

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: RULE NOS.:  
 Fees 5F-1.040  
 Payment of Fees 5F-1.050

PURPOSE AND EFFECT: The purpose of Rules 5F-1.040 and 5F-1.050, F.A.C. is to establish current fees for actual Metrology Laboratory testing and calibration services, and to adopt the latest national reference materials used in determining suitability of field test standards for their intended purpose.

SUBJECT AREA TO BE ADDRESSED: Proposed Rules 5F-1.040 and 5F-1.050, F.A.C. will address increases in fees charged for calibrations performed in the Weights and Measures Metrology Laboratory to recover actual costs of performing the calibrations. It will also address the latest specifications for field test methods.

SPECIFIC AUTHORITY: 531.41 (3) FS.

LAWS IMPLEMENTED: 531.415 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., Monday, December 17, 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, Phone (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-1.040 Fees.

The following fees are adopted:

(1) For each mass standard that is tested or certified to meet tolerances less stringent than American National Standards Institute/American Society for Testing and Materials (ANSI/ASTM) Standard E617 Appendix X5. for Class 4, the fee will be as follows:

<10 lbs. or metric equivalent.....	\$1.60 per unit
10 – 50 lbs. or metric equivalent.....	\$4.75 per unit
>50 – 1000 lbs. or metric equivalent.....	\$7.00 per unit
>1000 lbs or metric equivalent.....	\$20.00 per unit
0 – 2 lbs. or metric equivalent.....	\$1.95

>2 – 10 lbs. or metric equivalent.....	\$1.95
>10 – 50 lbs. or metric equivalent.....	\$5.70
>50 – 500 lbs. or metric equivalent.....	\$8.40
>500 – 1000 lbs. or metric equivalent.....	\$25.00 per unit
>1000 – 2500 lbs or metric equivalent.....	\$25.00 per unit
>2500 – 5000 lbs. or metric equivalent.....	\$25.00 per unit

(2) For each mass standard that is tested or certified to meet ANSI/ASTM Standard E617 Appendix X5. for Class 4 or equivalent tolerances, the fee will be as follows:

<10 lbs. or metric equivalent, without adjustment.....	\$4.15 per unit
<10 lbs. or metric equivalent, with adjustment.....	\$7.75 per unit
10 – 50 lbs. or metric equivalent.....	\$23.50 per unit
> 50 lbs. or metric equivalent.....	\$23.50 per unit
0 – 10 lbs. or metric equivalent, without adjustment.....	\$5.00 per unit
0 – 10 lbs. or metric equivalent, with adjustment.....	\$9.30 per unit
>10 – 50 lbs. or metric equivalent.....	\$28.20 per unit
> 50 – 500 lbs. or metric equivalent.....	\$28.20 per unit
>500 – 1000 lbs. or metric equivalent.....	\$28.20 per unit
>1000 – 2500 lbs. or metric equivalent.....	\$28.20 per unit
>2500 – 5000 lbs. or metric equivalent.....	\$28.20 per unit

(3) For each mass standard that is tested or certified to meet ANSI/ASTM Standard E617 Appendix X3. for Class 1 or calibrated to determine actual mass or apparent mass values, the fee will be as follows:

<10 lbs. or metric equivalent.....	\$23.50 per unit
>10 – 20 lbs. or metric equivalent.....	\$40.00 per unit
> 20 lbs. or metric equivalent.....	\$47.25 per unit
0 – 10 lbs. or metric equivalent.....	\$28.20 per unit
>10 – 20 lbs. or metric equivalent.....	\$40.00 per unit
> 20 – 50 lbs. or metric equivalent.....	\$50.00 per unit
>50 – 1000 lbs. or metric equivalent.....	\$50.00 per unit
>1000 – 2500 lbs. or metric equivalent.....	\$50.00 per unit
>2500 – 5000 lbs. or metric equivalent.....	\$50.00 per unit

(4) For each volumetric flask, graduate, or test measure, the fee will be as follows:

0 – 50 gallon capacity or metric equivalent.....	\$25.00	\$20.00
	per unit	
>5 – 50 gallon capacity or metric equivalent.....	\$35.00	\$47.25
> 50 – 200 gallon capacity or metric equivalent.....	\$56.70	\$47.25
	per unit	
> 200 – 500 gallon capacity or metric equivalent.....	\$141.60	\$118.00
	per unit	
>500 – 1000 gallon capacity or metric equivalent.....	\$169.80	\$141.50
	per unit	
> 1000 gallon capacity or metric equivalent.....	\$228.00	\$190.00
	per unit	
0 – 25 gallon capacity or metric equivalent used for measuring Liquid Propane Gas or similar gases.....	\$112.80	\$94.00
	per unit	

>25 gallon capacity or metric equivalent used for measuring Liquid Propane Gas or similar gases .....\$169.80 ~~\$141.50~~  
per unit

(5) For each linear measure that is tolerance tested or certified to meet a certain tolerance, the fee shall be \$75.00

(6) For each linear measure that is calibrated to determine actual values, the fee shall be as follows:

Rigid Rules (at no more than 6 calibration points).....\$100.00  
\$94.00

Steel Tapes (at no more than 12 calibration points) .....\$100.00  
Additional calibration points will be assessed fees according to "Special tests and preparations" in section (9).

(7) For each liquid-in-glass or electronic thermometer that is tolerance tested or certified, the fee shall be \$50.00.

(8) For each liquid-in-glass or electronic thermometer that is calibrated at no more than six (6) calibration points to determine actual values, the fee shall be ~~\$100.00~~ \$94.00. Additional calibration points will be assessed fees according to "Special tests and preparations" in Section (9).

(9) For each special test or special preparation, the fee shall be ~~\$50.00~~ \$47.25 per hour. Calibrations or tests whose individual fee(s) would total less than the equivalent of one-half hour of this hourly charge will be considered as special preparation and a fee of ~~\$25.00~~ \$23.62 will be charged to cover the actual costs of set-up and preparation.

(10) Materials. The American National Standards Institute/American Society for Testing and Materials Standard E617 Appendices X3. and X5. (1991) are hereby incorporated by reference. They may be obtained from the American Society of Testing and Materials, American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org> ~~1916 Race Street, Philadelphia, Pennsylvania 19103.~~

Specific Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Amended 3-17-98,\_\_\_\_\_.

5F-1.050 Payment of Fees.

(1) Each fee is payable at the time the metrology service is provided, regardless of whether the item tested is certified or approved. The Department may refuse to accept for testing any item it considers unsuitable for its intended use after consideration of United States Department of Commerce, ~~National Bureau of Standards (NBS): Monograph 150, Liquid in Glass Thermometry (1976); United States Department of Commerce, National Institute of Standards and Technology (NIST): Handbook 105-1, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 1. Specifications and Tolerances for Field Standard Weights (NIST Class F) (Rev. 1990); Handbook 105-2, Specifications and Tolerances for Reference Standard and Field Standard Weights and Measures, 2. Specifications and Tolerances for Field Standard Measuring Flask (1996); Handbook 105-3, Specifications and Tolerances~~

for Reference Standards and Field Standard Weights and Measures, 3. Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards (1997); Handbook 105-4, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 4. Specifications and Tolerances for Liquefied Petroleum Gas and Anhydrous Ammonia Liquid Volumetric Provers (1997); Handbook 105-6, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 6. Specifications and Tolerances for Thermometers (1997); Handbook 105-7, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 7. Specifications and Tolerances for Dynamic Small Volume Provers (1997); and The American National Standards Institute/American Society for Testing and Materials, Standard E617 Appendices X1. and X2. (1991).

(2) Fees not collected within 30 days of the date the services are provided are considered delinquent.

(3) Materials. The following materials are hereby incorporated by reference:

~~(a) United States Department of Commerce, National Bureau of Standards (NBS), Monograph 150, Liquid in Glass Thermometry (1976). Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

~~(a)(b) United States Department of Commerce, National Institute of Standards and Technology (NIST) NIST Handbook 105-1, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 1. Specifications and Tolerances for Field Standard Weights (NIST Class F) (Revised 1990). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350. The Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

~~(b)(e) United States Department of Commerce, National Institute of Standards and Technology, Handbook 105-2, Specifications and Tolerances for Reference Standard and Field Standard Weights and Measures, 2. Specifications and Tolerances for Field Standard Measuring Flask (1996). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350. The Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

~~(c)(d) United States Department of Commerce, National Institute of Standards and Technology, Handbook 105-3, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 3. Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards (1997). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and~~

Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350. The Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

~~(e) The American National Standards Institute/American Society for Testing and Materials, Standard E617 Appendices X1. Suggested Applications and X2. Physical Characteristics, (1991). Copies may be obtained from the American Society of Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.~~

(d)(f) United States Department of Commerce, National Institute of Standards and Technology Handbook 105-4, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 4. Specifications and Tolerances for Liquefied Petroleum Gas and Anhydrous Ammonia Liquid Volumetric Provers (1997). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350.

(e) United States Department of Commerce, National Institute of Standards and Technology Handbook 105-6, Specifications and Tolerances for Reference Standards and Standard Weights and Measures, 6. Specifications and Tolerances for Thermometers (1997). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350.

~~(f)(g) United States Department of Commerce, National Institute of Standards and Technology Handbook 105-7, Specifications and Tolerances for Reference Standards and Standard Weights and Measures, 7. Specifications and Tolerances for Dynamic Small Volume Provers (1997). Copies may be obtained from the Office of Weights and Measures, National Institute of Standards and Technology, 100 Bureau Drive, STOP 2350, Gaithersburg, MD 20899-2350. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.~~

(g) The American National Standards Institute/American Society for Testing and Materials, Standard E617 Appendices X1. Suggested Applications and X2. Physical Characteristics, (1991). Copies may be obtained from the American Society of Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org> 1916 Race Street, Philadelphia, Pennsylvania 19103.

Specific Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Amended 3-17-98,\_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**RULE TITLE:** Florida Bright Futures Scholarship Program  
**RULE NO.:** 6-20.001  
**PURPOSE AND EFFECT:** The purpose of this rule development is to provide for general and initial eligibility requirements, as well as institutional requirements, for the Florida Bright Futures Scholarship Program.

**SUBJECT AREA TO BE ADDRESSED:** Procedures for application, eligibility, administration and institutional responsibilities of the Florida Bright Futures Program are to be addressed in this rule.

**SPECIFIC AUTHORITY:** 240.40201(3) FS.

**LAW IMPLEMENTED:** 240.40201, 240.40202, 240.40203, 240.40204, 240.40205, 240.40206, 240.40208, 240.40209 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.**

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Janie Westberry, Bureau Chief, Office of Student Financial Assistance, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)410-5200

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definition of Terms for State Student Aid Programs	6A-20.001
Program Compliance Audits of State Student Financial Aid and Florida Resident Access Grant Programs	6A-20.0021
Florida Residency as a Requirement for the Receipt of State Student Aid	6A-20.003
Florida Resident Access Grants	6A-20.007
Critical Teacher Shortage Tuition Reimbursement Program	6A-20.012
Critical Teacher Shortage Student Loan Forgiveness Program	6A-20.013
Children of Deceased or Disabled Veterans or Children of Servicemen Classified as Prisoners of War or Missing in Action Scholarships	6A-20.019
Seminole and Miccosukee Indian Scholarships	6A-20.020
Jose Marti Scholarship Challenge Grant Fund	6A-20.023
Grants for Teachers for Special Training in Exceptional Student Education	6A-20.025
Rosewood Family Scholarship Fund	6A-20.027
Mary McLeod Bethune Scholarship Program and Trust Fund	6A-20.029
Florida Public Student Assistance Grant	6A-20.031
Florida Private Student Assistance Grant	6A-20.032
Florida Postsecondary Student Assistance Grant	6A-20.033

Right to Appeal	6A-20.0371
Florida Work Experience Program	6A-20.038
Florida Teacher Scholarship and Forgivable Loan Program	6A-20.039
Occupational Therapist or Physical Therapist Tuition Reimbursement Program	6A-20.040
Occupational Therapist or Physical Therapist Student Loan Forgiveness Program	6A-20.041
Occupational Therapist or Physical Therapist Scholarship Loan Program	6A-20.042
Criteria for Documentation of Disability	6A-20.111

PURPOSE AND EFFECT: The rules listed above are to be revised in order to update administrative procedures and forms based upon the decentralization of the Florida Student Assistance Grant programs and the creation of the State Student Financial Aid database. References and eligibility requirements will also be reviewed to ensure accuracy. The effect of the rule amendments will be rules which reflect updated administrative procedures and newly revised forms relating to these student financial assistance programs.

SUBJECT AREA TO BE ADDRESSED: Procedures for administration of state-funded student financial assistance programs.

SPECIFIC AUTHORITY: 231.62(1), 231.621(4), 240.1201(11), 240.4042, 240.405(5), 240.4063(1), 240.4064(2), 240.409(1), 240.409(6), 240.4095(6), 240.4097(1), 240.412(1), 240.4125(10), 240.4126(2), 240.413(1), 240.437(4), 240.465(7), 240.605(2), 240.606(7), 240.6063(1), 240.6072(3), 240.6074(4), 295.01(3) FS.

LAW IMPLEMENTED: 231.62, 231.621, 240.1201, 240.4042, 240.405, 240.4063, 240.4064, 240.409, 240.4095, 240.4097, 240.412, 240.4125, 240.4126, 240.413, 240.437, 240.465(7), 240.605, 240.606, 240.6063, 240.6072, 240.6074(4), 295.01(3) FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Janie Westberry, Bureau Chief, Office of Student Financial Assistance, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)410-5200

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

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE TITLES:	RULE NOS.:
Public Use Forms	12A-1.097
Enterprise Zone and Florida Neighborhood Revitalization Programs	12A-1.107

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.107, F.A.C. (Enterprise Zone and Florida Neighborhood Revitalization Programs), is to: (1) implement s. 2, Chapter 2000-201, L.O.F., which extends the community contribution tax credit provisions of the enterprise zone program to the state sales tax, and revises provisions for building materials and business property used in an enterprise zone; (2) implement s. 3, Chapter 2001-201, L.O.F., which revises the enterprise zone jobs credit against sales tax for employees hired after October 1, 2001; and (3) change the requirement to file an Application for Refund-Sales and Use Tax (form DR-26S) for those programs previously requiring form DR-26.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt the changes to forms currently used, and newly created forms, to administer the Florida Enterprise Zone and Neighborhood Revitalization Programs.

The effect of the amendments will be to provide current guidelines for the enterprise zone and Florida neighborhood revitalization programs.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the proposed revisions to guidelines for the community contribution tax credit against sales tax and the enterprise zone jobs credit programs, as amended by Chapter 2000-201, L.O.F.; and (2) the adoption of new forms and changes to forms currently used by the Department in the administration of the jobs credits against sales tax.

SPECIFIC AUTHORITY: 212.08(5)(g)6.,(h)6.,(n)4.,(o)4.,(15)(e), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.08(5)(g),(h),(n),(o),(q),(15), 212.096, 212.15(2), 212.17(6), 212.18(2),(3) FS.

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

TIME AND DATE: 2:00 p.m., December 18, 2001

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Suzanne Paul, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.097 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
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(2) through (6)(e) No change.

(f) DR-15JZ	Florida Enterprise Zone Jobs Credit Certificate of Eligibility Sales Tax Effective July 1, 1996 (r. <del>04/01</del> )	___ <del>06/01</del>
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(g) through (j) No change.

(k) DR-15ZC	<u>Application for Florida Enterprise Zone Jobs Credit for Sales Tax Effective January 1, 2002 (R. 01/02)</u>	___
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(l) DR-15ZCN	<u>Instructions for Completing the Sales and Use Tax Return, Form DR-15, when taking the Enterprise Zone Jobs Tax Credit under the New Law (R. 01/02)</u>	___
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(m)( <del>k</del> ) EZ-E	Florida Enterprise Zone Program-Business Equipment Sales Tax Refund Application For Eligibility (r. <del>06/00</del> )	___ <del>06/01</del>
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(n)( <del>t</del> ) EZ-M	Florida Enterprise Zone Program-Building Materials Sales Tax Refund Application for Eligibility (r. <del>06/00</del> )	___ <del>06/01</del>
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(7) No change.

