)878-6502, at least five days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants**, Hotels and Restaurants Advisory Council announces a public meeting to which all persons are invited:

DATE AND TIME: June 12, 2001, 10:00 a.m. – 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Lee Cornman, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, (850)488-1133.

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 Lee M. Cornman, Management Review Specialist, (850)488-9263. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The person to be contacted regarding the workshop is: Lee M. Cornman, Management Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, (850)488-9263.

The **Department of Business and Professional Regulation**, Division of Professions, **Construction Industry Licensing Board** and the **Building Code Administrators and Inspectors Board** announces a public Committee meeting to which all persons are invited:

SUBJECT: Construction Industry Recovery Fund Workgroup
 DATE AND TIME: June 11, 2001, 10:00 a.m. – Conclusion
 PLACE: Northwood Centre, 1940 North Monroe Street, Board Room 130, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Construction Industry Recovery Fund formula and other issues affecting the Fund.

A copy of the agenda may be obtained by contacting: Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0754 or by calling Dianne Alborn, Administrative Assistant, (850)487-9501.

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 Professions will not record this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the agency at least 48 hours before the meeting by contacting Dianne Alborn, (850)487-9501. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

The Florida **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited:
 DATE AND TIME: June 4, 2001, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Secretary's Conference Room, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel and Probation Committee meeting, which portions may be closed to the public.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

Submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-6685, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation** announces public meetings have been POSTPONED by the **Building Code Administrators and Inspectors Board** (Board) to which all persons are invited:

PLACE: The World Golf Village Renaissance Resort, 500 South Legacy Trail, St. Augustine, FL 32092, (904)940-8000
 MEETING: Building Code Administrators and Inspectors Board

DATE AND TIME: May 17, 2001, 8:00 a.m.
 MEETING: Building Code Administrators and Inspectors Board
 DATE AND TIME: May 18, 2001, 8:00 a.m.

Please contact the Board office, (850)921-4789 for further information and future meeting dates.

The Florida **Building Code Administrators and Inspectors Board** announces a public Official Board Meeting via telephone conference call to which all persons are invited:

DATE AND TIME: June 1, 2001, 10:00 a.m. (EST)
 PLACE: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211, Access Number (850)488-5778 or Suncom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting. The Board will discuss Part(s) VI, VII, VIII and XI of the previously established May 17-18, 2001, Building Code Administrators and Inspectors Board (Board) meeting agenda.

A copy of the agenda may be obtained by contacting: Florida Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

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

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Building Code Administrators and Inspectors Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Glenda Albritton using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Florida Springs Task Force** announces a public meeting to which all persons are invited:

DATE AND TIME: May 31, 2001, 9:30 a.m. – 3:30 p.m.

PLACE: Museum of Natural History, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Springs Task Force: Implement strategies in the Florida Springs Task Force Report.

A copy of the agenda may be obtained by contacting: Office of Environmental Services, (850)487-1750.

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 6:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve, 9741 Ocean Shore Blvd., Town of Marineland, Florida 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The twenty member Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Wednesday of the third month of each quarter. The MAG is composed of ten citizens, appointed by the three state legislators with overlapping jurisdictions with the reserve boundaries and ten representatives of the local, state and federal government entities with authority and responsibility in the reserve. They are the National Park Service; the Florida Park Service; the Florida Fish and Wildlife Conservation

Commission; the St. Johns River Water Management District; the Florida Inland Navigation District; the Flagler County Board of County Commissioners; the St. Johns County Board of County Commissioners; the St. Augustine Port, Waterway and Beach Authority; the City of St. Augustine; and the Town of Marineland. The MAG works with the Florida Department of Environmental Protection (DEP) to implement the management plan adopted by the Governor and Cabinet for the GTMNERR.

The meeting agenda will include a vote on the addition of 2 new citizen members to be representatives of the Friends of Guana River State Park, the introduction of a new GTMNERR Administrative Assistant, discussion of a grand opening event for the new GTMNERR facility in the River to Sea Preserve at Marineland and progress reports on a variety of GTMNERR activities.

A copy of the agenda may be obtained by contacting: Mr. Kenneth Berk, GTMNERR, 9741 Ocean Shore Blvd., Marineland, Florida 32080, (904)461-4054.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection** announces a public hearing to which all persons are invited:

DATE AND TIME: June 26, 2001, 9:30 a.m.

PLACE: Orlando City Hall, 400 South Orange Avenue, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge C. A. Stampelos will take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the proposed Orlando Utilities Commission, Kissimmee Utility Authority, Florida Municipal Power Agency and Southern Company-Florida, LLC, Curtis H. Stanton Energy Center Combined Cycle Unit A project, Power Plant Siting Supplemental Application No. 81-14SA2, OGC Case No. 01-0176, DOAH Case No. 01-0416EPP, pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-.518, Florida Statutes. Judge Stampelos will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board, based on the hearing. Pursuant to § 403.508(4), F.S., any person wishing to become a party should file a Motion to Intervene with C. A. Stampelos, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the hearing. When appropriate, any person may be given an opportunity to present oral or written communications to the Administrative Law Judge. If the Administrative Law Judge proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

A copy of the agenda may be obtained by contacting: Buck Oven, (850)487-0472 or at the Department of Environmental Protection, 2600 Blair Stone Road, M.S. #48, Tallahassee, Florida 32399-2400.

DEPARTMENT OF JUVENILE JUSTICE

The **Juvenile Justice Advisory Board** announces a public final meeting to which all persons are invited:

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

PLACE: Adam's Mark Hotel, City Terrace Room 6, 225 Coast Line Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Includes reports on the Department of Juvenile Justice's Budget for 2001-2002, the 2001 Legislative Wrap-up and a report on the major accomplishments of the Commission and Board. Members will submit recommendations on various DJJ programs/projects to the DJJ Secretary.

A copy of the agenda may be obtained by contacting: The staff, Accountability Board office, (904)922-4377.

DEPARTMENT OF HEALTH

The Florida **Board of Dentistry** announces a public general business meeting to which all persons are invited:

DATES AND TIMES: Friday, June 29, 2001, 9:00 a.m.; Saturday, June 30, 2001, 8:00 a.m.

PLACE: Hyatt Regency Orlando International Airport Hotel, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by contacting: Board of Dentistry, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256, (850)245-4161. You will be charged seventeen cents 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 proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber 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**, Quality Assurance Committee announces a meeting to which all persons are invited:

DATE AND TIME: Friday, June 15, 2001, 10:00 a.m.

PLACE: The Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Dania Beach, Florida 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by contacting: 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).

The **Department of Health, Board of Nursing** announces a public meeting to which all persons are invited:

CNA Council Meeting

DATE AND TIME: Wednesday, July 25, 2001, 9:30 a.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and discipline for Certified Nursing Assistants.

A copy of the agenda may be obtained by contacting: 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).

The **Department of Health, Board of Opticianry** announces a public meeting to which all persons are invited.

DATE AND TIME: June 6, 2001, 9:00 a.m.

PLACE: Via telephone conference call. Telephone Number: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by Wednesday, May 30, 2001.

The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited:

DATE AND TIME: June 10, 2001, 4:00 p.m. (EDT)

PLACE: Radisson Bay Harbor, 7700 Courtney Campbell Causeway, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will conduct a workshop to consider possible revisions to the following, Rules 64B16-26.103, 64B16-28.150, 64B16-28.830 and rule consideration regarding automated dispensing systems, Negative Drug Formulary (tentative) and Licensure by Endorsement (tentative).

A copy of the agenda may be obtained by contacting: John D. Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Sharon Knowles, (850)245-4292, Ext. 3600, 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).

The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited:

DATES AND TIME: June 11-12, 2001, 9:00 a.m. (EDT)

PLACE: Radisson Bay Harbor, 7700 Courtney Campbell Causeway, Tampa, FL

PURPOSE: The Board will conduct disciplinary proceedings, general board business and rules review. The probable cause panel will meet after the June 11, 2001, session. This meeting is closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by contacting: John D. Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN #C04, Tallahassee, Florida 32399-3254.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Sharon Knowles, (850)245-4292, Ext. 3600, 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).

The **Board of Podiatric Medicine**, Probable Cause Panel announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 2:30 p.m.

PLACE: Dr. Levy's Office, 2511 Martin Luther King, Jr. Boulevard, Tampa, FL, (813)879-7850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherry Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Podiatric Medicine, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice), 1(800)955-8771 (TDD).

The **Board of Podiatric Medicine** announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, June 8, 2001, 9:00 a.m.

PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, FL 32822, (407)851-6400

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Sherra Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Podiatric Medicine, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice), 1(800)955-8771 (TDD).

The **Board of Podiatric Medicine** announces a public Rules Workshop to which all persons are invited:

DATE AND TIME: Friday, June 8, 2001, 1:00 p.m. or shortly thereafter

PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, FL 32822, (407)851-6400

PURPOSE: Discussion of Rule Chapter 64B18, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Sherra Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Podiatric Medicine, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice), 1(800)955-8771 (TDD).

The **Department of Health, Board of Athletic Trainers** announces a public meeting to which all persons are invited:

DATE AND TIME: June 1, 2001, 10:00 a.m.

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

PURPOSE: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Athletic Trainers, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by Tuesday, May 29, 2001.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces a public contract negotiation to which all persons are invited:

Invitation to Negotiate

DATE AND TIME: May 18, 2001, 8:00 a.m. – 5:00 p.m.

PLACE: Benton Regional Service Center, Room 316, 337 North 4th Street, Fort Pierce, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Contract negotiation.

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, Room 327, 337 North 4th Street, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 12, Community Alliance Mental Health Subcommittee announces a public meeting to which all persons are invited:

General Business Meeting

DATE AND TIME: May 29, 2001, 9:00 a.m.

PLACE: Daytona Beach Service Center, Conference Room 148, 210 North Palmetto Avenue, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

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.

The **Department of Children and Family Services**, District Eight, Mental Health Program Office announces a public forum to which all persons are invited:

DATE AND TIME: May 31, 2001, 4:00 p.m. – 6:00 p.m.

PLACE: District Eight Regional Headquarters, Room 123, 2295 Victoria Avenue, Fort Myers, Florida 33906

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the designation of (public or private) a Children's Baker Act Receiving facility.

A copy of the agenda may be obtained by contacting: Barb Blankenship, Department of Children and Family Services, (941)338-1324.

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces public meetings to which all persons are invited:

Executive Committee

DATES AND TIME: June 4, 11, 18, 25, 2001, 8:30 a.m.

PLACE: Department of Children and Family Services, 337 North 4th Street, Room 327D, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meetings

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodations for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces a public meeting to which all persons are invited:

ITN SUB-COMMITTEE

DATES AND TIME: June 6, 20, 2001, 3:00 p.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 316, Fort Pierce, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces a public meeting to which all persons are invited:

MENTAL HEALTH SUB-COMMITTEE

DATE AND TIME: June 12, 2001, 9:30 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 104, Fort Pierce, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces a public meeting to which all persons are invited:

FOSTER CARE SUB-COMMITTEE

DATES AND TIME: June 13, 27, 2001, 10:00 a.m.

PLACE: Benton Regional Service Center, 337 North 4th Street, Room 316, Fort Pierce, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the

meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Advocacy Committee**, District 15 announces a public meeting to which all persons are invited:

DATE AND TIME: June 19, 2001, 9:30 a.m.

PLACE: 337 North 4th Street, Benton Regional Service Center, Room 104, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting

A copy of the agenda may be obtained by contacting: Ellen Higinbotham, FLAC Liaison, (561)467-3042.

SPECIAL ACCOMMODATION: Any person requiring special accommodations for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces a public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: June 22, 2001, 8:30 a.m.

PLACE: Workforce Development Board, 9350 South U.S. 1, Port St. Lucie, FL

A copy of the agenda may be obtained by contacting: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174.

SPECIAL ACCOMMODATION: Any person requiring special accommodations for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Manatee County Community Alliance** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 7, 2001, 12:00 Noon

PLACE: Partnership for Safe Families, 600 8th Avenue, West, Palmetto, Florida

A copy of the agenda may be obtained by contacting 741-3682.

The Florida **Department of Children and Family Services** Hernando County Community Alliance announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 9:00 a.m.

PLACE: Hernando County School Support Complex, 919 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by contacting: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services**, Marion County Community Alliance announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 13, 2001, 12:00 Noon

PLACE: Marion County Sheriff's Office, 692 N. W. 30th Ave., Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by contacting: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services**, Citrus County Community Alliance announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 21, 2001, 8:30 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by contacting: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services**, Lake County Community Alliance announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, June 20, 2001, 12:00 Noon

PLACE: Lake Technical Center, 2001 Kurt St., Eustis, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by contacting: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Northwest Florida Community Alliance of the The **Department of Children and Family Services**, Subdistrict 2A announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, June 21, 2001, 2:00 p.m. (Central Time)

PLACE: Washington/Holmes Vocational Technical Center, 209 Hoyt Street, Chipley, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Northwest Florida Community Alliance to conduct general business. The Alliance is composed of Bay, Calhoun, Gulf, Holmes, Jackson and Washington counties.

A copy of the agenda may be obtained by contacting: Ima Brown, Department of Children and Family Services, 2639 North Monroe Street, Cedars Executive Center, Suite 200A, Tallahassee, FL 32303.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Ima Brown), at least 5 working days prior to the meeting, (850)488-0569 or 1(800)226-6223 (TDD).

The District 14, **Department of Children and Family Services** announces a public meeting to which all persons are invited:

CEO Roundtable of Central Florida quarterly meeting

DATE AND TIME: Wednesday, July 11, 2001, 3:00 p.m.

PLACE: Polk County Board of County Commissioners, 4th Floor, Board Members Conference Room, 330 West Church Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the CEO Roundtable of Central Florida.

A copy of the agenda may be obtained by contacting: Patty Harrison, (941)619-4157, 1(800)342-0825 or TDD (941)648-3337.

Persons needing accommodation to participate in this meeting please contact Patty Harrison, (941)619-4157, 1(800)342-0825 or TDD (941)648-3337.

The Florida **Department of Children and Family Services**, District 8, Charlotte County Community Alliance announces a public meeting to which all persons are invited:

DATES AND TIME: August 1, 2001; September 5, 2001; October 3, 2001; November 7, 2001; December 5, 2001, 12:00 Noon

PLACE: Charlotte County Courthouse, 2nd Floor, Court Administration Conference Room, 350 East Marion Avenue, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Charlotte County Community Alliance Board meetings.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to the meeting.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Community-Based Care Unit, (941)338-1343.

The Florida **Department of Children and Family Services** announces a public conference call meeting of the following workgroups of the Governor's Task Force on Domestic Violence to which all persons are invited:

Executive Committee with Committee Chairs

DATE AND TIME: May 29, 2001, 1:30 p.m. – 2:30 p.m.

PLACE: Conference Call Number (850)487-9552, Suncom 277-9552

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

Law Enforcement Committee

DATE AND TIME: May 29, 2001, 8:00 a.m. – 9:00 a.m.

PLACE: Conference Call Number (850)487-9552, Suncom 277-9552

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

Cultural Diversity Committee

DATE AND TIME: May 29, 2001, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

Education Committee

DATE AND TIME: May 29, 2001, 9:00 a.m. – 10:30 a.m.

PLACE: Conference Call Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

Faith Committee

DATE AND TIME: May 30, 2001, 8:30 a.m. – 10:00 a.m.

PLACE: Conference Call Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

Court System Committee

DATE AND TIME: May 30, 2001, 7:15 a.m. – 8:00 a.m.
 PLACE: Conference Call Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.
 Health Committee

DATE AND TIME: May 31, 2001, 4:00 p.m. – 5:00 p.m.
 PLACE: Conference Call Number (850)487-8540, Suncom 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.
 Executive Committee

DATES AND TIME: June 16-17, 2001, 9:00 a.m. – 10:00 p.m.
 PLACE: Conference Call Number (850)488-5776, Suncom 278-5776, Harry T. & Harriette V. Moore Justice Center, 4th Floor, 2825 Judge Fran Jamieson Way, Viera, Florida 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finalization of the Annual Report.