(8) DR-26RP	Florida Neighborhood Revitalization Program (r. <del>04/01</del> )	___ <del>06/01</del>
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(9) through (20) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.08(5)(g),(h),(n),(o),(q),(15), 212.096, 212.17(6), 212.18(2),(3) FS. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-14-01, \_\_\_\_\_.

12A-1.107 Enterprise Zone and Florida Neighborhood Revitalization Programs.

(1) ENTERPRISE ZONE JOBS CREDIT.

(a) How to Claim the Credit.

1. For employees hired on or before October 1, 2001, an application that includes the information required by s. 212.096(3)(a)-(f), F.S., prior to July 1, 2001, must be filed with the Enterprise Zone Development Agency for the enterprise zone where the business is located to claim the enterprise zone jobs credit. The Department of Revenue prescribes form DR-15JZ, Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Sales Tax-Effective July 1, 1996 (incorporated by reference in Rule 12A-1.097, F.A.C.), for this purpose.

2. For employees hired after October 1, 2001, an application that includes the information required by s. 212.096(3)(a)-(g), F.S., effective July 1, 2001, must be filed with the Enterprise Zone Development Agency for the enterprise zone where the business is located to claim the enterprise zone jobs credit. The Department of Revenue prescribes form DR-15ZC, Application for Florida Enterprise Zone Jobs Credit for Sales Tax Effective January 1, 2002 (incorporated by reference in Rule 12A-1.097, F.A.C.), for this purpose.

(b) Forms Required. Taxpayers claiming the enterprise zone jobs credit against sales and use tax for employees hired on or before October 1, 2001, must use form DR-15JZ to apply for, calculate, and claim the credit with the Department of Revenue. Taxpayers claiming the enterprise zone jobs credit against sales and use tax for employees hired after October 1, 2001, must use form DR-15ZC to apply for, calculate, and claim the credit the Department of Revenue. Form DR-15JZ and form DR-15ZC must be certified by the Enterprise Zone Development Agency, attached to a sales and use tax return, and delivered directly to the Department, or postmarked ~~post-marked~~, within ~~six four~~ six months after the new employee is hired.

(2) BUILDING MATERIALS USED IN THE REHABILITATION OF REAL PROPERTY LOCATED IN AN ENTERPRISE ZONE.

(a) How to Claim the Refund. An application that includes the information required by s. 212.08(5)(g)1., F.S., must be filed with the Enterprise Zone Development Agency for the enterprise zone where the building materials are used, to claim a refund of tax paid on building materials used in the rehabilitation of real property located in an enterprise zone. Form EZ-M, Florida Enterprise Zone Program-Building Materials Sales Tax Refund Application for Eligibility (incorporated by reference in Rule 12A-1.097, F.A.C), is prescribed by the Department for this purpose. For the applicant to be eligible to receive a refund, the Enterprise Zone

Coordinator for the enterprise zone where the building materials are used must certify, using form EZ-M, that the applicant meets the criteria provided in s. 212.08(5)(g), F.S. The Enterprise Zone Coordinator will certify form EZ-M, including the required attachments, and return the form and attachments to the applicant. The applicant is responsible for attaching the certified form EZ-M and the required attachments to form DR-26S and forwarding the package to the Department of Revenue.

(b) Forms Required. Taxpayers claiming the refund must file an Application for Refund-Sales and Use Tax (form DR-26S, incorporated by reference in Rule 12-26.008, F.A.C.) and form EZ-M with the Department of Revenue. Form DR-26S must be attached to form EZ-M and its attachments, and the package must be delivered directly to the Department, or postmarked, within 6 months after the rehabilitation of the property is deemed substantially completed by the local building inspector or within 90 days after the rehabilitated property is first subject to assessment. The completed form DR-26S, the certified form EZ-M, and the required attachment, should be mailed to:

Florida Department of Revenue  
 Refund Subprocess  
 P. O. Box 6490  
 Tallahassee, Florida 32314-6490.

(3) BUSINESS EQUIPMENT USED IN AN ENTERPRISE ZONE.

(a) How to Claim the Refund. An application that includes the information required by s. 212.08(5)(h)2., F.S., must be filed with the Enterprise Zone Development Agency for the enterprise zone where the business is located to obtain a refund of tax paid on business property used in an enterprise zone. Form EZ-E, Florida Enterprise Zone Program-Business Equipment Sales Tax Refund Application for Eligibility (incorporated by reference in Rule 12A-1.097, F.A.C.), is prescribed by the Department for this purpose. For an applicant to be eligible to receive a refund, the Enterprise Zone Coordinator for the enterprise zone where the business property is used must certify, using form EZ-E, that the applicant meets the criteria set forth in s. 212.08(5)(h), F.S. The Enterprise Zone Coordinator will certify form EZ-E, including the required attachments, and return the form and attachments to the applicant. The applicant is responsible for attaching the certified form EZ-E, and the required attachments, to form DR-26S and forwarding the package to the Department of Revenue.

(b) Forms Required. Taxpayers claiming the refund must file an Application for Refund-Sales and Use Tax (form DR-26S) and form EZ-E with the Department of Revenue. The applicant is responsible for submitting an Application for Refund-Sales and Use Tax (form DR-26S), the completed and certified form EZ-E, and the required attachments to the Department of Revenue. Form DR-26S must be attached to form EZ-E and attachments and delivered directly to the

Department, or postmarked, within 6 months after the tax is due on the business property that was is purchased. The completed form DR-26S, the certified form EZ-E, and the required supporting documentation should be mailed to:

Florida Department of Revenue  
 Refund Subprocess  
 P. O. Box 6490  
 Tallahassee, Florida 32314-6490.

(4) COMMUNITY CONTRIBUTION TAX CREDIT FOR DONATIONS.

(a) Who May Claim the Credit. Any taxpayer that has received prior approval from the Office of Tourism, Trade, and Economic Development for a community contribution to any revitalization project undertaken by an eligible sponsor will be allowed a credit of 50 percent of the value of the contribution. The total annual credit under this subsection, applied against the tax due under Chapter 212, F.S., for a taxable year, is limited to \$200,000. Taxpayers who elect to claim the credit against sales and use tax are ineligible to claim the credit against corporate income tax or insurance premium tax.

(b) Valuation of the Credit.

1. The valuation of the contribution determined by the Office of Tourism, Trade, and Economic Development will be used in the computation of the credit.

2. A contribution of more than \$400,000 may be made in a tax year. However, the credit received for any contribution may not exceed the \$200,000 annual credit limitation.

(c) When to Claim the Credit. The credit must be claimed as a refund of sales and use tax reported on returns and remitted to the Department within the 12 months preceding the date of the application for refund. If a taxpayer is unable to fully utilize the amount of credit granted in a year due to insufficient tax payments during the 12-month period preceding the granting of the credit, the unused amount may be carried forward for a period not to exceed 3 years and may be included in an application for refund filed during those years.

(d) Forms Required. Taxpayers claiming the credit must file an Application for Refund-Sales and Use Tax (form DR-26S) with a copy of the letter issued to the taxpayer by the Office of Tourism, Trade, and Economic Development authorizing the taxpayer to claim the credit. The applicant is responsible for submitting an Application for Refund-Sales and Use Tax (form DR-26S) and a copy of the authorization letter from the Office of Tourism, Trade, and Economic Development to the Department of Revenue. Only one application may be submitted in a 12-month period. The completed form DR-26S and a copy of the authorization letter should be mailed to:

Department of Revenue  
 Refund Subprocess  
 P. O. Box 6490  
 Tallahassee, Florida 32314-6490.

~~(5)(4)~~ No change.

~~(6)(5)~~ BUILDING MATERIALS AND LABOR FOR CONSTRUCTION OF SINGLE-FAMILY HOMES IN AN ENTERPRISE ZONE, EMPOWERMENT ZONE, OR FRONT PORCH FLORIDA COMMUNITY.

(a) No change.

(b) Forms Required. Taxpayers claiming the refund must file an Application for Refund-Sales and Use Tax (form DR-26S) with the Department of Revenue. Form DR-26RP, signed by the Enterprise Zone Coordinator or the Chair of the Front Porch Community, and all the documentation listed on form DR-26RP, must be attached and forwarded to the Department. Form DR-26S, form DR-26RP, and the required documentation must be delivered directly to the Department, or postmarked, within 6 months after the date the single-family home is deemed to be substantially completed by the local building inspector. Form DR-26S, form DR-26RP, and the required documentation should be mailed to:

Florida Department of Revenue  
Refund Subprocess  
P. O. Box 6490  
Tallahassee, Florida 32314-6490.

~~(7)(6)~~ BUILDING MATERIALS USED IN REDEVELOPMENT PROJECTS.

(a) No change.

(b) Forms Required. Taxpayers claiming the refund must file an Application for Refund-Sales and Use Tax (form DR-26S) with the Department of Revenue. Form DR-26RP, signed by the contact person, and all the documentation listed on form DR-26RP, must be submitted to the Department. Form DR-26S, form DR-26RP, and required documentation must be delivered directly to the Department, or postmarked, within 6 months after the date the housing project or mixed-use project is deemed to be substantially completed by the local building inspector. Form DR-26S, form DR-26RP, and the required documentation should be mailed to:

Florida Department of Revenue  
Refund Subprocess  
P. O. Box 6490  
Tallahassee, Florida 32314-6490.

(7) through (8) renumbered (8) through (9) No change.

Specific Authority 212.08(5)(g)6.,(h)6.,(n)4.,(o)4.,(15)(e), 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.08(5)(g),(h),(n),(o),(15), 212.096, 212.15(2), 212.17(6), 212.18(2) FS. History--New 1-3-96, Amended 6-19-01,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE TITLES:	RULE NOS.:
Premium Tax; Rate and Computation	12B-8.001
Tax Statement; Overpayments	12B-8.003

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.001, F.A.C. (Premium Tax; Rate and Computation), is to implement s. 32, Chapter 2000-201, L.O.F., which amends the provisions of s. 624.5105, F.S., regarding the community contribution tax credit against the insurance premium tax. The effect of the amendments will be to remove the requirement to provide with the applicable return a schedule of the computation of carryover of the credit.

The proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), adopt the changes to forms used by the Department in the administration of the insurance premium tax.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the rule changes necessary to implement the changes to s. 624.5105, F.S., as amended by s. 32, Chapter 2000-201, L.O.F.; and (2) the adoption of form changes and new forms used by the Department in the administration of the insurance premium tax.

SPECIFIC AUTHORITY: 213.06(1), 220.183(6), 624.5105(6) FS.

LAW IMPLEMENTED: 175.101, 175.121, 175.141, 185.08(3), 185.10, 185.12, 213.05, 213.235, 213.37, 220.183(3), 624.4621, 624.475, 624.509, 624.5091, 624.5092, 624.510, 624.5105, 624.511, 624.518, 624.519, 624.520(2), 626.7451(11), 627.3512, 627.357(9), 628.6015, 629.5011, 634.131, 634.313(2), 634.415(2) FS.

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

TIME AND DATE: 2:00 p.m., December 18, 2001  
PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1, 1(800)367-8331.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-8.001 Premium Tax; Rate and Computation.

(1) through (2) No change.

(3) Credits Against the Tax.

(a) through (c) No change.

(d) Community Contribution Tax Credit.

1. through 2. No change.

3. Carryovers of Community Contribution Tax Credit.

a. If a credit granted in a tax year exceeds the tax liability for that year, the unused credit may be carried forward for a period not to exceed 5 years.

b. The community contribution tax credit carryover, which is created in a given year because of an annual contribution, may not exceed the annual \$200,000 credit limitation. However, the total carryover for all years may be greater than \$200,000.

~~c. If applicable, a schedule of the computation of any carryover of the credit, as prescribed by s. 220.183(3)(e), F.S., shall be included with the return.~~

4. through 5. No change.

(4) through (9) No change.

Specific Authority 213.06(1), 220.183(6), 624.5105(6) FS. Law Implemented 175.101, 175.121, 175.141, 185.08(3), 185.10, 185.12, 213.05, 213.235, 220.183(3), 624.4621, 624.475, 624.509, 624.5092, 624.510, 624.5105, 624.519, 624.520(2), 626.7451(11), 627.3512, 627.357(9), 628.6015, 629.5011, 634.131, 634.313(2), 634.415(2) FS. History—New 2-3-80, Formerly 12B-8.01, Amended 3-25-90, 4-10-91, 2-18-93, 6-16-94, 10-19-94, 1-2-96, 12-9-97, 6-2-98, 4-2-00, 10-15-01, \_\_\_\_\_.

12B-8.003 Tax Statement; Overpayments.

(1) Tax returns and reports shall be made by insurers on forms prescribed by the Department. These forms are hereby incorporated by reference in this rule. The Department prescribes Form DR-907, Florida Department of Revenue Insurance Premium Installment Payment, dated January 2001, and Form DR-908, Florida Department of Revenue Insurance Premium Taxes and Fees Tax Return, dated January 2001, and accompanying instructions as the forms to be used for the purpose of this chapter and hereby incorporates these forms by reference.

(2) through (4) No change.

<u>Form Number</u>	<u>Title</u>	<u>Effective Date</u>
(5)(a) DR-907	<u>Florida Department of Revenue Insurance Premium Installment Payment (R. 01/02)</u>	_____
(b) DR-907N	<u>Information for Filing Insurance Premium Installment Payment (Form DR-907) (R. 01/02)</u>	_____

(6)(a) DR-908 Insurance Premium Taxes and Fees Return Calendar Year-2001 – Due March 1, 2002 (R. 01/02) \_\_\_\_\_

(b) DR-908N Florida Department of Revenue DR-908 Instructions (R. 01/02) \_\_\_\_\_

(7) DR-350900 2001 Insurance Premium Tax Information for Schedules XII and XIII, DR-908 (R. 01/02) \_\_\_\_\_

Specific Authority 213.06(1) FS. Law Implemented 213.05, 213.37, 624.5092, 624.511, 624.518 FS. History—New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, 7-1-99, 10-15-01, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	12C-1.003
Adjusted Federal Income Defined	12C-1.013
Property Factor for Apportionment	12C-1.0153
Sales Factor for Apportionment	12C-1.0155
Business/Nonbusiness Income – Definitions and Examples	12C-1.016
Federal Returns	12C-1.023
Special Rules Relating to Estimated Tax	12C-1.034

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12C-1.003, (Definitions), F.A.C., is to clarify the definition of the term “gross profits” and to remove the definition of the term “business income” that will be provided in Rule 12C-1.016, F.A.C., as amended.

The purpose of the proposed amendments to Rule 12C-1.013, F.A.C. (Adjusted Federal Income Defined), is to properly reflect the application of net operating losses when an alternative minimum tax is due.

The purpose of the proposed amendments to Rule 12C-1.0153, F.A.C. (Property Factor for Apportionment), is to provide a definition for the term “unsecured loans.”

The purpose of the proposed amendments to Rule 12C-1.0155, F.A.C. (Sales Factor for Apportionment), is to provided that interest received from loans made to customers located in Florida, other than interest from loans secured by real or tangible personal property located outside Florida, is included in the numerator of the sales factor for apportionment.

The purpose of the proposed amendments to Rule 12C-1.016, F.A.C., is to change the title to “Business/Nonbusiness Income-Definitions and Examples” and to provide a definition and examples of the term “business income.”

The purpose of the proposed amendments to Rule 12C-1.023, F.A.C. (Federal Returns), is to clarify when an amended return is due when a taxpayer has a federal audit, and to properly



reflect the dates from which interest is computed when a taxpayer is required to amend a return as the result of a federal audit.

The purpose of the proposed amendments to Rule 12C-1.034, F.A.C. (Special Rules Relating to Estimated Tax), is to clarify to which installment a payment of estimated tax, made between installment due dates, applies and to properly reflect the interest rates imposed on late payments.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is the proposed changes to Rules 12C-1.003, 12C-1.013, 12C-1.0153, 12C-1.0155, 12C-1.016, 12C-1.023, and 12C-1.034, F.A.C., that clarify, explain, or define terms and concepts regarding the imposition of the corporate income tax.