To participate in the conference call, simply dial the conference call number at the designated time. First, you will hear a tone and then will be connected to the conference call. Please identify yourself once you are connected. If you do not hear any participants' voices, it simply means no one has called in. Stay on the line to allow others to call in and connect. If you have any trouble, call (850)488-1234 and tell the operator the trouble you are experiencing and reference confirmation number 20G0129. This is not a toll-free call.

A copy of the agenda may be obtained by contacting: Governor's Task Force on Domestic Violence, Florida Department of Children and Family Services or Bonnie M. Flynn, (850)414-8317.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public workshop to which all persons are invited:

DATE AND TIME: Tuesday, June 12, 2001, 11:00 a.m.
 PLACE: Florida Housing Finance Corporation, Sixth Floor, Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to Rule Chapter 67-44, F.A.C., relating to the HAP Construction Loan Program.

Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Laurie Camp, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

The **Florida Housing Finance Corporation**, Board of Directors announces a public workshop and meeting to which all persons are invited:

Fiscal Committee; Guarantee Committee; Combined Cycle Committee; Multifamily Revenue Bond Committee; Board Meeting

DATE AND TIME: June 15, 2001, 10:30 a.m. – adjourned
 PLACE: Sheraton Hotel, Ft. Lauderdale Airport, 1825 Griffin Rd., Dania, FL 33004, (954)920-3500

- GENERAL SUBJECT MATTER TO BE CONSIDERED:
1. Consider, review and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
 2. Consider, review and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
 3. Consider, review and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
 4. Consider, review and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
 5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues which have satisfied the requirements for funding.
 6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
 7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
 8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
 9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
 10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
 11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis and structuring new issues.
 12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
 13. Consideration of approval of underwriters for inclusion on approved master list and teams.

14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.
22. Consideration of workouts or modifications for existing projects funded by the Corporation.
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
24. Consideration of funding additional reserves for the Guarantee Fund.
25. Consideration of audit issues.
26. Evaluation of Professional and Consultant performance.
27. Such other matters as may be included on the agenda for the June 15, 2001 Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Deanne Coughlin, Board Administrative Liaison, Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301-1329, (850)488-4197.

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings and that, for such purpose he or 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 Deanne Coughlin, Florida Housing Finance Corporation, (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).

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public Stone Crab Advisory and Appeals Board meeting to which all persons are invited:

DATES AND TIMES: June 6, 2001, 9:00 a.m. – 4:00 p.m.; June 7, 2001, 8:00 a.m. to 4:00 p.m.

PLACE: State Regional Service Center, 2796 Overseas Highway Number 100, Room 219A, Marathon, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this initial meeting of the Stone Crab Advisory and Appeals Board is to elect a board chair and vice chair, establish operational procedures, conduct a question and answer session and hear scheduled appeals of initial stone crab trap certificate allocations.

A copy of the agenda may be obtained by contacting: Wayne Southwell, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)922-4340.

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

FLORIDA COMMUNITY COLLEGES RISK MANAGEMENT CONSORTIUM

The **Florida Community Colleges Risk Management Consortium** announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, May 31, 2001, 9:00 a.m. – 2:00 p.m.

PLACE: AmeriSuites, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, (352)955-2190, Ext. 2.

FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The **Florida Center for Solid and Hazardous Waste Management**, Advisory Board announces a public meeting to which all persons are invited:

DATE AND TIME: June 1, 2001, 9:00 a.m. – 2:00 p.m.

PLACE: To Be Determined, Tampa, Florida

A copy of the agenda may be obtained by contacting: Please call (352)392-6264 or visit our website at www.floridacenter.org

PALM BEACH COMMUNITY COLLEGE

The Region XII, **Training Council and Assessment Center**, Board of Directors announces a public meeting to which all persons are invited:

DATE AND TIME: Tuesday, June 5, 2001, 10:00 a.m.
 PLACE: Palm Beach Community College, Criminal Justice Room 101, 4200 Congress Avenue, Lake Worth, FL 33461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to: FDLE/CJSTC updates; Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola, Secretary of the Criminal Justice Institute, Palm Beach Community College, 4200 Congress Avenue, Lake Worth, FL 33461, (561)439-8145.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The **Florida Developmental Disabilities Council**, Inc. announces public business meetings to which all persons are invited:

DATES AND TIME: Thursday, June 7, 2001; Friday, June 8, 2001, 8:30 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Standing Committee Meetings, Thursday; Full Council Meeting, Friday.

A copy of the agenda may be obtained by contacting: Linda Rossman or Crystal Kelly, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, toll free 1(800)580-7801, local (850)488-4180 or TDD toll free 1(888)488-8633.

Special accommodations for participation in this meeting, please contact Linda Rossman or Crystal Kelly, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, toll free 1(800)580-7801, local (850)488-4180 or TDD toll free 1(888)488-8633.

ENTERPRISE FLORIDA

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

Meeting: Enterprise Florida, Inc. Board of Directors
 DATE AND TIME: Wednesday, June 8, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: Via Teleconference: Call-In Number: (212)287-1820, Leader's Name: George Koehn, Password: EFI Board Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: June 13, 2001, 8:00 a.m.
 PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

TRANSPORTATION AND EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA

The **Transportation and Expressway Authority Membership of Florida**, Inc. (TEAMFL) announces a public meeting to which all persons are invited:

DATE AND TIME: June 13, 2001, 8:45 a.m. – 12:00 Noon
 PLACE: City Council Chambers, Jacksonville, Florida

- GENERAL SUBJECT MATTER TO BE CONSIDERED:
1. New Jacksonville Plan – Transportation
 2. Florida Fibernet Project
 3. ITS Center Trip
 4. Legislative Agenda Report – Transportation
 5. Open Road Tolling Update

A copy of the agenda may be obtained by contacting: Robert C. Hartnett, Executive Director, TEAMFL, Suite B, 2121 Camden Road, Orlando, FL 32803, (407)896-0035, Fax (407)897-7012.

NATIONAL COUNCIL ON COMPENSATION INSURANCE

The **Florida Workers Compensation Appeals Board** announces a public meeting to which all persons are invited:

DATE AND TIME: June 20, 2001, 9:00 a.m. – 4:00 p.m.
 PLACE: Airport Hilton, 1870 Griffin Road, Dania Beach, FL 33044, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide a mechanism by which aggrieved parties may obtain a review of the application of the rules of the workers compensation system to their individual workers compensation policies.

A copy of the agenda may be obtained by contacting: Kathy Scott, National Council on Compensation Insurance, Inc., 901 Peninsula Corporate Circle, Boca Raton, Florida 33487, (561)893-3170.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received a petition for Declaratory Statement from St. Johns County. The petition seeks the agency's opinion as to the applicability of Sections 367.111(1) and 367.101, F.S., Rules 25-30.515(17) and (18), 25-30.525 and 25-30.550, F.A.C., and 95 F.P.S.C. 2:342, pertaining to special service availability contracts, as they apply to petitioner. Docket No. 010704-SU.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections received a Petition to Initiate Rulemaking on May 11, 2001 from Edward P. Campbell. Petitioner is seeking amendment of Rule 33-401.401, Florida Administrative Code, to prohibit the possession of tobacco products by inmates in dormitories and inmate housing areas.

A copy of the Petition may be obtained by contacting: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on May 8, 2001 from Randall T. Prater. Petitioner is seeking amendment of Rule 33-501.301(12)(a), Florida Administrative Code, to include a provision that inmates may receive more than one copy of Form DC6-236, Inmate Request, and DC1-303, Request for Administrative Remedy or Appeal, providing they can show the need for them.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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:

Tenet Healthsystem Hospitals, Inc. d/b/a Delray Medical Center, vs. Agency for Health Care Administration; Case No.: 01-1796RP; Rule No.: 59C-1.033(7)(b),(c)

Save Our Suwannee, Inc. vs. Department of Environmental Protection; Case No.: 01-1797RP; Rule No.: 62-303

Florida Education Association vs. Department of Education; Case No.: 01-1724RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

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 request for submittals for architectural services for the
following project is hereby retracted.

Project No. BR-264

Project and Location: Seminole Dining Hall Renovation
Florida State University
Tallahassee, Florida

Further information on the project may be obtained as it
becomes available through our website: www.fpc.fsu.edu or by
contacting Kim Ball, Project Manager, Facilities Planning and
Construction, 109 Mendenhall Maintenance Building A,
Florida State University, Tallahassee, Florida 32306-4152,
(850)644-2843 Telephone, (850)644-8351 Facsimile.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive
sealed bids for the following: 01L-151, W/O 544089, P K
Yonge Access Road, estimated budget: \$275,000-\$300,000, to
be opened June 15, 2001, 11:00 a.m. (Local Time), in
Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope
of work: Construct a new access road from Southwest 6th
Street to the East side of PK Yonge School, including a new
parking lot, relocating the girls softball field, converting the
tennis courts to a parking lot, a gate and all appurtenances to
the road, parking lot and softball field. Specifications and Plans
will be available in Purchasing, Elmore Hall, Radio Road,
Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting
will be held June 1, 2001, 10:00 a.m., in the Physical Plant
Division Architecture/Engineering Conference Room,
Building 700, Radio Road, Gainesville, FL. All questions
should be directed to: A. J. Sontag, Assistant Director, UF
Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH
DISABILITY ACT OF 1991 - If special accommodations are
needed in order to attend the Pre-bid or Bid opening, contact
Emily J. Hamby, (352)392-1331, Ext. 303, within three (3)
days of the event.

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Duval County Public
Schools, Division of Facilities Services, Room 546, School
Board Building, 1701 Prudential Drive, Jacksonville, Florida
32207 for:

PROJECT TITLE: Millwork Replacement
BID NUMBER: M-88220
SCOPE OF WORK: Removal of selected cabinetry work and
sinks followed by construction and
installation of replacement cabinetry
and sinks.

BIDS: Bids will be received until 2:00 p.m.,
Tuesday, June 19, 2001 and
immediately thereafter publicly opened,
read aloud and recorded in the 5th Floor
Conference Room 513 D, School Board
Building, 1701 Prudential Drive,
Jacksonville, Florida 32207.

All general contractors or prime bidders
that are interested in bidding are
required to attend the mandatory pre-bid
conferences to be held on June 6, 2001,
9:00 a.m. (Local Time), at John Love

Elementary School No. 73, 1531 Winthrop Street, Jacksonville, Florida 32206; 10:15 a.m. (Local Time), at R. V. Daniels Elementary School No. 162, 1951 W. 15th Street, Jacksonville, Florida 32209; 11:30 a.m. (Local Time), at Rufus E. Payne Elementary School No. 163, 6725 Hema Road, Jacksonville, Florida 32209. Failure to attend all pre-bid conferences 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, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of:

VRL Architects Inc.
6501 Arlington Expressway Bldg. A, Suite 101

Jacksonville, Florida 32211
Attention: Kim Rinaman
DCSB Point of Contact: Joe Rogers, (904)858-6310

Contract documents for bidding may be examined at:

Division of Purchasing Services, Duval County Public Schools
F. W. Dodge McGraw Hill Plan Room
Construction Bulletin
Construction Market Data, Inc.
Business Service Center

MBE

PARTICIPATION: A minimum of 15% overall participation plan.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF APPLICATION PERIOD

The Florida Communities Trust announces an application period for receiving applications from local governments and eligible nonprofit environmental organizations requesting funding awards from the Trust's Florida Forever Program.

DEADLINE: The deadline for applications shall be Monday, August 13, 2001, 5:00 p.m. (EDT). Applications must be received at the address below by the stated deadline to be considered eligible for funding during this application period. No waiver of the deadline shall be allowed, except as set forth in Rule 9K-7.004(5), Florida Administrative Code (F.A.C.).

ADDRESS: For mail and carrier service deliveries, the delivery address is Florida Communities Trust, 2555 Shumard Oak Boulevard, Room 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Sadowski Building, Room 310, 2555 Shumard Oak Boulevard, Tallahassee, FL.

APPLICATION FORMS: Applications for funding must be made on Application Form FF-1 (Effective 5/29/01), following procedures in Rule Chapter 9K-7, F.A.C. Copies of the rule chapter and application form will be available at the pre-application workshops or may be obtained from the Trust's website at www.dca.state.fl.us/ffct by calling the Trust, (850)922-2207, Suncom 292-2207 or by writing the Florida Communities Trust at the above address.

FUNDS AVAILABLE: Funds available for awards will derive from the first Florida Forever bond series, to be sold in 2001. As of the date of submittal of this Notice, the Trust expects that up to \$66,000,000 in bond proceeds will be available for use in this funding cycle, unless otherwise allocated by the Legislature.

LOCAL MATCH: Subsection 259.105(3)(c), F.S., requires that of the funds allocated to the Trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. Rule 9K-7.003(4)(c), F.A.C., allows 100 percent grant funding to counties with populations under 75,000, municipalities with populations under 10,000 and eligible nonprofit environmental organizations. All other local government applicants shall provide a minimum of 25 percent match toward the total project costs.

LIMITS ON AWARDS: Under the provisions of Rule 9K-7.003(3), F.A.C., the amount of any award or combination of awards applied for by any applicant under any application or partnership application for a project or projects shall not exceed ten percent of the total Florida Forever funds available as stated above. Based upon the funds known to be available as of the date of this notice, the limit to any applicant under any application or partnership application shall be \$6,600,000.

WORKSHOPS: Pre-application technical assistance workshops will be conducted. A schedule of the workshops can be found in the May 18, 2001, edition of the Florida Administrative Weekly or the Trust website at www.dca.state.fl.us/ffct.

MORE INFORMATION: Interested parties may obtain more information from the Trust website at www.dca.state.fl.us/ffct by contacting the Florida Communities Trust, (850)922-2207, Suncom 292-2207 or in writing at the above stated address.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PROPOSAL NO. DEP 35-00/01

Sealed Proposals will be received by the Florida Department of Environmental Protection, Purchasing Section, Mail Station 86, 3800 Commonwealth Boulevard, Room 235, Tallahassee, Florida 32399, until 3:00 p.m., Tuesday, July 3, 2001, For

Food Service Concession Operations at Manatee Springs State Park, Fanning Springs State Park, and Nature Coast Trail State Park, Chiefland, Florida. Complete Proposal Specifications may be obtained at the above Commonwealth address or by calling (850)488-6711. The Department reserves the right to reject any or all proposals.

Gail O'Kelly, Director, Purchasing Section
(3750 0404 000 – E.O. R-5)

DEPARTMENT OF HEALTH

The Florida Department of Health, Bureau of HIV/AIDS announces availability of funds through an Invitation to Negotiate (ITN), Number DOH00-062. The Department is accepting proposals from qualified organizations or individuals to conduct a comprehensive Statewide Needs Assessment Study of Care and Support Service Access for Floridians Living with HIV and AIDS. This comprehensive study will: (1) help determine reasons why people living with HIV/AIDS do not or cannot access care and support services, (2) provide valuable information for use in ongoing planning processes associated with the Ryan White CARE Act, and (3) provide improved and consistent information for use in developing reports and other requirements mandated by the Health Resources and Services Administration (HRSA).

The ITN may be accessed via the Internet at: http://www.myflorida.com/Admin/General_Services/Purchasing/Bids/vendorbids.htm

Organizations and individuals who wish to receive this ITN in hard copy may submit their request to the Department contact listed below.

Please direct all questions to the Department contact:

Ed McEachron, Purchasing Analyst
Department of Health, Bureau of General Services
4052 Bald Cypress Way, Bin B07
Tallahassee, Florida 32399-1749
Fax: (850)413-8294
E-mail: Ed_McEachron@doh.state.fl.us

INVITATION TO BID

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: DOH #98657550

SAMAS CODE: 64-30-2-141001-64200700-00-084093-01

PROJECT NAME AND LOCATION: WAKULLA COUNTY HEALTH DEPARTMENT – CRAWFORDVILLE, FLORIDA

FOR: State of Florida, Department of Health

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of rule requirements is included in the Instruction To Bidders under Article B-2 “Bidders Qualification Requirements and Procedures”.