**SPECIFIC AUTHORITY:** 213.06(1), 220.51 FS.

**LAW IMPLEMENTED:** 213.05, 213.21, 220.02(3), 220.03, 220.13, 220.131, 220.15, 220.152, 220.16, 220.22, 220.23, 220.24, 220.241, 220.33, 220.34, 220.43(1), (3), 220.44, 220.63, 220.64, 220.801, 220.809, 221.02, 221.04 FS.

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

**TIME AND DATE:** 2:00 p.m., December 18, 2001

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

12C-1.003 Definitions.

Any term used in these rules shall have the meaning which is ascribed to it in Chapter 220, F.S., unless a clearly different meaning is indicated from the context in which the term is used. For the purposes of these rules:

(1) through (3) No change.

~~(4) "Business income" means income arising from transactions and activity in the regular course of the taxpayer's trade or business and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations. In essence, all income which arises from the conduct of trade or business operations of a taxpayer is business income. The income of a taxpayer is business income unless clearly classifiable as nonbusiness income. Cross Reference: Rule 12C-1.016, F.A.C.~~

~~(4)(5) No change.~~

(5) "Gross profits," as the term is used in subparagraph 220.15(5)(c)2., F.S., and Rule 12C-1.0155(3)(c), F.A.C., means the selling price of a security reduced by the amount of its tax basis as determined for federal income tax purposes.

(6) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.03, 220.13, 220.15, 220.16, 220.22, 220.63, 220.64 FS. History--New 10-20-72, Amended 10-8-74, 8-4-75, 9-6-76, 4-11-77, 12-18-83, Formerly 12C-1.03, Amended 12-21-88, 4-8-92, 5-17-94, \_\_\_\_\_.

12C-1.013 Adjusted Federal Income Defined.

(1) through (13) No change.

(14) Net Operating Losses.

(a) through (m) No change.

(n) With respect to Florida's AMT, the Florida Income Tax Code does not create a separate NOL for AMT purposes. Therefore, any amount of a NOL carryover that is allowed to be subtracted in calculating Florida regular tax due, will be subtracted in calculating Florida AMT tax due, and whether regular tax or AMT, will reduce the amount of NOL carryover available. ~~Paragraph 220.13(1)(d), F.S., provides that no deduction for NOLs will be allowed in a tax year if in a prior tax year the losses have been allowed for Florida tax purposes, notwithstanding the fact that such deduction may not have been fully utilized for federal tax purposes.~~

Example: A taxpayer calculates the 1991 tax liability as follows:

	<u>Regular tax</u>	<u>AMT</u>
Tentative apportioned		
adjusted federal income	\$1,500,000	\$2,500,000
NOL carryforward available	<u>(2,000,000)</u>	<u>(2,000,000)</u>
Adjusted federal income		
apportioned to Florida	\$( 500,000)	\$ 500,000

The taxpayer would ~~not have any (\$500,000)~~ NOL carryover available for use in subsequent years, since only \$1,500,000 of the \$2,000,000 of NOL carryover into the 1991 tax year was applied against the regular tax already allowed for Florida tax purposes against the 1991 alternative minimum taxable income. The 1991 AMT tax and the AMT credit available to future tax years is based on \$1,000,000 AMT income

(\$2,500,000 tentative apportioned adjusted federal AMT income – \$1,500,000 NOL carryforward, which is limited to the amount of NOL carryforward applied toward Florida regular tax).

- (o) No change.
- (15) through (20) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.02(3), 220.03(5), 220.13, 220.131(1), 220.43(1),(3) FS. History–New 10-20-72, Amended 1-19-73, 10-20-73, 10-8-74, 4-21-75, 5-10-78, 11-13-78, 12-18-83, Formerly 12C-1.13, Amended 12-21-88, 12-7-92, 5-17-94, 10-19-94, 3-18-96, 10-2-01,\_\_\_\_\_.

- 12C-1.0153 Property Factor for Apportionment.
- (1) through (10)(b) No change.

(c) Unsecured Loans. Unsecured Loans, or loans secured by intangible property, when the loan is made to a customer domiciled in this state, will have Florida situs. Additionally, unsecured loans, or loans secured by intangible property, made to non-Florida customers will be considered in this state if the customers subsequently become domiciled in Florida.

- (11) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.15, 220.152, 220.44 FS. History–New 5-17-94, Amended 3-18-96,\_\_\_\_\_.

- 12C-1.0155 Sales Factor for Apportionment.
- (1) through (2) No change.
- (3) Sales factor for financial organizations.
- (a) through (c) No change.

(d) Interest on loans is included in the sales factor. Interest received from loans made to customers located in Florida within the state, other than interest from loans secured by mortgages, deeds of trust, or other liens upon real or tangible personal property located outside this state, is included in the numerator of the factor.

- (e) through (f) No change.
- (4) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.15, 220.44 FS. History–New 5-17-94, Amended 3-18-96, 10-2-01,\_\_\_\_\_.

12C-1.016 Business/Nonbusiness Income – Definitions and Examples.

Any term used in these rules shall have the meaning that is ascribed to it in Chapter 220, F.S., unless a clearly different meaning is indicated from the context in which the term is used. For the purposes of these rules:

(1) “Business income” means income arising from transactions and activity in the regular course of the taxpayer’s trade or business and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer’s regular trade or business operations. “Business income” also includes any amounts that could be included in apportionable net income without violating the due process clause of the United States Constitution. In essence, all income that arises from the conduct of trade or business operations of a

taxpayer is business income. For purposes of this rule, in relation to assets, “integral” refers to assets used in the taxpayer’s regular trade or business. In the case of assets composed of constituent parts, “integral” also refers to constituent parts that are formed with another part, as the main part of a complete asset, the main part of which is used in the operations of the taxpayer’s trade or business. The “net income” of a taxpayer is business income unless clearly classifiable as nonbusiness income.

(2)(1) “Nonbusiness income” means all income other than business income. For a statutory definition ~~determination~~ of nonbusiness income, see s. 220.03(1)(r), F.S. For illustrations of nonbusiness income, see the examples contained within this rule.

(3)(a) The classification of income by the labels ~~occasionally used~~, such as manufacturing income, compensation for services, sales income, interest, dividends, rents, royalties, capital gains, operating income, or nonoperating income, ~~etc.~~, is of no import in determining whether income is business or nonbusiness income. Income of any type or class and from any source is business income if it arises from transactions and activity occurring in the regular course of a trade or business. A taxpayer may have more than one trade or business. Accordingly, the critical element in determining whether income is “business income” or “nonbusiness income” is the identification of the transactions and activity ~~that which~~ are the elements of a particular trade or business. In general, all transactions and activity ~~that which~~ are dependent upon or contribute to the operations of the taxpayer’s economic enterprise connected to Florida as a whole constitute the taxpayer’s trade or business and will be transactions and activity arising in the regular course of ~~and will constitute integral parts of~~, a trade or business.

(b) A taxpayer should classify net income as business or nonbusiness income on a consistent basis. If a taxpayer is not consistent, it should disclose on its Florida return the nature, reason, amount, and extent of the inconsistency.

(c) Nonbusiness income is not subject to apportionment, but is allocated as provided in s. 220.16, F.S. A taxpayer must also disclose and exclude expenses allocable to such nonbusiness activities. Any property, payroll, or sales denominated as unrelated business activities are excluded from a taxpayer’s apportionment factors. See *Hunt-Wesson, Inc. v. Franchise Tax Board of California*, 528 U.S. 458 (2000).

(d) The United States Supreme Court has applied the due process clause of the United States Constitution on a case-by-case basis to the determination of those amounts that could be included in apportionable income, as well as determining other principles of business/nonbusiness income. See *Mobil Oil Co. v. Commissioner of Taxes of Vermont*, 445 U.S. 425 (1980); *Exxon Corp. v. Wisconsin Dept. of Revenue*, 447 U.S. 207 (1980); *ASARCO Inc. v. Idaho State Tax Commission*, 458 U.S. 307 (1982); *F.W. Woolworth Co. v.*

Taxation and Revenue Dept. of N.M., 458 U.S. 354 (1982); Container Corp. of America v. Franchise Tax Board, 463 U.S. 159 (1983); and Allied Signal, Inc. vs. Director, Division of Taxation, 504 U.S. 768 (1992). Any amounts that could be included in apportionable income without violating the due process clause of the United States Constitution and the above-referenced cases, is business income. Taxpayers that claim a subtraction for nonbusiness income bear the burden of proof in establishing that they may claim that subtraction.

(e) The determination of whether income is business or nonbusiness, or whether enterprises are unitary or nonunitary is not affected by the form of ownership (for example, whether a division, a controlled interest, or a subsidiary). See Mobil Oil v. Commissioner of Taxes of Vermont, 445 U.S. 425, 441-442 (1980).

(f) Examples. The examples below illustrate the provisions of this rule relating to whether particular income is business or nonbusiness income. The examples used are illustrative only and do not purport to set forth all pertinent facts used in the determination of whether particular income is business or nonbusiness income.

1. Rents from real and tangible personal property. Rental income from real and tangible property is business income if the property with respect to which the rental income was received is used in the taxpayer's trade or business or is a constituent part of such trade or business incidental thereto. Therefore, such rental income and therefore is includible in the property factor.

a. through b. No change.

c. Example: The taxpayer operates a multistate chain of men's clothing stores. The taxpayer purchases a five-story office building for use in connection with its trade or business. It uses the street floor as one of its retail stores and the second and third floors for its general corporate headquarters. The remaining two floors are leased to others. The rental of the two floors is rental of a constituent part of an asset, the main part of which is used in incidental to the operation of the taxpayer's trade or business. The rental income is business income.

d. through e. No change.

f. Example: The taxpayer operates a multistate chain of grocery stores. It purchases, as an investment, an office building in another state with surplus funds and leases the entire building to others. The net rental income is not business income of the grocery store trade or business. Therefore, the net rental income is nonbusiness income.

2. Gains or losses from sales of assets. Gain or loss from the sale, exchange, or other disposition of real or tangible or intangible personal property constitutes business income if the property while owned by the taxpayer was used in the taxpayer's trade or business, or was otherwise included in the property factor of the taxpayer's trade or business.

a. through d. No change.

e. Example: The taxpayer operated a business as a corporate division for a number of years. No part of the activities of this corporate division was conducted in this state, although the taxpayer conducted other activities in this state. The taxpayer later sells all of the assets of the corporate division, no part of whose activities were ever conducted in this state. If the business of the sold division was a part of the same unitary business conducted in this state or if the taxpayer's ownership of the division furthered the unitary business being conducted in this state beyond simply adding to the wealth of the corporate enterprise, then the income derived from the sale of the division is business income.

f. Example: The taxpayer operated a business as a subsidiary or through ownership of a controlling interest in the business for a number of years. No part of the activities of this subsidiary or controlled interest is conducted in this state, although the taxpayer conducted other activities in this state. The taxpayer later sells all of its stock in the subsidiary or controlled interest, no part of whose activities were ever conducted in this state. If the business of the sold subsidiary or controlled interest was a part of the same unitary business conducted in this state by the taxpayer or if the taxpayer's ownership of the subsidiary or controlled interest furthered the unitary business being conducted in this state by the taxpayer beyond simply adding to the wealth of the corporate enterprise, then the income derived by taxpayer from the sale of the subsidiary or controlled interest is business income.

3. Interest. Interest income is business income where the intangible with respect to which the interest was received arises out of or was created in the regular course of the taxpayer's trade or business operations or where the purpose for acquiring and holding the intangible is related to ~~or incidental to~~ such trade or business operations.

a. through e. No change.

f. Example: In January, the taxpayer concluded a transaction in which it generates a cash fund of \$20,000,000. The funds generated are placed in a segregated interest-bearing account pending a decision by management as to how the funds are to be utilized. For the next six months, management has under consideration the alternative possibilities of investing the proceeds in the existing unitary business or distributing the proceeds to the shareholders as a dividend. Until the final determination was made to distribute to the shareholders as a dividend, the fund was available for the operation of the taxpayer's existing unitary business. The interest income earned is business income during the period the fund is available for the operation of the taxpayer's existing unitary business.

4. Dividends. Dividends are business income where the stock with respect to which the dividends are received arises out of or was acquired in the regular course of the taxpayer's trade or business operations or where the purpose for acquiring

and holding the stock is a functional, necessary, or operative component to the taxpayer's related to or incidental to such trade or business operations.

a. No change.

b. Example: The taxpayer is engaged in a multistate manufacturing and wholesaling business. In connection with that business, the taxpayer maintains special accounts to cover such items as workmen's compensation claims, etc. ~~A portion of the moneys in those accounts is invested in interest-bearing bonds.~~ The ~~account monies are remainder~~ is invested in various common stocks listed on national stock exchanges. ~~Any~~ ~~Both the interest income and any~~ dividends are business income.

c. through e. No change.

f. Example: The taxpayer is engaged in a multistate glass manufacturing business. It also holds a portfolio of stock ~~and interest-bearing securities~~, the acquisition and holding of which ~~fulfill no operational purpose for~~ are unrelated to the manufacturing business. The dividends ~~and interest income~~ received are nonbusiness income.

g.(I) Example: Corporation A owns 85% of the outstanding voting stock in each of two corporations, B and C. Corporation B, in turn, owns 100% of the outstanding voting stock in Corporation D. Corporation A is primarily engaged in operating office supply retail stores selling to individual consumers in Florida and other southeastern states. Corporation B operates a chain of retail stores in the Midwest states, primarily Texas, Oklahoma, Kansas, and Missouri. Corporation B's stores sell only to large corporate customers [over \$50 billion in assets, and over \$1 billion in sales] such office products as executive desks, conference tables, high priced copy machines, computers, and other office furniture and equipment. No sales are made of paper, writing instruments, or other basic clerical products. Corporation C is a finance company, handling all of the consumer credit and financing arrangements of purchases at the retail stores owned by Corporations A and B, and the financing of the purchase of goods by Corporation D. Corporation D is the purchasing agent for Corporations A and B and maintains warehouses for the various stores' inventories both in the southeastern and Midwestern states. Corporation A sets major policy guidelines and maintains overall control of the other corporations' budgetary and financial affairs.

(II) In 2001, Corporation A, the parent company, sells 70% of its outstanding voting stock of Corporation C to various banking and finance organizations. Pursuant to a shareholder's agreement, the vice-president of finance for Corporation A will be the president of Corporation C and will appoint all of the officers of Corporation C. Under a separate operating agreement, Corporation A and its affiliated corporate members were obligated to transact all of its consumer credit

and purchase financing through Corporation C. Additionally, Corporation C agrees to never conduct more than 10% of its financial operations to any customer other than Corporation A and its affiliated members, and any loans made to a retail establishment had to meet the approval of Corporation A. Although Corporation A, owning only 15% of the common shares of Corporation C, did not have substantial representation on the board of directors of Corporation C, Corporation A through Corporation C's by-laws has veto power over major corporate acts, including adoption of budgets, long-range plans and objectives, disposition of capital assets, declaration of dividends, and the formation, acquisition, liquidation or disposition of subsidiaries.

(III) Due to the lack of common stock ownership of Corporation C, Corporation A does not have the requisite centralized management necessary for a unitary relationship between Corporation A and Corporation C. Additionally, there appears to be a lack of functional integration between most of the operations of Corporation C and Corporation A, which is another requirement for the finding of a unitary relationship. Accordingly, a unitary relationship does not exist between these entities; however, the operations of Corporations C and A are integrally related to one another as a result of the large presence of intercompany transactions and strong control of managerial operations, to make the common stock ownership an integral operational asset and not a discrete stock investment. Any dividends or capital gains from Corporation A's common stock investment in Corporation C constitute functional dividends and capital gains and represent apportionable business income under the Due Process Clause of the U.S. Constitution.

5. Patent, trademark, and copyright royalties. Patent, trademark, and copyright royalties are business income where the patent or trademark or copyright with respect to which the royalties were received arises out of or was created in the regular course of the taxpayer's trade or business operations or where the purpose for acquiring and holding the patent or trademark or copyright is related to ~~or incidental to~~ such trade or business operations.

a. through b. No change.

c. Example: Same as Example b., except that the acquired company also held the patent on a method of producing digital audio recordings type of phonograph needle. The taxpayer does not manufacture or sell digital audio recordings phonographs or phonograph equipment. Any royalties received on the patent would be nonbusiness income.

(2) Nonbusiness income is not subject to apportionment, but is allocated as provided in s. 220.16, F.S.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 213.05, 220.03(1)(r), 220.16 FS. History—New 12-21-88, Amended 3-18-96, \_\_\_\_\_.

12C-1.023 Federal Returns.

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

(c) Amounts paid solely for the purpose of satisfying a jurisdictional requirement for contesting an assessment in court will ~~not~~ be deemed to have been "paid" for purposes of this subsection.

(d) When some federal audit adjustments are agreed to and some are contested, the taxpayer must file an amended return reflecting the changes for which there is agreement within 60 days from that agreement or from when the additional tax is paid, whichever occurs first. Additional amended returns for the items in dispute will be required if the taxpayer subsequently agrees to the changes or pays the tax, or the assessment of those items becomes final.

(6) If the amended return concedes the accuracy of a federal change or correction, any deficiency in Florida corporate income, franchise, or emergency excise tax is deemed assessed on the date of filing the amended return. No penalty or interest will be assessed if the amended return is filed not later than ~~60 days after~~ the date notification is required by s. 220.23(2)(a)3., F.S., and subsection (5) of this rule. ~~However, interest will be due on any deficiency from the original due date of the return through the date of payment.~~

(7) If a required amended return is filed later than 60 days after the date specified in paragraph (5)(a) of this rule, the taxpayer will be subject to the failure to file penalty, pursuant to s. 220.801, F.S., regardless of whether additional tax is due. Interest will be due on any deficiency from the 61st day after the date specified in paragraph (5)(a) of this rule ~~original date of the return~~ through the date of payment.

(8) through (9) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.23, 220.801, 220.809 FS. History—New 5-17-94, Amended \_\_\_\_\_.

12C-1.034 Special Rules Relating to Estimated Tax.

(1) through (8) No change.

(9) Underpayment of estimated tax.

(a) through (f) No change.

(g) Period of underpayment.

1. through 2.a. No change.

b.(I) If a payment is made between installment dates, it will be applied to the earliest last installment due, to the extent of any deficiency in payments. However, penalty and interest will apply from the original due date of the installment until the date paid.

(II) through (III) No change.

(h) No change.

(i) The taxpayer is liable, ~~per s. 220.34(2)(a), F.S.,~~ for interest at the rate determined under s. 220.807, F.S., of 12 percent per annum upon the amount of any underpayment of estimated tax. The taxpayer is also liable, per s. 220.34(2)(a), F.S., for penalty at the rate of 12 percent per annum upon the amount of any underpayment of estimated tax.

(j) through (13) No change.

Specific Authority 213.06(1), 220.51 FS. Law Implemented 213.21, 220.131, 220.24, 220.241, 220.33, 220.34, 221.02, 221.04 FS. History—New 10-20-72, Amended 10-20-73, 7-27-80, 12-18-83, Formerly 12C-1.34, Amended 12-21-88, 4-8-92, 5-17-94, 3-18-96, 3-13-00, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

**RULE TITLES:**

Enterprise Zone Program Forms

**RULE NOS.:**

12C-1.0188  
12C-1.051

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12C-1.0188, F.A.C. (Enterprise Zone Program), is to implement ss. 6 and 7, Chapter 2000-201, L.O.F., which revises the computation of the enterprise zone jobs credit against the corporate income tax for employees hired after October 1, 2001.

The effect of the amendments will be to provide current guidelines for the enterprise zone jobs credit against the corporate income tax.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to: (1) adopt new forms and changes to forms used by the Department in the administration of the corporate income tax; and (2) remove the adoption of form DR-835, Power of Attorney, which will be incorporated by reference in Rule Chapter 12-6, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this workshop is: (1) the implementation of the enterprise zone jobs credit program, as amended by ss. 6 and 7, Chapter 2000-201, L.O.F.; and (2) the adoption of new forms and changes to forms currently used by the Department, effective January 1, 2002, in the administration of the corporate income tax returns.

**SPECIFIC AUTHORITY:** 213.06(1), 220.182(8), 220.183(6)(d), 220.51 FS.

**LAW IMPLEMENTED:** 120.55(1)(a)4., 213.05, 213.35, 220.03(1), 220.11, 220.12, 220.13(1),(2), 220.131, 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 290.0055, 290.0065, 290.009(1) FS.

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

**TIME AND DATE:** 2:00 p.m., December 18, 2001

**PLACE:** Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0100

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1, 1(800)367-8331. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Suzanne Paul, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-1.0188 Enterprise Zone Program.

- (1) Corporate Income Tax-Enterprise Zone Jobs Credit.
  - (a) No change.

(b)1. Forms Required. Taxpayers claiming the Enterprise Zone Jobs Credit for employees hired on or before October 1, 2001, must use Form F-1157Z, Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (incorporated by reference in Rule 12C-1.051, F.A.C.), to compute the allowable Enterprise Zone Jobs Credit amount. Form F-1157Z requires the signature of an officer, under oath, duly authorized to sign. The F-1157Z must be certified by the Enterprise Zone Development Agency, attached to a corporate income tax return, and submitted to the Department of Revenue.

2. Forms Required. Taxpayers claiming the Enterprise Zone Jobs Credit for employees hired after October 1, 2001, must use Form F-1157ZX, Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax-Effective January 1, 2002 (incorporated by reference in Rule 12C-1.051, F.A.C.), to compute the allowable Enterprise Zone Jobs Credit amount. Form F-1157ZX requires the signature of an officer, under oath, duly authorized to sign. The F-1157ZX must be certified by the Enterprise Zone Development Agency, attached to a corporate income tax return, and submitted to the Department of Revenue.

3.2. A copy of the certified F-1157 and F-1157ZX specified in Rule 12C-1.0188(1)(a), F.A.C., above, must be forwarded to the Florida Department of Revenue, General Tax Administration, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100, by the Enterprise Zone Development Agency.

- (2) through (5) No change.

Specific Authority 213.06(1), 220.182(8), 220.183(6)(d), 220.51 FS. Law Implemented 213.05, 213.35, 220.03(1), 220.131, 220.181, 220.182, 220.183, 220.44, 290.0055, 290.0065, 290.009(1) FS. History--New 1-3-96, Amended

12C-1.051 Forms.

The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

Form Number	Title	Effective Date
(1) No change.		
<del>(2) DR 835</del>	<del>Power of Attorney</del>	<del>03/00</del>
<del>(r. 01/97)</del>		
<del>(2)(3) F-851</del>	<del>Affiliations Schedule</del>	<del>03/00</del>
<del>(r. 01/01 01/99)</del>		
<del>(3)(4) F-1065</del>	<del>Florida Partnership Information Return with Instructions,</del>	<del>03/00</del>
<del>(r. 01/01 01/99)</del>		
<del>(4) F-1065N</del>	<del>Instructions for Preparing Form F-1065 Florida Partnership Information Return (r. 01/01)</del>	
(5) F-1120A	Florida Corporate Short Form Income Tax Return (r. 01/02 01/01)	06/01
(6) F-1120A (Flats)	Florida Corporate Short Form Income Tax Return (r. 01/02 01/99)	03/00
(7) F-1120	Florida Corporate Income/Franchise and Emergency Excise Tax Return (r. 01/02 01/01)	06/01
(8) F-1120N	F-1120 Instructions- Corporate Income/ Franchise and Emergency Excise Tax Return for taxable years beginning on or after January 1, 2001 2000 (r. 01/02 01/01)	06/01
(9) F-1120ES	Declaration/Installment of Florida Estimated Income/Franchise and/ or Emergency Excise Tax for Taxable Year beginning on or after January 1, 2001 2000 (Installment 1, 2, 3, 4) (r. 01/02 01/01)	06/01
(10) No change.		
(11) F-1120P	Payment Coupon (r. 01/02 01/01)	06/01

<p>(12) F-1120X Amended Florida Corporate Income/ Franchise and Emergency Excise Tax Return (r. <u>01/02 01/01</u>) _____ <u>06/01</u></p> <p>(13) <del>Form</del> F-1122 Authorization and Consent of Subsidiary Corporation to be Included in a Consolidated Income and Emergency Excise Tax Return (r. <u>01/01 01/99</u>) _____ <u>03/00</u></p> <p>(14) through (16) No change.</p> <p>(17) F-1157Z Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (r. <u>01/02 01/01</u>) _____ <u>06/01</u></p> <p><u>(18) F-1157XX</u> <u>Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (r. 01/02)</u> _____</p> <p><u>(19)(18) F-1158</u> Enterprise Zone Property Tax Credit (r. <u>01/00 07/98</u>) _____ <u>03/00</u></p> <p><u>(20) F-1158N</u> <u>Instructions for Form F-1158 Enterprise Zone Property Tax Credit (R. 01/00)</u> _____</p> <p><u>(21)(19) F-1158Z</u> Enterprise Zone Property Tax Credit Effective July 1, 1995 (r. <u>01/00 07/98</u>) _____ <u>03/00</u></p> <p><u>(22) F-1158ZN</u> <u>Instructions for Form F-1158Z (Effective July 1, 1995) Enterprise Zone Property Tax Credit (R. 01/00)</u> _____</p> <p><u>(23)(20) F-1159</u> Application for Child Care Tax Credits (r. <u>01/02 N-12/98</u>) _____ <u>03/00</u></p> <p><u>(24) F-1160</u> <u>Application for Corporate Income Tax Credit for Contributions to Nonprofit Scholarship-Funding Organizations (N. 01/02)</u> _____</p>	<p><del>(25)(21) F-2220</del> Underpayment of Estimated Tax on Florida Corporate Income, Franchise and Emergency Excise Tax (r. <u>01/02 01/99</u>) _____ <u>03/00</u></p> <p><u>(26)(22) F-7004</u> Florida Tentative Income/Franchise and Emergency Excise Tax Return and Application for Extension of Time to File Return (r. <u>01/02 01/01</u>) _____ <u>06/01</u></p>	<p>Copies of these forms are available by: 1) writing the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<a href="http://myflorida.com">http://myflorida.com</a> <del>sun6.dms.state.fl.us/dor/</del>). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.</p> <p>Specific Authority 213.06(1), 220.51 FS. Law Implemented 120.55(1)(a)4., 220.11, 220.12, 220.13(1),(2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 FS. History--New 9-26-77, Amended 12-18-83, Formerly 12C-1.51, Amended 12-21-88, 12-31-89, 1-31-91, 4-8-92, 12-7-92, 1-3-96, 3-18-96, 3-13-00, 6-19-01, _____.</p> <p><b>DEPARTMENT OF CORRECTIONS</b></p> <p>RULE TITLE: Employee Grooming, Uniform and Clothing Requirements                  RULE NO.: 33-208.101                  PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the department's dress requirements.                  SUBJECT AREA TO BE ADDRESSED: Employee dress code.                  SPECIFIC AUTHORITY: 944.09 FS.                  LAW IMPLEMENTED: 20.315, 944.09 FS.                  IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.</p>
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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:

33-208.101 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 Office Directors ~~Assistant Secretaries, regional directors, circuit administrators and wardens.~~

(g) 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) through (c) No change.

(d) Non-security staff shall be permitted to wear beards; however, beards must be neatly trimmed and groomed.

(e) Security staff The face will be clean shaven other than the wearing of an acceptable mustache or sideburns; however, security staff shall be permitted to wear a neatly trimmed 1/4 inch beard for 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 to the Director of Institutions and shall be considered on a case-by case basis based upon the above criteria. Beards and goatees are prohibited.

~~(f) The only exception to the shaving policy shall be based on medical need. Any security staff employee who requests to wear facial hair cannot adhere to the shaving policy based on a medical diagnosis must provide a statement from a dermatologist or other skin specialist stating the medical condition, describing proposed treatment, and stating whether it is a temporary or permanent condition. If the physician indicates that it is a temporary condition and facial hair growth is prescribed, the physician's statement shall be forwarded through the chain of command for review, comment and recommendation to the appropriate Assistant Secretary or Deputy Secretary. The Deputy Secretary or Assistant Secretary may grant a temporary exemption to the shaving policy for medical reasons for a three to six month period. At the end of a period of temporary exemption, the employee shall be re-evaluated by his physician or a physician chosen by the department. Further temporary exemption periods of up to 12 months each may be granted under the foregoing criteria and procedures. If the physician states that the medical condition is permanent with no likelihood of improvement, a permanent~~

~~exemption will be approved by the regional director, assistant secretary, or deputy secretary. Facial hair in cases of exemption shall be neatly trimmed to 1/4 inch.~~

(3) The following are conditions and requirements for wearing department uniforms:

(a) through (b) No change.

(c) At all times, uniforms are to be in serviceable condition, neat in appearance, clean and properly worn as provided in this rule. Class A uniforms will be starched and neatly pressed. Class B and C uniforms will be neatly pressed. All foot wear shall be shined to a high gloss, except that medical staff are authorized to wear shoes that present a clean white appearance that may have a flat finish.

(d) Employees are solely responsible for alterations to and the care of uniforms and clothing issued by the department. Instructions for care which are attached to each item of clothing should be followed. Unless specified otherwise, the laundering and cleaning of clothing items issued to employees is the responsibility of the employee. The laundering and cleaning of correctional officer class A, B, C, D, F, and G uniforms is the responsibility of the employee. The department shall be responsible for the cleaning of the class E ~~or~~ (battle dress utility) uniforms issued to correctional emergency response teams, confrontation control force, shotgun and chemical agent teams, but the cleaning shall not be performed at the institution. Any items of department issued clothing, including correctional officer uniforms, which have been contaminated by blood or other body fluids shall be left at the institution to be laundered at an outside facility to prevent contamination outside the work area. All contaminated items shall be kept together apart from non-contaminated laundry and shall be clearly marked as contaminated for transmission to a professional laundering service. Contaminated items shall be placed in a water soluble bag and then placed in a yellow plastic bag labeled "Contaminated Linen" and sealed shut. Personnel handling the yellow bag during transport to the commercial laundry shall wear disposable latex gloves and shall inform personnel at the commercial laundry that the items in the bag are contaminated. Employees shall bear the cost of replacements of items lost or damaged due to improper use, care or maintenance of the item. Restitution is to be in the amount equal to the cost of the articles of clothing lost or damaged, or equal to the cost of replacement, whichever is less.

(e) Uniforms and clothing issued by the department are the property of the state and must be returned to the department upon termination of employment. Employees shall be allowed to retain issued uniforms and clothing when transferring to another institution of the department. Prior to the transfer, the transferring employee must update his or her Individual Clothing Record, Form DC2-816, submit a list of department issued clothing in his possession and must make restitution for any lost or missing clothing which was issued prior to transfer.



Form DC2-817, Authorization for Uniform Replacement, shall be used by officers requesting replacement of worn or otherwise unserviceable uniforms. Forms DC2-816 and DC2-817 are incorporated by reference in subsection (9) of this rule. Unserviceable clothing shall be rendered unwearable by shredding after the removal of all patches.

(f) Jewelry.

1. No necklaces, chains or medallions shall be worn around the neck such that they are visible while in uniform.

2. The only visible jewelry allowed shall be wrist watches, wedding bands, engagement rings and earrings (females only).

a. Female staff shall be allowed to wear post or clip-on earrings on the earlobes only.

b. Only one pair of earrings will be worn at a time.

c. For safety purposes, earrings shall not be hooped or dangling.

(g) Fingernails.

1. Fingernails will be neatly trimmed and clean with no designs.

2. Fingernails shall be rounded at the tips and shall not extend more than 1/4 inch past the end of the finger.

3. Polish, if worn, shall be clear or solid in color. Only female officers are authorized to wear nail polish.

(h) Sunglasses.