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 do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
5. 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.

PROJECT DESCRIPTION: CONSTRUCTION OF A 15,115 SQUARE FOOT, ONE STORY COUNTY HEALTH CLINIC, CONTAINING 12,261 SQUARE FEET ON THE GROUND FLOOR, AND 2,841 SQUARE FEET OF MECHANICAL MEZZANINE SPACE. THE BUILDING WILL BE CONSTRUCTED ON COUNTY OWNED LAND IMMEDIATELY SOUTH OF THE WAKULLA COUNTY JAIL IN CRAWFORDVILLE, FLORIDA.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required. If the construction contract award amount is more than \$100,000.00, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: In accordance with subsection 287.042(4)(f)1., Florida Statutes, the Department of Health is encouraged to spend, as a “goal,” twenty-one (21) percent of the monies actually expended for construction contractors with certified minority business enterprises. In the department’s effort to see that this is accomplished, the Department of Health encourages minority businesses to

participate in the bidding process including any bidders conferences, pre-solicitation or pre-bid meetings which are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy and Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Tuesday, June 26, 2001, 2:00 p.m. (Local Time)

PLACE: Department of Health, Design and Construction, 4052 Bald Cypress Way, Conference Room 105M, Tallahassee, FL 32399-1734.

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the following:

ARCHITECT-ENGINEER: Barnett Fronczak Architects, 225 South Adams Street, Tallahassee, Florida 32301, (850)224-6301, Facsimile (850)561-6978

The above bidding documents will be available on or about Friday, May 25, 2001

DEPOSITS: The cost per set of bid documents is \$150.00. The General Contractor can receive two (2) refundable sets. The Mechanical, Plumbing, and Electrical sub-contractors can receive one (1) refundable set. All other sub-contractors, vendors, manufacturers, etc. must purchase all documents requested.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m. (Local Time), Tuesday June 26, 2001, at the bid opening location. In the event that the Bid Tabulation and Notice of Award Recommendation cannot 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION FOR BIDS

Competitive sealed bids will be received by District 7 of the State of Florida, Department of Children and Family Services until 10:00 a.m., June 1, 2001, for Postal Services in Orange, Osceola and Seminole Counties.

Invitation to Bid information packets, may be obtained from Department of Children and Family Services, District Seven, Purchasing, 400 West Robinson Street, Suite S-730, Orlando, Florida 32801, (407)245-0500. The state reserves the right to reject any or all bids.

**Invitation To Bid #ES-061501
Courier Services**

The State of Florida, Department of Children and Family Services, District 7 is soliciting bids for Courier Services in Brevard County. Copies of the bid package, #ES-061501, are available from: Lillian Peacock, Administrative Office, Building F, 705 Blake Avenue, Cocoa, Florida 32922, (321)690-3870, beginning May 17, 2001. The Department must receive all completed bid packages at the above location by 5:00 p.m., June 6, 2001. The Department reserves the right to reject any and all bids or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

**Invitation To Bid #ES-061502
Guard Services**

The State of Florida, Department of Children and Family Services, District 7 is soliciting bids for Guard Services at their Monroe Service Center, 705 Blake Avenue, Cocoa, Florida. Copies of the bid package, #ES-061502 are available from: Lillian Peacock, Administrative Office, Building F, 705 Blake Avenue, Cocoa, Florida 32922, (321)690-3870, beginning May 17, 2001. The Department must receive all completed bid packages at the above location by 5:00 p.m., June 6, 2001. The Department reserves the right to reject any and all bids or accept minor irregularities in the best interest of the State. Certified Minority Business Enterprises are encouraged to participate.

SERVICE OF PROCESS SUBPOENAS (TRI-COUNTY)

The state of Florida Department of Children and Family Services, District 7 is soliciting bids for Service of Process, Service of Witness subpoenas and Courier Service for Orange, Osceola and Seminole counties. Copies of the bid package DA010615 are available from Eric D. Dunlap, 400 W. Robinson Street, Suite S-1106, Orlando, FL 32801, beginning June 4, 2001.

The department must receive all completed bid packages at the above location by 4:00 p.m., June 15, 2001. The department reserves the right to reject any and all bids or accept minor irregularities in the bid proposal in the best interest of the state. Certified Minority Business Enterprises are encouraged to participate.

SERVICE OF PROCESS SUBPOENAS (BREVARD)

The state of Florida Department of Children and Family Services, District 7 is soliciting bids for Service of Process, Service of Witness and Courier Service for Brevard County. Copies of the bid package DA 010618B are available from Eric D. Dunlap, 400 W. Robinson Street, Suite S-1106, Orlando, FL 32801, beginning June 4, 2001. The department must receive all completed bid packages at the above location by 4:00 p.m., June 15, 2001. The department reserves the right to reject any and all bids or accept minor irregularities in the bid proposal in the best interest of the state. Certified Minority Business Enterprises are encouraged to participate.

FLORIDA LEGISLATURE**NOTICE TO PROFESSIONAL CONSULTANTS**

The Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) announces that Professional Services in the discipline of program evaluation will be required for several projects reviewing Florida school districts during the 2001-2002 fiscal year. OPPAGA is soliciting statements of interest from qualified and experienced private consulting firms that wish to receive further information on opportunities to submit proposals to conduct Best Financial Management Practices Reviews pursuant to Section 230.23025, Florida Statutes, as amended by CS/CS/HB 269 (Sharpening the Pencil Act) during the 2001 legislative session. To express interest in these projects please register at http://www.oppaga.state.fl.us/school_districts/contractorlist.html.

The purpose of each review is to improve Florida school district management and use of resources and to identify cost savings. These reviews must 1) determine whether the district is using the best practices adopted by the Florida Commissioner of Education; 2) identify opportunities for the district to save funds, improve management and increase efficiency and effectiveness; and, 3) result in recommendations and detailed action plans to improve school district operations within two years.

Further information regarding these comprehensive reviews is available on the worldwide web at: http://www.oppaga.state.fl.us/school_districts/bestprac/overview.html

Contracts to conduct reviews will be awarded based on proposals submitted in response to specific requests for proposals (RFPs) that will be issued throughout the next twelve months. Each RFP will be noticed in the Florida Administrative Weekly and distributed to those firms expressing interest in receiving them.

Questions regarding this information may be submitted electronically to BFMPlist@mail.oppaga.state.fl.us

CITY OF FORT LAUDERDALE**REQUEST FOR PROPOSALS**

The City of Fort Lauderdale is seeking proposals for: STATE LEGISLATIVE LOBBYIST SERVICES. The City of Fort Lauderdale seeks to retain the services of a legislative consultant for matters in which the City may need professional services before the Florida Legislature, State of Florida administrative agencies, the Florida Governor and Cabinet, et al. Such services shall include attending state legislative committee hearings and meetings, rule making proceedings or other administrative or legislative agency meetings beginning October 1, 2001.

The contract services shall include, but not necessarily be limited to: scheduled, extended or special legislative sessions and meetings; state administrative and agency hearings, meetings or rule making proceedings; and legal and legislative consulting services, in accordance with the terms, conditions and specifications contained in this Request for Proposals (RFP).

The successful Contractor shall agree to be available at all times upon reasonable request to meet with the City Commission, City staff and others as specified in order to perform the responsibilities assigned; and to attend meetings, represent the interests of the City, and act as liaison between the City and all branches, departments and agencies of State government, at any legislative committee meeting or meetings with the Governor, Cabinet or Cabinet members or state agencies on matters under the scope of this Request for Proposal (RFP).

Although legal opinions are not required as a part of the Contractor responsibilities, the City will expect the Contractor to understand the various laws and proposals and the Contractor shall be expected to have the ability to interpret legal implications.

The Contractor is also expected to monitor proposals and activities in meetings regarding state administrative and agency hearings, as well as in rule challenges in the Division of Administrative Hearings. This would include a review of the agendas and providing notification to the City as pertinent issues arise. The Contractor would also be expected to report the outcome of such meetings. Contractor should be prepared to lobby committee members prior to and at these meetings, to accomplish the City's desired positions.