1. Sunglasses with green, brown, black or gray lenses are authorized for wear out of doors.

2. No neon (day glow) frames will be allowed.

3. No mirrored sunglasses will be allowed.

(i) Hair length.

1. Male correctional officers shall adhere to standards outlined in (2)(a).

2. Female correctional officers will not wear their hair beyond the shoulders or yoke of the shirt.

3. 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) Hair style.

1. Hair will be clean, neat and present a groomed appearance.

2. If the hair is dyed, only natural shades will be permitted.

3. Hair clips or barrettes for female correctional officers shall blend in with the hair, i.e., gold, silver, black or brown of solid color.

(k) through (l) No change.

(4) The following provisions shall apply to employees in the positions of correctional officer colonel, correctional officer major, correctional officer captain, correctional officer lieutenant, correctional officer sergeant and correctional officer. For the purposes of this rule, "correctional officer" is used to refer to the individual position or the class which includes all of the above-listed positions.

(a) Class A Uniform.

1. The correctional officer class A uniform issued by the department shall be worn only while performing official duties as determined by the warden.

2. The class A uniform will be mandatory for all court appearances. The class A uniform will consist of:

a.1. ~~Brown wool blend trousers with black stripes. One pair of correctional officer class A uniform wool blend trousers will be issued to be worn for official court appearances or other authorized functions.~~

b.2. White long sleeve shirt for correctional officer lieutenant and above and long sleeve silver tan shirt for correctional officers and sergeants. One shirt will be issued. Hash marks to denote years of service will be worn on the left sleeve of the class A shirt. Each hash mark will denote three cumulative years of service with the agency. The hash marks will be affixed to the left sleeve with the lowest point one inch above the cuff seam angling backward and up at a forty five degree angle. The rear of the hash mark will align with the pressed crease of the shirt. The class A shirt will be worn fully buttoned at all times.

(b) Class B Uniform.

1. The correctional officer class B uniform shall consist of brown poly-cotton trousers with a black stripe and white uniform shirt for lieutenant and above and silver tan uniform shirt for correctional officer and sergeant.

2. The class B uniform will be optional (as determined by the employee) worn for general institutional duties. ~~The class B uniform will not be worn for court appearances.~~

(c) Class C Uniform.

1. The correctional officer class C uniform issued by the department shall consist of poly cotton blend brown Battle Dress Utility (BDU) trousers and white uniform shirt for lieutenant and above and silver tan uniform shirt for correctional officer and sergeant.

2. BDU trousers will be bloused military style and worn only with military jump style or lightweight law enforcement type boots supplied by the employee. The BDUs will not be worn with low cut shoes.

3. The class C uniform will be optional (as determined by the employee) for general institutional duties.

(d) Class D Uniform.

1. The correctional officer class D uniform issued by the department shall consist of poly cotton blend brown Battle Dress Utility (BDU) trousers and white polo type shirt for lieutenant and above and silver tan polo type shirt for correctional officer and sergeant.

2. Polo type shirts may only be worn with BDU trousers.

3. Polo type shirts will include an embroidered correctional officer badge over the left shirt pocket. The badge will include the rank of the staff member.

4. BDU trousers will be bloused military style and worn only with military jump style or lightweight law enforcement type boots supplied by the employee. The BDUs will not be worn with low cut shoes.

5. The class D uniform will be optional (as determined by the employee) for general institutional duties.

(e) Class E Uniform.

1. ~~The correctional officer class E uniform issued by the department shall be issued only to C.E.R.T and to the Rapid Response Team (baton squads, shotgun and chemical agent teams) members which are baton squads, shotgun and chemical agent teams.~~

2. ~~The class E uniform shall consist of a brown battle dress utility pants and shirt for rapid response uniform for baton squads, shotgun and chemical agent teams and black for C.E.R.T.~~

3. The class E uniform shall be worn with military style black jump or combat boots which will be provided by the department.

4. ~~Class E~~ These uniforms are only to be worn when the teams are responding to an emergency or during training.

a. During training, the battle dress utility shirt is optional. T-shirts can be worn for training.

b. The department uniform cap shall be worn during training and other events when the helmet is not being worn.

c. The caps and T shirts will be provided by the department and will match the battle dress utility pants which will be worn during training.

d. Two sets of class E uniforms will be issued to each team member. One uniform shall be maintained with assigned equipment at all times to ensure the team member is in a constant state of readiness.

(f) Class F Uniform.

1. The class F uniform shall be issued to tracking canine officers and shall consist of:

~~a.1.~~ Brown or camouflage BDU or brush pants. The camouflage color shall be appropriate for the season and surrounding terrain as determined by the warden.

~~b.2.~~ No change.

a. through e. renumbered b. I. through V. No change.

~~f. During actual escape and recapture situations, canine staff may remove any reflective uniform items or any items that would interfere with the stealth of the camouflage uniform.~~

3. through 12. renumbered c. through l. No change.

2. During actual escape and recapture situations, canine staff may remove any reflective uniform items or any items that would interfere with the stealth of the camouflage uniform.

13. through 14. renumbered 3. through 4. No change.

(g) Class G Uniform. The class G uniform will be issued to narcotic K-9 handlers and shall consist of:

1. ~~B~~Blue six-pocket BDU style pants, which shall be worn bloused inside the boot.

2. Blue polo style shirt. Insignias will be consistent for all handlers as determined by the Inspector General.

3. Black nylon duty belt. Only department issued or approved items shall be worn on the belt.

4. Black military-style jump boot (Hi-tech, Rocky, Bates) provided by the department;

5. Black cut-resistant search gloves. Gloves will be full-fingered.

6. Leather badge holder.

7. Blue baseball-style cap with department insignia.

8. Narcotics K-9 handlers will be issued five pairs of pants, three long-sleeved shirts and five short-sleeved shirts.

(h) The following items may be worn with the correctional officer uniform as defined below:

1. through 3. No change.

4. Western style riding hat – authorized for wear by correctional officers assigned to field labor squads when outside the secure perimeter of the correctional facility. The western style riding hat will be furnished by the department.

~~5.4.~~ No change.

~~6.5.~~ Correctional officer badges.

a. Badges shall be issued to all certified correctional officers regardless of their work location.

b. Correctional officer badges will be issued by the department to be worn as part of the class A, class B, and class C uniform.

c. The badge will be worn approximately one-half inch above the left shirt pocket centered on the fashion seam and affixed through the pre-sewn holes, or for uniforms without pre-sewn holes, affixed through the fabric. ~~Wearing the department issued badge carries a significant responsibility. The wearer is not only representing the department of Corrections, but the law enforcement community and the State of Florida.~~

d. The badge shall be routinely cleaned and presented in a manner so as to reflect the pride and professionalism of the Department of Corrections.

e. Use of the issued badges as credentials for personal purposes is prohibited.

f. Only badges issued by the department shall be used to conduct officially designated duties.

g. The badge shall be 2 1/4" × 1 15/16" in size, silver colored metal for correctional officers and sergeants and gold color for lieutenants and above with black lettering, and pre-numbered with a pin clasp for securing to the shirt.

h. The badges shall be issued to certified officers upon employment and will not be provided to uncertified officers until after certification is received.

i. Correctional officers shall be responsible for reimbursing the department for any issued badge which is lost or stolen.

j. Issued badges are considered state property and, except for retirement under specific conditions, shall be returned to the department upon the officer's termination of employment with the department or removal from a position within the correctional officer class series.

k. Correctional officers who retire from the department under honorable conditions and are eligible to retire under the State of Florida retirement system, including retirement under medical disability, shall be authorized to retain their issued badges.

l. Correctional officers of any rank who are promoted, transferred, or otherwise relocated shall return their badges to the warden of the institution the staff member is departing.

m. The institution receiving the staff member will issue a new badge to the officer from that institution's inventory.

n. Badges will not be issued to canines.

#### 7.6. Rank Insignias.

a. Sergeant pin for correctional officer sergeants shall be worn on the collar military style with class A, B, C, F, and G uniforms.

7. through 10 renumbered b. through e. No change.

11. through 13. renumbered 8. through 10. No change.

11.44. Service Pin. The department service pin is authorized to be worn above the nameplate with class A, B, and C uniforms.

12.45. Shift Supervisor Patch. Correctional officer supervisors assigned as shift supervisors are authorized to wear the shift supervisor patch with class A, B, and C uniforms. When worn, the shift supervisor patch will be sewn directly above the flag patch on the right shirt-sleeve.

#### 13.46. Meritorious Service Pin.

a. The meritorious service pin (quality award) is worn over the right shirt pocket, one half inch above the nameplate, centered on the military crease (vertical fashion seam) with class A, B, and C uniforms.

b. For those staff members who have service in excess of five years and are presently displaying a regular service pin as part of their uniform dress, the regular service pin will be relocated one half inch to the left of the military seam and the meritorious service pin will be displayed one half inch to the right of the military seam. Both pins will be situated one half inch above the nameplate.

c. When additional department issued pins are worn, they will be displayed using the following formula: odd numbers of pins one half inch above the first row of pins and centered on the military crease; even numbers of pins one half inch above and centered over lower rows of pins.

#### 14.47. Emergency Response Team (E.R.T.) Pin.

a. The E.R.T. pin will be issued to C.E.R.T., emergency response teams and canine teams for wear with class A, B and C uniforms.

b. The E.R.T. pin shall be worn one half inch above the left shirt pocket and centered on the military crease.

#### 15. Drill Instructor Pins.

a. Drill instructor pins (for basic training program officers only) will be worn one half inch above the left shirt pocket and centered on the military crease.

b. If worn along with the E.R.T. pin, the drill instructor pin will be worn one half inch above the E.R.T. pin. K-9 or other squad pins will no longer be worn on the uniform.

16.48. Flag Patches. Flag patches shall be sewn one inch below the shoulder crease on the right shirt sleeve of the uniform shirt. When worn, the institutional rocker emblem shall be sewn or otherwise affixed directly over the department emblem on the left shirt sleeve.

#### 17.49. Gloves.

a. Glove pouches for disposable latex or vinyl gloves will be issued to all officers.

20. through 21. renumbered b. through c. No change.

#### 18.22. Shoes and Boots.

a. Shoes shall be black, plain-toed military style.

b. Boots, including Hi-Tech types are permissible with uniform pants but are mandatory with BDU pants. The boots must be black with a plain toe, regular heel, and no decorative stitching. Black side webbing inserts are permissible. Heels shall not exceed one and one half inches in height.

c. All footwear must be capable of maintaining a high gloss.

19.23. Belts. Belts must be black, 1 1/2 to 1 5/8 inches in width, with either a silver colored open-face metal buckle or a bronze buckle bearing the department emblem. Buckles must be approximately the same width as the belt.

#### 20.24. Socks.

a. Socks must be black.

b. If white socks are needed for medical reasons, the employee shall be required to wear socks with a white foot and black upper part or white socks can be worn under black ones.

c. Female officers shall be allowed to wear flesh-tone stockings.

21.25. Ponchos and Raincoats. Plain see-through ponchos or raincoats with no logos are authorized for wear.

22.26. Maternity Uniforms. Pregnant officers will be issued maternity uniforms upon request. At least four maternity uniforms will be issued.

23.27. Windbreakers. ~~The~~ b Brown department windbreaker is – authorized to be worn with the class B, C, D, E, F, or G uniform. Additionally, non-uniformed staff are authorized to wear a brown or black department windbreaker.

(i) The standard department issue of uniforms will be as follows:

1. through 6. No change.

7. One brown outer-wear coat jacket;

8. through 9. No change.

10. One brown clip-on tie.

~~(5) All staff assigned to the correctional officer class B shall wear the correctional officer uniform.~~

~~(5)(6)~~ No change.

~~(6)(7)~~ The following guidelines shall apply to those correctional officers assigned to boot camp facilities and those staff assigned to supervise the basic training program for youthful offenders.

(a) Correctional officers assigned to supervise boot camp facilities, ~~of~~ the basic training program and extended day programs shall wear either the class C or class D uniform. The jump boots will be furnished by the department.

(b) Correctional officers assigned to supervise boot camp facilities shall be authorized to wear military style drill instructor hats provided by the department.

(b) through (i) renumbered (c) through (j) No change.

~~(8) Correctional officers assigned to food service will be required to wear the correctional officer class B or C uniform in accordance with (4)(b) and (e) of this rule except for court and special occasions where the food service officer will be required to wear the class A uniform. Smocks will be issued and shall be worn over the uniform for protection. Smocks shall be casual cabana style, silver tan in color, with the Department of Corrections' emblem on the left sleeve.~~

(9) through (11) renumbered (7) through (9) 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,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE CHAPTER TITLE: Environmental Resource and Works of the District Permits

RULE CHAPTER NO.: 40B-4

RULE TITLE: Publications and Agreements Incorporated by Reference

RULE NO.: 40B-4.1090

PURPOSE AND EFFECT: The District references the floodway as a Work of the District consistent with Chapter 373.019(23), Florida Statutes, and uses the floodway delineation shown on the Flood Insurance Rate Maps for the Aucilla, Alapaha, Santa Fe, Suwannee and Withlatchoochee Rivers. This rule amendment will help the public identify the floodway as required for development within the area.

SUBJECT AREA TO BE ADDRESSED: This change will help identify the District's reference to the floodway in Chapter 40B-4, Florida Administrative Code, as depicted by

the Flood Insurance Rate Maps published by the National Flood Insurance Program for the Federal Emergency Management Agency (FEMA).

SPECIFIC AUTHORITY: 373.083, 373.084, 373.085, 373.086 FS.

LAW IMPLEMENTED: 373.413, 373.416 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wynn A. McDonald, Suwannee River Water Management District Headquarters, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B-4.1090 Publications and Agreements Incorporated by Reference.

The Governing Board hereby adopts by reference: Flood Insurance Rate Maps published by the National Flood Insurance Program for the Federal Emergency Management Agency (FEMA) used to establish the floodway for the Works of the District identified in Chapter 40B-4, Part III, F.A.C.

Specific Authority 373.083, 373.084, 373.085, 373.086 FS. Law Implemented 373.413, 373.416 FS. History—New\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

RULE TITLE: Approved Courses

RULE NO.: 61G8-32.002

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Approved Courses.

SPECIFIC AUTHORITY: 455.2226(7), 470.005, 470.006, 470.007, 470.008, 470.009, 470.011, 470.015, 470.016, 470.017 470.018 FS.

LAW IMPLEMENTED: 455.2226, 470.006, 470.007, 470.008, 470.009, 470.011, 470.015, 470.016, 470.017, 470.018 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, IF AVAILABLE, IS: Sherry

Landrum, Executive Director, Board of Funeral Directors and Embalmers, 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 Funeral Directors and Embalmers**

RULE TITLE: Requirement for Instruction on Human Immunodeficiency Virus, Acquired Immune Deficiency Syndrome and Communicable Diseases  
 RULE NO.: 61G8-32.007

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Requirement for Instruction on Human Immunodeficiency Virus, Acquired Immune Deficiency Syndrome and Communicable Diseases.

SPECIFIC AUTHORITY: 470.005, 455.2226(7), 470.006, 470.007, 470.008, 470.009, 470.011, 470.015, 470.016, 470.017, 470.018 FS.

LAW IMPLEMENTED: 455.2226, 455.219(2), 470.006, 470.007, 470.008, 470.009, 470.011, 470.015, 470.016, 470.017, 470.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sherry Landrum, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-50R

RULE CHAPTER TITLE: Drinking Water Standards, Monitoring, and Reporting  
 RULE CHAPTER NO.: 62-550

PURPOSE AND EFFECT: The Department is incorporating the U.S. Environmental Protection Agency's Interim Enhanced Surface Water Treatment Rule (IESWTR) into the Department's drinking water rules, Chapters 62-550, 62-555, and 62-560, F.A.C. The Department is also amending the State surface water treatment rules (SWTR) by replacing certain paraphrasing of federal rules with references to federal rules, by moving surface water treatment rules from Chapter 62-555 to Chapter 62-550, F.A.C., and by amending DEP Form 62-555.900(2).