There are no pre-set number of City meetings or meetings of governmental agencies that the Contractor may be expected to attend or with which to interact. This will be mutually determined between the City and the Contractor following award and/or as determined to be needed during the contract term.

The RFP document, including Scope of Services, will be available in electronic format (MSWord 2000) on or after, May 16, 2001, and may be obtained by one of the following methods:

Calling the Purchasing Division, City of Fort Lauderdale, (954)828-5933, and requesting an electronic copy of RFP #392-8191. The document will be mailed, e-mailed or sent on a 3 1/2" floppy disk. Interested parties may also e-mail the Purchasing Division at purchase@ci.flaud.fl.us and request a copy. Or you may visit the city's website at: <http://www.ci.fort-daughterdale.fl.us/purchasing>. However, if you download the RFP from the city's website, you must notify the Purchasing Division so that any necessary addenda are sent to your firm. Only vendors/consultants who are registered with the Purchasing Division as having received the RFP will receive any addenda.

All proposals are due no later than 2:00 p.m. (EST), June 13, 2001, in the City's Purchasing Division, 100 N. Andrews Avenue, Room 619, Fort Lauderdale, FL 33301. Hard copy of proposal responses only will be accepted.

The City reserves the right to accept or reject any or all proposals, part of proposals and to waive minor irregularities or variations to specifications contained in the document and minor irregularities in the bidding process, when determined to be in the best interest of the City. The City also reserves the right to award the contract on a split order basis, lump sum basis, individual item basis or such combination as shall best serve the interest of the City.

CANAVERAL PORT AUTHORITY

INVITATION TO BID

Sealed proposals will be received from pre-qualified bidders by the undersigned in the commission meeting room at the office of the Canaveral Port Authority, 200 George King Blvd., Cape Canaveral, Florida 32920, for construction of SR 401 Overpass and the West Turning Basin Cruise Intermodal Gate until 2:00 p.m., June 22, 2001, at which time and place they will be publicly opened and read aloud. Project cost is estimated at approximately from \$15,000,000.00 to \$17,000,000.00; not including alternates if any. The Work is generally described as follows: Construct a fly-over bridge on S.R. 401. Make improvements to Charles M. Rowland Drive including utilities for water, reuse water, wastewater, stormwater, irrigation, landscaping and construction of parking and bus and car unloading facilities.

All work performed shall be in accordance with the Contract Documents pertaining thereto, which may be examined at the office of Gee & Jenson, Engineers-Architects-Planners, Inc., 730 Mullet Road, Unit A, Cape Canaveral, Florida 32920, or at the office of the Canaveral Port Authority, May 14, 2001 and thereafter.

Copies of the Contract Documents, including blank bid forms may be obtained May 14, 2001 and thereafter at the office of Gee & Jenson, Inc., upon payment of \$250.00 for each set which amount will not be refundable.

Make checks payable to Canaveral Port Authority and send to Gee & Jenson, E.A.P., 730 Mullet Road, Unit A, Cape Canaveral, FL 32920.

Bid sets may be picked up at the offices of Gee & Jenson, E.A.P. at the address above.

A certified or cashier's check on a national or state bank or a bid bond in a sum not less than five percent (5%) of the amount of the base bid, made payable to the Canaveral Port Authority shall accompany each proposal as a guarantee that the bidders will not withdraw from the competition after the opening of proposals. In the event the contract is awarded to the bidder, he will be required to furnish a Public Construction Bond before entering into a contract. Failing to do so may result in the Owner retaining the bid bond for liquidated damages. Proposals shall be prepared, addressed and submitted in compliance with detailed instructions as set forth in the Contract Documents.

The Owner reserves the right to reject all proposals with or without cause, to waive technical errors and informalities and to accept the proposal which in its judgement best serves the Owner.

Bidders must be pre-qualified by the Florida Department of Transportation for the type of work contemplated.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

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.

DATE AND TIME: June 29, 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: Master Sergeant Kevin McElroy, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0283, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained, as of June 8, 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: (904)724-3546, Mark Norton

HEALTH CARE DISTRICT OF PALM BEACH COUNTY

Notice of Availability

The Health Care District of Palm Beach County is seeking Letters of Intent (LOI) from parties interested in purchasing the property located at 2829 and 2829B 10th Avenue, North, Lake Worth, Palm Beach County.

The property (formerly known as the Palm Beach Regional Hospital Facility) is a 14.1 acre campus with the following structures: a three story hospital building, consisting of approximately 128,000 square feet of space; a single story maintenance/mechanical building, consisting of approximately 4,000 square feet of space; and a single story Diagnostics Center, consisting of 18,000 square feet of space. All of the buildings consist of slab-on-grade and concrete block construction.

Interested parties can request a Summary Fact Sheet which will provide additional details including restrictions on the use of the property by calling (561)659-1270, Ext 5600.

Letters of Intent must include the name and status of the interested party (non-profit; for-profit), intended use of property, and purchase price for the property. Letters should be sent to the attention of Ted Crowell, Legal Counsel, Health Care District, 324 Datura Street, Suite 401, West Palm Beach, FL 33401, no later than July 20, 2001.

**Section XII
 Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications 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 15, 2001):

APPLICATION FOR AUTHORITY TO EXERCISE TRUST POWERS

Applicant and Location: Grand Bank of Florida, West Palm Beach, Florida 33409

Received: May 14, 2001

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Charlotte State Bank, 1100 Tamiami Trail, Port Charlotte, Florida

Selling Entity: BankAtlantic, a Federal Savings Bank, Fort Lauderdale, Florida (a branch located in Port Charlotte, Florida)

Received: May 2, 2001

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF APPROVAL FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust (Trust) reviewed and approved a project plan for a land acquisition project submitted under the Trust Preservation 2000 Program P8A funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project sites and all other documents necessary to close the project and release funds as follows:

Project: 98-045-P8A/Haney Creek watershed Preservation (Tilton and Dragseth parcels)

Grantee: City of Stuart

Amount of Approved Funds: the lesser of 95.00% of the final total project costs or \$4,424,625.00.

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal

evidence, to submit proposed findings of fact and orders and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hino Diesel Trucks (USA), Inc., intends to allow the establishment of B. H. of Miami, Inc., d/b/a Bering of South Florida, as a dealership for the sale of Hino Diesel Trucks, at 7210 N. W. 74th Avenue, Miami (Dade County), Florida 33166, on or after July 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of B. H. of Miami, Inc., d/b/a Bering of South Florida are dealer operator(s) and principal investor(s): Samuel Goodson, 8900 S. W. 104th Street, Miami, FL 33176.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gary F. Brown, National Dealer Development Manager, Hino Diesel Trucks (USA), Inc., 25 Corporate Drive, Orangeburg, NY 10962-2626.

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.

STATE BOARD OF ADMINISTRATION

NOTICE

NOTICE IS HEREBY GIVEN by the State Board of Administration ("the Board") of its estimate of the borrowing capacity and the projected year-end (as of December 31, 2001) fund balance for the Florida Hurricane Catastrophe Fund ("the Fund"), in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. This estimate is as of May, 2001. The current balance of the fund, as of March 31, 2001, is \$3,747,522,000. The projected year-end balance on December 31, 2001, is estimated to be \$4,350,000,000, assuming no losses to be reimbursed. The Fund's estimated borrowing capacity, defined as the maximum amount which the Board is able to raise through the issuance of revenue bonds under Section 215.555(6), Florida Statutes, pursuant to the upper limitation of \$11 billion in Section 215.555(4), Florida Statutes, is \$6,650,000,000. This estimate is for tax-exempt debt. During the 1999 legislative session, the Legislature enacted changes to Section 215.555, Florida Statutes, and provided an upper limit of \$11 billion on the Board's potential liability to reimburse participating insurers for losses sustained by hurricane damage. Therefore, the Board's obligation is to try to raise \$6,650,000,000, rather than the total capacity determined by using all of the available 4 percent emergency assessment capability.