SUBJECT AREA TO BE ADDRESSED: Treatment requirements for Subpart H systems, which are public water systems using surface water or ground water under the direct influence of surface water as a source and which are subject to the requirements of 40 CFR 141, Subpart H, and Rule 62-550.560, F.A.C., and Part VI of Chapter 62-555, F.A.C.  
 SPECIFIC AUTHORITY: 403.853(3), 403.861(9) FS.

LAW IMPLEMENTED: 403.851, 403.852(12),(13), 403.853, 403.853(1),(2),(3),(7), 403.861(16),(17), 403.8615, 403.862 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops is asked to advise the agency at least 48 hours before the workshop by contacting the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Virginia Harmon, Department of Environmental Protection, Drinking Water Section, MS 3520, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-6844

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-51R

RULE CHAPTER TITLE: Permitting and Construction of Public Water Systems  
 RULE CHAPTER NO.: 62-555

PURPOSE AND EFFECT: The Department is incorporating the U.S. Environmental Protection Agency's Interim Enhanced Surface Water Treatment Rule (IESWTR) into the Department's drinking water rules, Chapters 62-550, 62-555, and 62-560, F.A.C. The Department is also amending the State surface water treatment rules (SWTR) by replacing certain paraphrasing of federal rules with references to federal rules, by moving surface water treatment rules from Chapter 62-555 to Chapter 62-550, F.A.C., and by amending DEP Form 62-555.900(2).

SUBJECT AREA TO BE ADDRESSED: Treatment requirements for Subpart H systems, which are public water systems using surface water or ground water under the direct influence of surface water as a source and which are subject to the requirements of 40 CFR 141, Subpart H, and Rule 62-550.560, F.A.C., and Part VI of Chapter 62-555, F.A.C.

SPECIFIC AUTHORITY: 403.853(3), 403.861(9) FS.  
 LAW IMPLEMENTED: 403.852(12), 403.853(1),(3) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops is asked to advise the agency at least 48 hours before the workshop by contacting the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Virginia Harmon, Department of Environmental Protection, Drinking Water Section, MS 3520, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-6844

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-52R

RULE CHAPTER TITLE: Requirements for Water Systems  
 RULE CHAPTER NO.: 62-560  
 That are Out of Compliance

PURPOSE AND EFFECT: The Department is incorporating the U.S. Environmental Protection Agency's Interim Enhanced Surface Water Treatment Rule (IESWTR) into the Department's drinking water rules, Chapters 62-550, 62-555, and 62-560, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Treatment requirements for Subpart H systems, which are public water systems using surface water or ground water under the direct influence of surface water as a source and which are subject to the requirements of 40 CFR 141, Subpart H, and Rule 62-550.560, F.A.C., and Part VI of Chapter 62-555, F.A.C.

SPECIFIC AUTHORITY: 403.853(3), 403.861(8) FS.  
 LAW IMPLEMENTED: 403.852(12),(13), 403.853(1),(3), 403.854(1),(2),(3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops is asked to advise the agency at least 48 hours before the workshop by contacting the Bureau of

Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Virginia Harmon, Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-6844

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Disciplinary Guidelines  
 RULE NO.: 64B5-13.005

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.079(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: 1:00 p.m. or shortly thereafter, January 18, 2002

PLACE: The Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, 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 NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Standards for the Use of Controlled  
 RULE NO.: 64B5-17.0045  
 Substances for the Treatment of Pain

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule which will address the standards for the use of controlled substances for the treatment of pain.

SUBJECT AREA TO BE ADDRESSED: Standards for the Use of Controlled Substances for the Treatment of Pain.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.017, 466.028(1)(p) FS.

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

TIME AND DATE: 1:00 p.m. or shortly thereafter, January 18, 2002

PLACE: The Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Buckhalt, 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 NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Required Sterilization and Disinfection Procedures  
 RULE NO.: 64B5-25.003

PURPOSE AND EFFECT: The purpose of the rule amendment is to add the word “sterilants”.

SUBJECT AREA TO BE ADDRESSED: Required sterilization and disinfection procedures.

SPECIFIC AUTHORITY: 456.032, 466.004(4) FS.

LAW IMPLEMENTED: 456.032, 466.028(1)(a),(x), 466.041 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: 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:

64B5-25.003 Required Sterilization and Disinfection Procedures.

(1) At least one of the following procedures must be used in order to provide proper sterilization:

(a) through (d) No change.

(e) Disinfectant/sterilant. U.S. Environmental Protection Agency (EPA) approved disinfectant/sterilants or U.S. Food and Drug Administration (FDA) approved sterilant may be used but are only appropriate for sterilization when used in

appropriate dilution and for the time periods set forth in the manufacturer’s recommendation and only on non-heat tolerant instruments which do not penetrate soft tissue.

(2)(a) through (10) No change.

Specific Authority 456.032, 466.004(4) FS. Law Implemented 456.032, 466.028(1)(u),(x), 466.041 FS. History–New 2-24-87, Amended 12-6-87, 10-24-88, 1-7-92, 4-5-93, Formerly 21G-25.003, Amended 11-22-93, Formerly 61F5-25.003, 59Q-25.003, Amended 10-31-01.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE CHAPTER TITLE: Public Assistance  
 RULE CHAPTER NO.: 65A-1  
 RULE TITLE: Food Stamp Program Definitions  
 RULE NO.: 65A-1.601

PURPOSE AND EFFECT: This rule is being amended due to changes to the Food Stamp Act of 1977, as amended, by revising and changing definitions.

SUBJECT AREA TO BE ADDRESSED: Definitions pertaining to the Food Stamp Program.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 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 (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD.)

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

PLACE: 1317 Winewood Blvd., Bldg. 3, Room 455, Tallahassee, FL 32399-0700

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: Definitions  
 RULE NO.: 68A-1.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide definitions for language in rules of the Fish and Wildlife Conservation Commission.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include rule language definitions.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

TIME, DATES AND PLACES: 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: General Prohibitions

RULE NO.: 68A-4.001

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development is to establish or revise rule provisions associated with general prohibitions pertaining to wildlife and freshwater fish resources.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include general prohibitions pertaining to wildlife and freshwater fish resources.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

TIME, DATES AND PLACES: 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: Quota Hunt Permits and Special-Opportunity Permits – Application; Selection; Issuance

RULE NO.: 68A-5.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish or revise procedures for application, selection, or issuance of quota hunt or special-opportunity hunt permits.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule includes the application, selection and issuance of Quota Hunt Permits and Special-opportunity Permits.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

TIME, DATES AND PLACES: 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes

RULE NO.: 68A-9.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish guidelines for issuance of permits authorizing the taking or possession of freshwater fish for justifiable purposes.

SUBJECT AREA TO BE ADDRESSED: Permits for taking or possession of freshwater fish for scientific, educational, exhibition, propagation, management or other justifiable purposes such as during fishing tournaments.



SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.  
 LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.  
 A WORKSHOP(S) ON THE PROPOSED RULE MAY BE CONDUCTED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT TIME, DATES AND PLACES SHOWN BELOW:

TIME, DATES AND PLACES: 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Permits for Hunting or Other Recreational Use on Type I Wildlife Management Areas	68A-9.004
Special-Use Permits; Short-Term Use Permits; Fees; Special-Opportunity Hunting and Fishing	68A-9.007

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development is to establish or revise provisions for administering recreational use permits and related fees on Type I Wildlife Management Areas and to establish provisions for administering special-use permits, short-term use permits, special-opportunity hunting and fishing permits, and any related fees.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule includes Special-use Permits; Short-term Use Permits; Fees; Special-opportunity Hunting and Fishing; and Recreational Use Permits.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.  
 LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.  
 A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

TIME, DATES AND PLACES: 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
General Methods of Taking Game; Prohibitions Taking Destructive Birds and Mammals	68A-12.002 68A-12.009

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development is to establish or revise rule provisions associated with (1) general methods of taking game; and (2) the taking of destructive birds and mammals.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include legal means and methods of taking game birds and game mammals and regulations for taking destructive birds and mammals.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.  
 LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.  
 A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Open Season for Taking Game; Bag and Possession Limits	68A-13.001
Migratory Birds; Adoption of Federal Statutes and Regulations	68A-13.002
Hunting Regulations for Ducks, Geese, and Coots	68A-13.003
Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits to Private Landowners	68A-13.004
Hunting on National Wildlife Refuges	68A-13.006
Hunting Regulations on Public Small-Game Hunting Areas	68A-13.007
Hunting Regulations for Migratory Birds Other than Ducks and Coots	68A-13.008

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to (1) establish open seasons, bag limits and possession limits for taking game; (2) establish hunting regulations for ducks, geese, coots, and other migratory birds; (3) provide for adoption of Federal statutes and regulations pertaining to migratory birds and hunting on National Wildlife Refuges; (4) establish hunting regulations for public small-game hunting areas; and (5) provide for the issuance of antlerless deer permits to private landowners.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rules include regulations for taking game including waterfowl and other migratory birds, issuance of antlerless deer permits to private landowners, public small-game hunting area regulations, adoption of Federal statutes and regulations, and hunting on National Wildlife Refuges.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Establishment Orders	68A-14.001

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to make reference to Commission Establishment Orders that (1) establish land as Type I or Type II wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, miscellaneous areas, or wild hog areas, (2) adjust acreage of said lands; and (3) make technical changes to Establishment Orders.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed is establishment orders for wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, miscellaneous areas, or wild hog areas.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

**A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION’S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:**

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLES:	RULE NOS.:
General Regulations Relating to Type I Wildlife Management Areas	68A-15.004
Quota Permits; Antlerless Deer Permits	68A-15.005
Regulations Relating to Miscellaneous Areas	68A-15.006
Specific Regulations for Type I Wildlife Management Areas – Southwest Region	68A-15.061
Specific Regulations for Type I Wildlife Management Areas – North Central Region	68A-15.062
Specific Regulations for Type I Wildlife Management Areas – Northwest Region	68A-15.063
Specific Regulations for Type I Wildlife Management Areas – South Region	68A-15.064
Specific Regulations for Type I Wildlife Management Areas – Northeast Region	68A-15.065

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to (1) establish or revise general regulations relating to Type I Wildlife Management Areas (WMA); (2) establish or adjust hunter quotas for Type I WMAs; (3) establish or modify specific area regulations for Type I WMAs; and (4) adjust hunting season dates on Type I WMAs to conform with proposed 2001-2002 hunting season dates for the appropriate hunting zone.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rules include general regulations, quota hunt permits, hunting season dates and specific area regulations pertaining to Type I WMAs.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLES:	RULE NOS.:
General Regulations Relating to Type II Wildlife Management Areas	68A-16.004
Specific Regulations on Type II Wildlife Management Areas	68A-16.005

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to (1) establish general regulations relating to Type II Wildlife Management Areas (WMA); (2) establish or modify specific area regulations for Type II WMAs; and (3) adjust hunting season dates on Type II WMAs to conform with proposed 2001-2002 hunting season dates for the appropriate hunting zone.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rules include hunting season dates, general regulations and specific area regulations pertaining to Type II WMAs.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
General Regulations Relating to Wildlife and Environmental Areas	68A-17.004
Specific Regulations on Wildlife and Environmental Areas	68A-17.005

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to (1) establish general regulations relating to Wildlife and Environmental Areas (WEA); (2) establish or modify specific area regulations for WEAs; and (3) adjust hunting season dates on WEAs to conform with proposed 2001-2002 hunting season dates for the appropriate hunting zone.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rules include hunting season dates, general regulations and specific area regulations pertaining to WEAs.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Specific Fish Management Area Regulations	68A-20.005

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule development is to establish regulations on specific fish management areas for taking and possessing freshwater fish or other activities such as swimming, use of firearms, or use of boats or other vehicles, that will ensure

conservation of freshwater fish populations while providing for realization of their potential aesthetic, recreational, and economic values.

**SUBJECT AREA TO BE ADDRESSED:** Requirements for taking and possessing freshwater fish.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

**A WORKSHOP(S) ON THE PROPOSED RULE MAY BE CONDUCTED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT TIME, DATES AND PLACES SHOWN BELOW:**

**TIME, DATES AND PLACES:** 8:30 a.m. – 5:00 p.m., January 23-25, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., April 3-5, 2002, Tallahassee, Florida; 8:30 a.m. – 5:00 p.m., May 29-31, 2002, Jacksonville, Florida; 8:30 a.m. – 5:00 p.m., September 4-6, 2002, Pensacola, Florida; and 8:30 a.m. – 5:00 p.m., November 20-22, 2002, Florida Keys

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM:** James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Establishment	68A-21.002
General Regulations Relating to Wild Hog Areas	68A-21.004

**PURPOSE AND EFFECT:** The purposes and effects of the proposed rule development is to establish or revise rule provisions associated with general regulation of wild hog areas.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rules include general regulation of wild hog areas.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Fla. Const.

**LAW IMPLEMENTED:** Article IV, Section 9, Fla. Const.

**A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:**

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: General Methods of Taking Freshwater Fish

RULE NO.: 68A-23.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide a forum for the public to provide input on proposed changes relating to general methods of taking freshwater fish.

SUBJECT AREA TO BE ADDRESSED: General methods of taking freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A WORKSHOP(S) ON THE PROPOSED RULE MAY BE CONDUCTED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT TIME, DATES AND PLACES SHOWN BELOW:

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Darrell L. Scovell, Division of Freshwater Fisheries, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: Bag Limits, Length Limits, Open Seasons: Freshwater Fish

RULE NO.: 68A-23.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish bag limits, length limits, and season dates in order to protect and ensure conservation of freshwater fish populations.

SUBJECT AREA TO BE ADDRESSED: Bag limits, length limits, and season dates for freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A WORKSHOP(S) ON THE PROPOSED RULE MAY BE CONDUCTED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT TIME, DATES AND PLACES SHOWN BELOW:

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLE: Introduction of Non-Native Aquatic Species in the Waters of the State; Provisions for Sale and Inspection of Fish for Bait or Propagation Purpose; Diseased Fish

RULE NO.: 68A-23.008

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to provide a forum for the public to provide input on proposed changes relating to importation, selling, possession or transporting of live aquatic species or hybrids, including those species that may be classified as prohibited or restricted.

SUBJECT AREA TO BE ADDRESSED: Importation, selling, possession or transporting of live aquatic species or hybrids.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A WORKSHOP(S) ON THE PROPOSED RULE MAY BE CONDUCTED IN CONJUNCTION WITH THE COMMISSION'S REGULARLY SCHEDULED PUBLIC MEETINGS AT TIME, DATES AND PLACES SHOWN BELOW:

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLES:	RULE NOS.:
General Provisions for Taking, Possession and Sale of Reptiles	68A-25.002
Taking and Disposal of Nuisance Alligators Statewide	68A-25.003
Regulations Governing the Operation of Alligator Farms	68A-25.004
Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs on Private Lands	68A-25.031
Regulations Governing the Establishment of Alligator Management Programs on Private Lands	68A-25.032
Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale	68A-25.042
Regulations Governing the Processing of Alligators and the Sale of Alligator Meat and Parts	68A-25.052

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development is to establish regulations for taking and possessing alligators that will ensure conservation of alligator populations while providing for realization of their potential aesthetic, recreational, and economic values.

SUBJECT AREA TO BE ADDRESSED: Requirements for taking and possessing alligators and other reptiles.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

A HEARING ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION’S PUBLIC MEETING AT THE TIME, DATES AND PLACES SHOWN BELOW:

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE TITLES:	RULE NOS.:
Designation of Candidate Species; Prohibitions, Permits	68A-27.0021
Designation of Endangered Species; Prohibitions; Permits	68A-27.003
Designation of Threatened Species; Prohibitions, Permits	68A-27.004
Designation of Species of Special Concern; Prohibitions; Permits	68A-27.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add species to, reclassify species, and/or remove species from the Candidate Species, Endangered Species, Threatened Species and Species of Special Concern lists.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include listing, delisting, and reclassifying species to the Candidate Species, Endangered Species, Threatened Species and Species of Special Concern lists.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

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Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 calendar days before the workshop/meeting by contacting Andrena Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Shrimp

RULE TITLE: RULE NO.:

Statewide Live Bait Shrimp 68B-31.008  
 Production Restrictions

PURPOSE AND EFFECT: The purpose of this rule development effort is to standardize statewide the capacity requirements for shoreside live well storage facilities for live bait shrimp at 32 cubic feet of water. The effect of this effort should be to bring small-scale live bait dealers into compliance with the rule.