This estimate is based on the Board's good faith assessment of the current global market conditions and is net of required debt service reserve funds and the costs of issuing the bonds. These conditions may or may not be the same if and when the Board determines that it is necessary to seek the issuance of revenue bonds. The Board's estimate is also based upon projected year-end reimbursement premiums. Emergency assessments are based on data available as of this estimate. This estimate is provided to comply with the requirements of subsection 215.555(4)(c)2., Florida Statutes, and should only be relied upon after careful consideration of all relevant assumptions and reservations, including those set forth below.

Assumptions:

- 1) The Board assumes that both the annual reimbursement premiums and the 4% emergency assessment described in subsection 215.555(6)(a)3., Florida Statutes, will be used as the revenue source to service the debt and to provide debt

service coverage. Although subsection 215.555(6)(a)3., Florida Statutes, also provides for a 2% assessment, any hurricane requiring the Board to issue bonds will necessarily have to be of such a magnitude that it is highly likely that the Governor will have declared a state of emergency and therefore the maximum 4% assessment will be applicable. Further, receipt of federal assistance is dependent upon a declaration of a state emergency.

- 2) The debt service coverage ratio is assumed to be 1.93. This means that the revenue stream available to service the debt is 1.93 times the amount actually needed to service the debt. The debt service coverage ratio is sensitive to actual reimbursement premiums collected during the year. Changes in deductible distributions and other factors which impact actual reimbursement premiums may impact coverage ratio.
- 3) The Board has assumed interest rates reflecting market conditions on May 4, 2001. Many factors will impact the interest rates that will ultimately be used when the Board determines that bonds must be issued. It is impossible to predict with any certainty what those rates will be.
- 4) In accordance with the requirements of subsection 215.555(6)(a)2., Florida Statutes, the Board has completed the bond validation process. The circuit court hearing held on November 12, 1996, resulted in a favorable ruling. The validation was then immediately appealed to the Florida Supreme Court. The Florida Supreme Court ruled on September 18, 1997, that the bonds are valid.
- 5) In response to the private letter ruling request filed in early June, 1997, the Internal Revenue Service ruled that interest on the bonds issued under Section 215.555(6), Florida Statutes, is exempt from federal taxation.

Reservations:

- 1) Since no bonds have ever been issued on behalf of the Fund, there are a number of uncertainties. Among these are the following: the financial condition of the insurance industry at the time of a catastrophic loss, the stability of the revenue stream and potential litigation.
- 2) A more general uncertainty is the condition of the financial markets at the time the bonds are issued and the degree of familiarity of potential investors with the Fund.
- 3) Another general uncertainty is the ability of the capital markets to absorb a bond issue of this magnitude at the time of the bond issuance.

As of May, 2001, the Board's good faith estimate of its bonding capacity is \$6,650,000,000, to reach the current statutory upper limit of \$11 billion. The Board recognizes the importance of this estimate and is committed to make every effort to assure its ability to issue up to \$6,650,000,000, in bonds if and when the necessity arises.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

- | | |
|---|----------------------------------|
| County: Monroe | District: 11 |
| ID #: 0000267 | Decision: D Issue Date: 5/9/2001 |
| Facility/Project: Lower Keys Medical Center | |
| Applicant: Key West HMA, Inc. | |
| Project Description: Add 10 adult psychiatric bed through the delicensing /conversion of 10 child/adoles psych beds | |
| Proposed Project Cost: | Equipment Cost: |
| County: Osceola | District: 7 |
| ID #: 0000269 | Decision: A Issue Date: 5/9/2001 |
| Facility/Project: Florida Hospital – Kissimmee | |
| Applicant: Adventist Health System/Sunbelt, Inc. | |
| Project Description: Add 10 inpatient acute care beds to 40 existing beds | |
| Proposed Project Cost: \$0 | Equipment Cost: |
| County: Palm Beach | District: 9 |
| ID #: 0000270 | Decision: A Issue Date: 5/9/2001 |
| Facility/Project: Boynton Health Care Center | |
| Applicant: Delta Health Group, Inc. | |
| Project Description: Add 10 community nursing home beds to 71 existing beds | |
| Proposed Project Cost: \$0 | Equipment Cost: |
| AHCA Purchase Order Number S5900I00310. | |

**CERTIFICATE OF NEED
DECISIONS ON EXPEDITED APPLICATIONS**

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

- | | |
|--|-----------------------------|
| County: Sarasota | Service District: 8 |
| CON #: 9467 | Decision: D Date: 5/15/2001 |
| Facility/Project: The Glenridge on Palmer Ranch, Inc. | |
| Applicant: The Glenridge on Palmer Ranch, Inc. | |
| Project Description: Establish a 37 sheltered bed nursing home | |
| Approved Project Costs: \$0 | |
| AHCA Purchase Order Number S5900I0310. | |

**CERTIFICATE OF NEED
DECISIONS ON BATCHED APPLICATIONS**

The Agency For Health Care Administration made the following decisions on 15 of the 45 accepted Certificate of Need applications for the hospital batching cycle with an application due date of March 14, 2001:

- | | |
|-----------------|--------------------------------------|
| County: Volusia | Service District: 4 |
| CON #: 9423 | Decision Date: 5/11/2001 Decision: A |

Facility/Project: Halifax Hospital Medical Center
 Applicant: Halifax Hospital Medical Center
 Project Description: Add 42 adult psychiatric beds at 303 N. Clyde Morris Blvd. through delicensure of 42 adult psychiatric beds at 400 N. Clyde Morris Blvd.
 Approved Cost: \$5,000
 County: Volusia Service District: 4
 CON #: 9425 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Halifax Hospital Medical Center
 Applicant: Halifax Hospital Medical Center
 Project Description: Add 147 acute care beds at 303 N. Clyde Morris Blvd. through the delicensure of 147 acute care beds at 400 N. Clyde Morris Blvd.
 Approved Cost: \$5,000
 County: Pasco Service District: 5
 CON #: 9429 Decision Date: 5/11/2001 Decision: D
 Facility/Project: East Pasco Medical Center
 Applicant: East Pasco Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0
 County: Polk Service District: 6
 CON #: 9435 Decision Date: 5/11/2001 Decision: D
 Facility/Project: Winter Haven Hospital
 Applicant: Winter Haven Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0
 County: Orange Service District: 7
 CON #: 9442 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Orlando Regional Medical Center
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Add 64 acute care beds through the delicensure of 64 beds at Lakeside Alternatives
 Approved Cost: \$33,420
 County: Orange Service District: 7
 CON #: 9443 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Health Central
 Applicant: West Orange Healthcare District
 Project Description: Add 30 acute care beds through the delicensure of 30 beds at Lakeside Alternatives
 Approved Cost: \$1,134,208
 County: Lee Service District: 8
 CON #: 9448 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Lee Mental Health Center, Inc.
 Applicant: Lee Mental Health Center, Inc.
 Project Description: Establish a 56-bed adult psychiatric hospital
 Approved Cost: \$6,750,000
 County: Palm Beach Service District: 9

CON #: 9451 Decision Date: 5/11/2001 Decision: D
 Facility/Project: Bethesda Memorial Hospital
 Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0
 County: Palm Beach Service District: 9
 CON #: 9452 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Boca Raton Community Hospital
 Applicant: Boca Raton Community Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$7,180,876
 County: Palm Beach Service District: 9
 CON #: 9453 Decision Date: 5/11/2001 Decision: D
 Facility/Project: Good Samaritan Hospital
 Applicant: Good Samaritan Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0
 County: Indian River Service District: 9
 CON #: 9454 Decision Date: 5/11/2001 Decision: D
 Facility/Project: Indian River Memorial Hospital
 Applicant: Indian River Memorial Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$0
 County: Martin Service District: 9
 CON #: 9455 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program
 Approved Cost: \$9,470,549
 County: Palm Beach Service District: 9
 CON #: 9456 Decision Date: 5/11/2001 Decision: D
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Add 23 acute care beds
 Approved Cost: \$0
 County: Broward Service District: 10
 CON #: 9459 Decision Date: 5/11/2001 Decision: A
 Facility/Project: South Broward Hospital District
 Applicant: South Broward Hospital District
 Project Description: Establish a new 100-bed acute care hospital
 Approved Cost: \$74,318,344
 County: Dade Service District: 11
 CON #: 9462 Decision Date: 5/11/2001 Decision: A
 Facility/Project: Mercy Medical Development, Inc.