SUBJECT AREA TO BE ADDRESSED: Live bait shrimp live well requirements at shoreside storage facilities.

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

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

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED 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, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-31.008 Statewide Live Bait Shrimp Production Restrictions.

Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall comply with the requirements specified in this rule.

- (1) No change.
- (2) Live Well Requirements.

~~(a) Except as provided in paragraph (b), Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall have aboard the vessel being used for such harvest a continuously circulating live well with a capacity of at least 16 cubic feet of water for the purpose of maintaining harvested shrimp in a healthy condition. Each person selling live bait shrimp as a wholesale or retail dealer shall store and transport such shrimp in a continuously circulating live well, with a capacity of at least 64 cubic feet of water in the storage facility and 32 cubic feet of water on any delivery vehicle, for the purpose of maintaining the shrimp in a healthy condition until transfer of possession upon sale.~~

~~(b) In Nassau, Duval, St. Johns, and Flagler Counties, Shrimp harvested as live bait pursuant to this rule shall be constantly maintained in wet live storage condition to minimize mortality. All such shrimp harvested by use of allowable trawling gear shall be directly and expeditiously transported from the harvesting vessel to onshore facilities on the premises of a licensed wholesale or retail saltwater products dealer with equipment functioning to maintain the quality of shrimp delivered in a live, healthy condition. Shrimp so delivered shall be placed in a tank of clean saline, aerated water at that facility and shall be maintained alive throughout all handling and storage processes. Equipment to maintain live bait shrimp during harvest pursuant to this rule and during subsequent transport and storage shall, at a minimum, meet the following requirements.~~

~~(a)1-~~ Vessel requirements – Each vessel engaged in the harvest of live bait shrimp ~~in these counties~~ pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 16 cubic feet of continuously aerated saline water during such harvest and during transport of any live bait shrimp.

~~(b)2-~~ Vehicle requirements – Each vehicle used to transport live bait shrimp harvested ~~in these counties~~ pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during transport and holding on the vehicle.

~~(c)3-~~ Storage requirements – Each facility used to store live bait shrimp harvested pursuant to this rule, on the premises of a licensed wholesale or retail saltwater products dealer, shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during storage.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 10-3-94, 1-1-96, Formerly 46-31.008, Amended 12-2-99, \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: Marine Life

RULE TITLE: RULE NO.:  
Commercial Season, Harvest Limits 68B-42.006

PURPOSE AND EFFECT: The purpose of this rule development effort is to extend the current moratorium on the issuance of new marine life fishery endorsements from July 1, 2002, until July 1, 2005. The effect will be to cap the number of participants in this highly competitive fishery and assist in the management of these tropical marine life species.

SUBJECT AREA TO BE ADDRESSED: Extension of moratorium on marine life fishery endorsements.

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

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

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED 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 Knically at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-42.006 Commercial Season, Harvest Limits.

(1)(a) Except as provided in Rule 68B-42.008(7), no person shall harvest, possess while in or on the waters of the state, or land quantities of tropical ornamental marine life species or tropical ornamental marine plants in excess of the bag limits established in Rule 68B-42.005 unless such person possesses a valid saltwater products license with both a marine life fishery endorsement and a restricted species endorsement issued by the Fish and Wildlife Conservation Commission.

(b) Notwithstanding s. 370.06(2)(d)2.a., Florida Statutes, effective July 1, 2002, and until July 1, 2005, a marine life fishery endorsement may not be issued, except that those endorsements that were active during the 2001-2002 fiscal year may be renewed. In 2002 and in subsequent years until July 1, 2005, persons or corporations holding a marine life fishery endorsement that was active in the 2001-2002 fiscal year or an immediate family member of that person must request renewal of the marine life fishery endorsement before September 30 of each year. All provisions of s. 370.06(2)(d)1., 2. d.-g., and 3., Florida Statutes, shall continue to apply to the issuance and renewal of marine life fishery endorsements with the applicable dates specified in this paragraph.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-91, Amended 7-1-92, 1-1-95, 6-1-99, Formerly 46-42.006, Amended \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER TITLE: RULE CHAPTER NO.:  
Blue Crabs 68B-45

RULE TITLE: RULE NO.:  
Regulation and Prohibition of Certain 68B-45.004  
Harvesting Gear

PURPOSE AND EFFECT: The purpose of this rule development effort is to extend the current moratorium on the issuance of new blue crab endorsements from July 1, 2002, until July 1, 2005. The effect will be to cap the number of participants in this highly competitive fishery and assist in the management of blue crabs.

SUBJECT AREA TO BE ADDRESSED: Extension of moratorium on blue crab endorsements.

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

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

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED 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 Knically at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

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



THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-45.004 Regulation and Prohibition of Certain Harvesting Gear.

(1) through (9) No change.

(a) No person shall harvest any blue crabs for commercial purposes with any trap unless such person possesses a valid saltwater products license to which is affixed both a blue crab endorsement and a restricted species endorsement.

(b) Notwithstanding s. 370.135(2)(a), Florida Statutes, effective July 1, 2002, and until July 1, 2005, no blue crab endorsements, except those endorsements that were active during the 2001-2002 fiscal year, shall be renewed or replaced. In 2002 and in subsequent years until July 1, 2005, persons or corporations holding a blue crab endorsement that was active in the 2001-2002 fiscal year or an immediate family member of that person must request renewal of the marine life fishery endorsement before September 30 of each year. All provisions of s. 370.135(2)(c)-(e), Florida Statutes, shall continue to apply to the issuance and renewal of blue crab endorsements with the applicable dates specified in this paragraph.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 1-1-98, 6-1-99, Formerly 46-45.004, Amended \_\_\_\_\_.

**Section II  
Proposed Rules**

**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 correct titles of staff responsible for administration of the offender grievance process.  
 SUMMARY: The proposed rule provides correct titles of staff responsible for administration of the offender grievance process.  
 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: Perri King Dale, 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) through (c) No change.

(d) In the event the issue is not resolved with the circuit administrator, the offender may forward her or his grievance, along with the circuit administrator's response to 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 calendar days of receipt of the grievance.

(e) In the event the issue is not resolved with the regional 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) through (4) No change.

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, 7-30-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2001  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2001

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Conditional Medical Release  
 RULE NO.: 33-401.201  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to correct titles of health services staff associated with the conditional medical release recommendation process.  
 SUMMARY: The proposed rule corrects titles of health services staff associated with the conditional medical release recommendation process.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 947.149 FS.

LAW IMPLEMENTED: 20.315, 947.149 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.201 Conditional Medical Release.

(1) No change.

(2) The chief health officer of an institution housing an inmate whose health has deteriorated to a point where consideration for conditional medical release may be appropriate shall provide a conditional medical release recommendation to the Director of Assistant Secretary for Health Services. Based upon this his review, the Director of Assistant Secretary for Health Services shall:

(a) through (c) No change.

(3) When requested by the Florida Parole Commission, the Office Bureau of Health Services shall provide additional medical evidence or additional medical examinations for inmates being considered for conditional medical release.

(4) through (5) No change.

Specific Authority 20.315, 947.149 FS. Law Implemented 20.315, 947.149 FS. History—New 12-11-88, Amended 3-23-93, 1-16-96, Formerly 33-19.008, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Thomas

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2001

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Communicable Disease Exposure and Testing      RULE NO.: 33-401.501

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to implement the provisions of s. 945.35, F.S.

SUMMARY: The proposed rule provides for the testing of inmates who are suspected of exposing others to a communicable disease.

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: 945.35 FS.

LAW IMPLEMENTED: 381.004, 945.35 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.501 Communicable Disease Exposure and Testing.

(1) In the event of possible exposure to a communicable disease by a correctional officer, employee, inmate, or any unincarcerated person lawfully present in a correctional facility, the person exposed is authorized by s. 945.35, F.S., to request the testing of himself or herself and the inmate who caused the exposure.

(a) If the request is made by a correctional officer or other employee, testing of the individual and access to counseling, health care, and support services shall be provided through the workers compensation program. The inmate who is the source of the exposure shall be tested as provided in subsection (2) below.

(b) If the request is made by an unincarcerated person lawfully present in the correctional facility, he or she shall be referred to his or her health care provider or local health department for testing and access to counseling, health care and support services. The inmate who is the source of the exposure shall be tested as provided in subsection (2) below.

(c) If the request is made by an inmate, the inmate shall be referred to health services staff at the facility for testing in accordance with subsection (2) below.

(2) When a request has been made for testing, health services staff shall first determine whether there is reason to believe that risk of exposure has occurred. If not, the requestor shall be so advised. If so, health services staff shall order such testing of the source inmate as is clinically appropriate for the type of exposure involved.

(3) Upon receipt of the test results of the source inmate, health services staff shall provide the results to the requestor and the source inmate. These results are confidential and shall only be communicated to the person requesting the test and the inmate tested. Confidentiality of HIV test results shall be maintained in accordance with s. 381.004, F.S.

(4) The source inmate shall be provided with counseling, health care and support services in conjunction with communication of the test results.

Specific Authority 945.35 FS. Law Implemented 381.004, 945.35 FS. History—  
New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
David Thomas  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Michael W. Moore  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: November 9, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: October 19, 2001

**DEPARTMENT OF HEALTH**  
**Division of Medical Quality Assurance**

RULE TITLE: Examinations, Fees RULE NO.: 64B-1.016

PURPOSE AND EFFECT: Senate Bill 1558, effective July 1, 2001, provided new statutory authority to the Department of Health to set fees for examinations for initial licensure and certification, offered through the Division of Medical Quality Assurance. Accordingly, proposed new Rule 64B-1.016, puts forth examination fees that include all costs to the Department to develop, purchase, validate, administer, and defend such examinations, in an amount certain to cover all administrative costs, plus the actual per-applicant cost of the examination. Additional fees are proposed to cover the actual cost to the Department to provide examination reviews.

SUMMARY: Proposed new Rule 64B-1.016(1)(a) provides fees for department developed examinations, while subsection (1)(b) establishes fees associated with the administrative costs incurred by the department as part of oversight of examinations rendered by national vendors. Subsection (2) establishes fees for examination reviews.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES. None.

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: 456.004 FS.

LAW IMPLEMENTED: 456.004, 456.017 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.

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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lucy Gee, Chief, Bureau of Operations, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3260

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-1.016 Examinations, Fees.

(1)(a) The following fees shall be assessed by the department to cover administrative costs, actual per-applicant costs, and costs incurred to develop, purchase, validate, administer, and defend the following examinations:

<u>Exam Fees</u>
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<u>Profession</u>	<u>Exam</u>	<u>Exam Fee</u>
<u>Acupuncture</u>	<u>National Written</u>	<u>\$1,091.00</u>
	<u>Chiropractic</u>	
	<u>Physical Diagnosis</u>	<u>\$610.00</u>
	<u>Technique</u>	<u>\$250.00</u>
	<u>X-Ray</u>	<u>\$180.00</u>
	<u>Laws &amp; Rules</u>	<u>\$60.00</u>
	<u>Acupuncture</u>	<u>\$220.00</u>
	<u>CBT Laws &amp; Rules</u>	<u>\$35.00</u>
	<u>CBT Acupuncture</u>	<u>\$135.00</u>
<u>Clinical Lab Personnel</u>	<u>Administration &amp;</u>	<u>\$150.00</u>
	<u>Supervision</u>	
	<u>Microbiology</u>	<u>\$150.00</u>
	<u>Immunohematology</u>	<u>\$150.00</u>
	<u>Serology/</u>	<u>\$150.00</u>
	<u>Immunology</u>	
	<u>Clinical Chemistry</u>	<u>\$150.00</u>
	<u>Hematology</u>	<u>\$150.00</u>
	<u>Histology</u>	<u>\$150.00</u>
	<u>Blood Banking</u>	<u>\$150.00</u>
	<u>General Laboratory</u>	<u>\$150.00</u>
	<u>Technician</u>	
<u>Dental</u>	<u>Clinical</u>	<u>\$950.00</u>
	<u>Laws &amp; Rules</u>	<u>\$95.00</u>
	<u>CBT Laws &amp; Rules</u>	<u>\$30.00</u>
<u>Dental Hygiene</u>	<u>Clinical</u>	<u>\$325.00</u>
	<u>Laws &amp; Rules</u>	<u>\$60.00</u>
	<u>CBT Laws &amp; Rules</u>	<u>\$20.00</u>
<u>Electrolysis</u>	<u>Written Exam</u>	<u>\$505.00</u>
	<u>Hearing Aid Specialist</u>	
	<u>National Written</u>	<u>\$700.00</u>
<u>Massage</u>	<u>Colonics</u>	<u>\$595.00</u>
	<u>CBT Colonics</u>	<u>\$385.00</u>
	<u>Laws &amp; Rules</u>	<u>\$240.00</u>
<u>Nursing Home Administrator</u>		
	<u>CBT Laws &amp; Rules</u>	<u>\$155.00</u>
	<u>Practical</u>	<u>\$385.00</u>
<u>Opticianry</u>	<u>Neutralization</u>	<u>\$190.00</u>
	<u>Laws &amp; Rules</u>	<u>\$115.00</u>
	<u>Clinical</u>	<u>\$590.00</u>
<u>Optometry</u>	<u>Pharmacology</u>	<u>\$370.00</u>
	<u>Laws &amp; Rules</u>	<u>\$70.00</u>
	<u>Certification</u>	<u>\$168.00</u>
	<u>National Written</u>	<u>\$2,500.00</u>
<u>Osteopathic Medicine</u>	<u>National Exam</u>	<u>\$458.00</u>
	<u>Laws &amp; Rules</u>	<u>\$120.00</u>
	<u>CBT Laws &amp; Rules</u>	<u>\$80.00</u>
	<u>Psychology</u>	

(b) The following fees shall be assessed by the department to cover administrative costs for the following examinations:

Contract Oversight Cost

Profession	Exam	Exam Fee
Certified Social Workers	National Exam	\$451.00
Clinical Social Workers/ Marriage & Family Therapy/ Mental Health Counselors	National Exam	\$59.00
Dietician	National Exam	\$130.00
Midwifery	National Exam	\$266.00
Nursing Administration	National Exam	\$5.00
Pharmacy	National Exam	\$5.00
Physical Therapy	National Exam	\$5.00
Podiatry	National Exam	\$138.00
Respiratory Therapy	National Exam	\$5.00

(c) The department shall assess the following non-refundable post examination review fees to cover the actual cost to the department to provide the examination review:

Review Fees

Profession	Exam	Review Fee
Chiropractic	Physical Diagnosis	\$100.00
	Technique	\$100.00
	X-Ray	\$75.00
	Laws & Rules	\$75.00
	Acupuncture	\$75.00
Dental	Clinical	\$125.00
	Laws & Rules	\$75.00
Dental Hygiene	Clinical	\$100.00
	Laws & Rules	\$75.00
Clinical Labs	Administration & Supervision	\$100.00
	Microbiology	\$100.00
	Immunoematology	\$100.00
	Serology/ Immunology	\$100.00
	Clinical Chemistry	\$100.00
	Hematology	\$100.00
	Histology	\$100.00
	Blood Banking	\$100.00
	General Laboratory Technician	\$100.00
	Basic Sciences	\$100.00
	Clinical Applications	\$100.00
	Written National	\$150.00

Massage	Colonics	\$100.00
Nursing Home Administrator	Laws & Rules	\$75.00
Opticianry	Practical	\$75.00
	Neutralization	\$100.00
	Laws & Rules	\$75.00
Optometry	Clinical	\$100.00
	Pharmacology	\$100.00
	Laws & Rules	\$75.00
	Certification	\$100.00
Psychology	Laws & Rules	\$75.00
Florida Physician Assistant Licensure Exam	Written Exam	\$150.00

Specific Authority 456.004 FS. Law Implemented 456.004(10), 456.017(2) FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lucy Gee, Chief, Bureau of Operations, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3260

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gregory Stone, Ph.D., M.A., Senior Management Analyst, Bureau of Operations, 4052 Bald Cypress Way, Bin #C90, Tallahassee, Florida 32399-3290  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2001

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Proprietorship by Nondentists  
RULE NO.: 64B5-17.013

PURPOSE AND EFFECT: The purpose of the rule amendments is to rename the rule's title and add new language in an attempt to clarify the rule text and unnecessary language is being deleted.