Applicant: Mercy Medical Development, Inc.
 Project Description: Establish a new 29-bed long-term care hospital through the conversion of 29 acute care beds
 Approved Cost: \$56,765

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

With the exception of those withdrawn and previously published, decisions on the remaining Certificate of Need applications received in the hospital batching cycle with an application date of March 14, 2001 will be published in the Florida Administrative Weekly within 21 days of the June 15, 2001 decision date.

AHCA Purchase Order Number S5900I00310.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Florida Department of Environmental Protection has determined that the proposed St. Marks wastewater treatment facilities will not have a significant adverse affect on the environment. The total project cost is estimated at \$800,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Troy M. Mullis, P. E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400.

LAND AND WATER CONSERVATION FUND PROGRAM

The Department of Environmental Protection will accept Fiscal Year 2000-2001 grant applications for the Land and Water Conservation Fund Program (LWCF) as follows:

APPLICATION SUBMISSION PERIOD: June 18, 2001 – July 18, 2001

Applications must be postmarked before or on the last date of the program application period.

ELIGIBLE APPLICANTS: All local government entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

MAXIMUM GRANT REQUEST: The maximum grant request may not exceed \$150,000.00 and shall be matched on a fifty percent (program/grantee) matching basis.

APPLICATION INFORMATION: LWCF application packets may be obtained from the Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services, Mail Station #585, 3900

Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Phone (850)488-7896, Suncom 278-7896, Fax (850)488-3665, Suncom 278-3665

Applications should be made in accordance with the draft LWCF rule.

PROGRAM DESCRIPTION: LWCF is a competitive matching grant program which provides financial assistance to local governmental entities for development or acquisition of land for public outdoor recreational purposes. Congress has approved funding for the LWCF program with Florida's apportionment of \$3,810,834.

DEPARTMENT OF HEALTH

On May 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Penelope Diane Lankheim, R.N., license number RN 832942. LANKHEIM'S last known address is 160 N. E. 25th Court, Pompano Beach, Florida 33064. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension/Restriction, with regard to the license of LORI ANN HAMMER license number PN 0716721. LORI ANN HAMMER'S last known address is 4785-3 Orange Grove Blvd., North Fort Myers, FL 33903. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 455.621(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 9, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Eileen Quinn, RN, license number RN 137572. QUINN's last known address is 801 N. 69th Way, Hollywood, Florida 33-24. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.

STATEWIDE NOMINATING COMMISSION FOR JUDGES OF COMPENSATION CLAIMS

Notice of Public Hearing

The Statewide Nominating Commission for Judges of Compensation Claims announces that it is accepting applications for the Judge of Compensation Claims vacancy in District A-West (Pensacola). This vacancy, effective November 14, 2001, has been created by the announced resignation of Judge Michael J. DeMarko.

Qualified applicants must submit the original completed application and one copy to the Chairperson, and one additional copy must be submitted to each Commission member by 5:00 p.m., July 15, 2001. Applications may be obtained from the Commission chairperson.

A public hearing to be held on Tuesday, August 21, 2001, 9:30 a.m., at the Marriott Orlando World Center, 8701 World Center Drive, Orlando, FL 32821 for the purpose of conducting interviews of the applicants for this position. Written commentary concerning any applicant by any person is welcome and must be submitted to the Commission chairperson and a copy to each Commission member no later than Thursday, August 16, 2001. Names and addresses of Commission members are also available from the Commission chairperson.

Any questions should be directed to: G. Bart Billbrough, Commission Chairperson, 1390 Brickell Avenue, Third Floor, Miami, FL 33131, (305)350-5358, Fax (305)373-2294.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN May 7, 2001
 and May 11, 2001**

Rule No.	File Date Date	Effective Vol./No.	Proposed Vol./No.	Amended
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DEPARTMENT OF BANKING AND FINANCE
Division of Securities and Investor Protection

3E-600.004	5/7/01	5/27/01	27/14	
3E-600.008	5/7/01	5/27/01	27/14	
3E-600.009	5/7/01	5/27/01	27/14	

DEPARTMENT OF COMMUNITY AFFAIRS
Florida Communities Trust

9K-7.001	5/7/01	5/27/01	27/14	
9K-7.002	5/7/01	5/27/01	27/14	
9K-7.003	5/7/01	5/27/01	27/14	
9K-7.004	5/7/01	5/27/01	27/14	
9K-7.005	5/7/01	5/27/01	27/14	
9K-7.006	5/7/01	5/27/01	27/14	
9K-7.007	5/7/01	5/27/01	27/14	
9K-8.001	5/7/01	5/27/01	27/14	
9K-8.002	5/7/01	5/27/01	27/14	
9K-8.003	5/7/01	5/27/01	27/14	
9K-8.004	5/7/01	5/27/01	27/14	
9K-8.005	5/7/01	5/27/01	27/14	
9K-8.006	5/7/01	5/27/01	27/14	
9K-8.007	5/7/01	5/27/01	27/14	
9K-8.008	5/7/01	5/27/01	27/14	
9K-8.009	5/7/01	5/27/01	27/14	
9K-8.010	5/7/01	5/27/01	27/14	
9K-8.011	5/7/01	5/27/01	27/14	
9K-8.012	5/7/01	5/27/01	27/14	
9K-8.013	5/7/01	5/27/01	27/14	
9K-8.014	5/7/01	5/27/01	27/14	

PUBLIC SERVICE COMMISSION

25-6.035	5/9/01	5/29/01	27/13	
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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-4.035	5/7/01	5/27/01	27/10	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-701.100	5/7/01	5/27/01	27/8	
62-701.200	5/7/01	5/27/01	27/8	
62-701.210	5/7/01	5/27/01	27/8	
62-701.220	5/7/01	5/27/01	27/8	27/15
62-701.300	5/7/01	5/27/01	27/8	27/15
62-701.310	5/7/01	5/27/01	27/8	
62-701.315	5/7/01	5/27/01	27/8	

Rule No.	File Date Date	Effective Vol./No.	Proposed Vol./No.	Amended
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62-701.320	5/7/01	5/27/01	27/8	27/15
62-701.330	5/7/01	5/27/01	27/8	
62-701.340	5/7/01	5/27/01	27/8	
62-701.400	5/7/01	5/27/01	27/8	
62-701.410	5/7/01	5/27/01	27/8	
62-701.430	5/7/01	5/27/01	27/8	
62-701.500	5/7/01	5/27/01	27/8	
62-701.510	5/7/01	5/27/01	27/8	27/15
62-701.520	5/7/01	5/27/01	27/8	27/15
62-701.530	5/7/01	5/27/01	27/8	27/15
62-701.600	5/7/01	5/27/01	27/8	27/15
62-701.610	5/7/01	5/27/01	27/8	
62-701.620	5/7/01	5/27/01	27/8	
62-701.630	5/7/01	5/27/01	27/8	
62-701.640	5/7/01	5/27/01	27/8	
62-701.700	5/7/01	5/27/01	27/8	
62-701.710	5/7/01	5/27/01	27/8	27/15
62-701.730	5/7/01	5/27/01	27/8	27/15
62-701.801	5/7/01	5/27/01	27/8	
62-701.803	5/7/01	5/27/01	27/8	
62-701.900	5/7/01	5/27/01	27/8	27/15

DEPARTMENT OF HEALTH
Board of Medicine

64B8-55.001	5/10/01	5/30/01	27/13	
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Council of Licensed Midwifery

64B24-7.005	5/11/01	5/31/01	27/13	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-4.201	5/7/01	5/27/01	26/52	27/12
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Family Safety and Preservation Program

65C-26.001	5/9/01	5/29/01	27/9	
65C-26.002	5/9/01	5/29/01	27/9	
65C-26.003	5/9/01	5/29/01	27/9	

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-9.004	5/9/01	5/29/01	27/8	27/15
68A-12.010	5/9/01	5/29/01	27/8	27/15
68A-15.065	5/9/01	7/1/01	27/8	27/15

Marine Fisheries

68B-6.002	5/9/01	7/1/01	27/8	27/15
68B-6.003	5/9/01	7/1/01	27/8	27/15