SUMMARY: The Board is renaming the rule and setting forth new language which will further clarify proprietorship by nondentists. Unnecessary rule text is being deleted.

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: 466.004 FS.

LAW IMPLEMENTED: 466.003, 466.0285, 466.028(1)(g),(z) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.013 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. The provisions of this rule are not applicable to dentists working under any of the settings described in s. 466.025, F.S.

(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, 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. 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.

(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.

(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. 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 \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

**DEPARTMENT OF HEALTH**

Board of Dentistry

RULE TITLE: RULE NO.:

Removal of Amalgam Fillings 64B5-17.014

PURPOSE AND EFFECT: The purpose of this new rule is to set forth language with regard to the removal of amalgam fillings.

SUMMARY: The Board proposes to promulgate a new rule to address the removal of amalgam fillings.

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: 466.004(4) FS.

LAW IMPLEMENTED: 466.001, 466.004(4), 466.028(1)(x),(ff) FS.

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

TIME AND DATE: 1:00 p.m. or shortly thereafter, January 18, 2002

PLACE: The Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.014 Removal of Amalgam Fillings.

The Board of Dentistry has determined pursuant to Sections 466.001, 466.004, 466.019 and 466.028(1)(d), (l), (w), (x), (y), and (ff), Florida Statutes, that removal of amalgam fillings from patients who are not allergic to amalgam for the alleged purpose of removing toxic substances from the body does not meet the minimum standards of performance for competent dental practice in Florida and poses an inherent danger to the public.

Specific Authority 466.001, 466.004, 466.005, 466.019 FS. Law Implemented 466.028(1)(d),(l),(w),(x),(y),(ff) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Standards of Practice in Certain Office Settings  
RULE NO.: 64B8-9.0075

PURPOSE AND EFFECT: The proposed rule amendment is intended to address practice in clinics registered under section 456.0375, Florida Statutes.

SUMMARY: The proposed rule amendment clarifies requirements for practice in clinics registered under section 456.0375, Florida Statutes.

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: 456.0375, 458.309, 458.331(1)(v) FS.

LAW IMPLEMENTED: 456.0375, 458.331(1) FS.

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

TIME AND DATE: 10:00 a.m., December 28, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0075 Standards of Practice in Certain Office Settings.

(1) through (2) No change.

(3) Licensed physicians and physician assistants in a clinic registered under section 456.0375, Florida Statutes ~~practice setting that is not identified in section (2) above, nor under the ownership and control of an actively licensed Florida physician who is responsible for ensuring that the requirements in section (2) are complied with,~~ may reasonably rely upon a Florida licensed medical director ~~physician in charge~~ to ensure compliance with the responsibilities set out in section (2), only if the medical director ~~physician in charge~~ has filed a notarized statement on a form approved by the Board of Medicine, specifically agreeing to accept the following responsibilities on behalf of one or more named licensed physicians or physician assistants in the practice setting:

(a) through (e) No change.

Specific Authority 456.0375, 458.309, 458.331(1)(v) FS. Law Implemented 456.0375, 458.331(1) FS. History--New 11-13-00, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fraud Committee, Board of Medicine

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES: Physician Assistant Licensure  
Physician Assistant Licensure Renewal  
Notice of Noncompliance  
Citation Authority  
RULE NOS.: 64B8-30.003  
64B8-30.005  
64B8-30.013  
64B8-30.014

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify requirements for licensure and renewal, address continuing education for prevention of medical errors, and implement new rules relating to notices of noncompliance and citation violations.

SUMMARY: The proposed amendments to Rule 64B8-30.003 requires that those who have not passed the NCCPA licensure examination within five (5) attempts shall be required to complete a minimum of three (3) months in a full-time review

course. In addition the rule sets forth requirements for continuing medical education for initial licensure. Rule 64B8-30.005 sets forth continuing education for licensure renewal. The new Rule 64B8-30.013 sets forth violations which are appropriate for a notice of non-compliance and Rule 64B8-30.014 specifies violations and penalties appropriate for issuance of a citation.

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

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

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 456.073(3), 456.077, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 456.073(3), 456.077, 458.331, 458.347 FS.

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

TIME AND DATE: 10:00 a.m., December 28, 2001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-30.003 Physician Assistant Licensure.

(1) No change.

(2) Applicants for licensure who have not passed the NCCPA licensure examination within five (5) attempts shall be required to complete a minimum of three (3) months in a full-time review course at an accredited physician assistant program approved by the Chair of the Physician Assistant Committee, which completion shall be documented by a letter signed by the head of the program stating that the applicant has satisfactorily completed the course.

~~(3)(2)~~ No change.

(4) The applicant must submit notarized statements attesting to the following:

(a) Completion of three hours of all Category I, American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and

isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

(b) Completion of one hour of continuing medical education on domestic violence which includes information on the number of patients in that professional's practice who are likely to be victims of domestic violence and the number who are likely to be perpetrators of domestic violence, screening procedures for determining whether a patient has any history of being either a victim or a perpetrator of domestic violence, and instruction on how to provide such patients with information on, or how to refer such patients to, resources in the local community, such as domestic violence centers and other advocacy groups, that provide legal aid, shelter, victim counseling, batterer counseling, or child protection services, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. Home study courses approved by the above agencies will be acceptable. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

(c) Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may be used to partially meet this requirement.

(3) Requirements for Temporary Licensure.

~~(a) Applicants who are unlicensed physicians who are graduates of foreign medical schools may be issued temporary licenses by the Executive Director upon completion of requirements set forth in 64B8 30.003(1)(a)1., 2., 3., and 4., and (c)1., 2., 3., 4., and 5., if there is no information or legal issue suggesting that the applicant is not eligible.~~

~~(b) All temporary licenses issued by the Executive Director shall be reviewed and ratified or rescinded at the next regular meeting of the Council and the Board. Further, either board may authorize issuance of a temporary license once legal or factual issues are resolved in favor of the applicant.~~

~~(5)(4)~~ No change.

~~(6)(5)~~ Licensure as a Prescribing Physician Assistant.

(a) An applicant for license as a prescribing physician assistant shall, together with the supervising physician, jointly file the application for licensure as set forth in Rule

~~64B8-1.007 on form PAX/004, entitled "Application for Certification as Prescribing Physician Assistant", effective 3-25-96 (rev. 1-4-96), which is incorporated herein by reference and available from the Board office. The same application may be utilized by any alternate supervising physicians, provided that all supervising physicians practice in the same specialty area and in the same practice setting. A separate application form shall be required for each distinct specialty area of practice, as well as for each distinct practice setting. Satellite offices within the same practice do not constitute distinct practices.~~

(b) through (c) No change.

~~Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 458.347, 456.017 FS. History--New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00,~~

64B8-30.005 Physician Assistant Licensure Renewal.

(1) A Physician Assistant must renew his licensure on a biennial basis.

(2) Requirements for Renewal.

(a) through (c) No change.

~~(d) For all licensees no more and no less than one hour shall consist of training in domestic violence which includes information on the number of patients in that professional's practice who are likely to be victims of domestic violence and the number who are likely to be perpetrators of domestic violence, screening procedures for determining whether a patient has any history of being either a victim or a perpetrator of domestic violence, and instruction on how to provide such patients with information on, or how to refer such patients to, resources in the local community, such as domestic violence centers and other advocacy groups, that provide legal aid, shelter, victim counseling, batterer counseling, or child protection services, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. Home study courses approved by the above agencies will be acceptable. Submission of proof of completion of the HIV/AIDS education requirement set forth in Section 456.033, F.S.~~

~~(e) For all licensees one hour of Category I American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; the modes of transmission, including transmission from healthcare worker to patient and patient to healthcare worker; infection control procedures, including universal precautions; epidemiology of the disease; related infections including TB; clinical management; prevention; and current Florida law on AIDS and its impact on testing, confidentiality of test results, and treatment of patients. Any hours of said CME may also be~~

~~counted toward the CME license renewal requirement. In order for a course to count as meeting this requirement, licensees practicing in Florida must clearly demonstrate that the course includes Florida law on HIV/AIDS and its impact on testing, confidentiality of test results, and treatment of patients. Only Category I hours shall be accepted.~~

~~(f) Notwithstanding the provisions of subsections (d) and (e), above, a physician assistant may complete continuing education on end-of-life care and palliative health care in lieu of continuing education in HIV/AIDS or domestic violence, if that physician assistant has completed the HIV/AIDS or domestic violence continuing education in the immediately preceding biennium. This allows for end-of-life care and palliative health care continuing education to substitute for HIV/AIDS or domestic violence continuing education in alternate biennia.~~

~~(g) completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S. for its employees may be used to partially meet this requirement.~~

~~(3) Upon request by the Board or Department, the licensee must submit satisfactory documentation of compliance with the requirements set forth above.~~

(3) through (5) renumbered (4) through (6) No change.

~~Specific Authority 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS. Law Implemented 456.013, 456.031(1), 456.033, 458.347 FS., s. 2, Ch. 91-22; s. 71, Ch. 91-297, Laws of Florida. History--New 5-13-87, Amended 1-9-92, Formerly 21M-17.0035, Amended 9-21-93, Formerly 61F6-17.0035, Amended 11-30-94, Formerly 59R-30.005, Amended 6-7-98,~~

64B8-30.013 Notice of Noncompliance.

~~(1) Pursuant to Section 456.073(3), Florida Statutes, the department is authorized to provide a notice of noncompliance for an initial offense of a minor violation if the board establishes by rule a list of minor violations. A minor violation is one which does not endanger the public health, safety, and welfare and which does not demonstrate a serious inability to practice the profession. A notice of noncompliance in lieu of other action is authorized only if the violation is not a repeat violation and only if there is only one violation. If there are multiple violations, then the Agency may not issue a notice of noncompliance, but must prosecute the violations under the other provisions of Section 456.073, Florida Statutes. A notice of noncompliance may be issued to a licensee for a first time violation of one or both of the violations listed in subsection (3)(b). Failure of a licensee to take action in correcting the violation within 15 days after notice shall result in the institution of regular disciplinary proceedings.~~



(2) The department shall submit to the board a monthly report detailing the number of notices given, the number of cases completed through receipt of a notarized statement of compliance from the licensee, and the types of violations for which notices of noncompliance have been issued. Notices of noncompliance shall be considered by the probable cause panels when reviewing a licensee's subsequent violations of a same or similar offense.

(3) The following violations are those for which the board authorizes the Agency to issue a notice of noncompliance:

(a) Failing to include the specific disclosure statement required by Section 456.062, F.S., in any advertisement for a free, discounted fee, or reduced fee service, examination or treatment.

(b) Violating any of the following provisions of chapter 458, as prohibited by Section 458.347(7)(g) and 458.331(1)(x), Florida Statutes:

1. Section 458.347(1), Florida Statutes, which provides for criminal penalties for the practice as a physician assistant without an active license. A notice of noncompliance would be issued for this violation only if the subject of the investigation met the following criteria: the subject was the holder of a license to practice as a physician assistant at all time material to the matter; that license was otherwise in good standing; and that license was or will be renewed and placed in an active status within 90 days of the date it reverted to delinquent status based on failure to renew the license. If the license was in a delinquent status for more than 90 days and the individual continued to practice, then the matter would proceed under the other provisions of Section 456.073 and 456.035(1), Florida Statutes.

2. Failing to notify the board of a change of practice location, contrary to Sections 458.319(3) and 456.035(1), Florida Statutes.

Specific Authority 456.073(3), 458.309, 458.347(7)(g),(12) FS. Law Implemented 456.073(3), 458.331, 458.347(7)(g),(12) FS. History—New

64B8-30.014 Citation Authority.

(1) Pursuant to Section 456.077, Florida Statutes, the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the penalty to be imposed. In addition to any administrative fine imposed, the Respondent may be required by the department to pay the costs of investigation.

(2) If the violation constituted a substantial threat to the public health, safety, and welfare, such potential for harm must have been removed prior to issuance of the citation.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS

PENALTY

(a) CME violations (Sections 458.347(7)(c), 458.331(1)(g),(x), 456.072(1)(e), (s), F.S.)

Within twelve months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND pay a \$250 fine

1. Failure to document required HIV/AIDS CME. (456.033, F.S.)

\$250 fine

2. Failure to document required domestic violence CME. (456.031, F.S.)

\$250 fine

3. Failure to document both the required HIV/AIDS and domestic violence CME.

\$500 fine

4. Documentation of some, but not all, 100 hours of required CME for license renewal.

\$25 fine for each hour not documented

(b) Obtaining license renewal by fraud or misrepresentation (Section 458.347(7)(g) and 458.331(1)(a), F.S.).

\$2500 fine

(c) Failure to document any of the 100 hours of required CME for license renewal (Sections 458.347(7)(c), 458.331(1)(x), F.S.).

\$2500 fine

(d) Practice on an inactive or delinquent license (Sections 456.036(1), 458.327(1)(a), 458.347(7)(g), 458.331(1)(x), F.S.).

1. For a period of up to nine months.

\$100 for each month or part thereof.

2. For a period of nine months to twelve months.

\$150 for each month or part thereof.

- (e) Failure to notify Department of change of practice address (Sections 456.035, 458.319(3), 458.331(1)(g), 458.347(7)(g), F.S.) \$125 fine
- (f) Failure of the physician assistant to clearly identify that he/she is a physician assistant. (Section 458.347(4)(e)1., 458.347(7)(g), 458.331(1)(g), F.S.) \$250 fine

(4) Citations shall be issued to licensees by the Bureau of Investigative Services only after review by the legal staff of the Agency for Health Care Administration, Division of Regulation. Such review may be by telephone, in writing, or by facsimile machine.

(5) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 456.073, Florida Statutes, to be followed. In addition, should an initial offense for which a citation could be issued occur in conjunction with other violations, then the procedures of Section 456.073, Florida Statutes, shall apply.

(6) The subject has 30 days from the date the citation becomes a final order to pay any fine imposed and costs. All fines and costs are to be made payable to the "Department of Health" and sent to the Department of Health in Tallahassee. A copy of the citation shall accompany the payment of the fine.

(7) The Agency for Health Care Administration shall, at the end of each calendar quarter, submit a report to the Board of the citations issued, which report shall contain the name of the subject, the violation, fine imposed, and the number of subjects who dispute the citation and chose to follow the procedures of Section 456.073, Florida Statutes.

Specific Authority 458.309, 456.077, 458.347(7)(g),(12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4 and October 5, 2001  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 2, 2001

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

#### DEPARTMENT OF EDUCATION

##### Florida School for the Deaf and the Blind

RULE NOS.:	RULE TITLES:
6D-1.002	Appointment and Jurisdiction
6D-1.003	Meetings
6D-1.004	Officers
6D-1.008	Committees
6D-1.012	Forms and Standard Instructions
6D-1.013	Naming Facilities

#### NOTICE OF CHANGE

The Florida School for the Deaf and the Blind hereby gives notice of change to the date of public hearing on the above rules, scheduled for December 15, 2001, published in the Florida Administrative Weekly, Vol. 27, No. 45, November 9, 2001.

SPECIFIC AUTHORITY: 242.331(3) FS.

LAW IMPLEMENTED: 242.331(1), 242.331(2) FS.

A PUBLIC HEARING WILL BE HELD AT A TIME AND DATE TO BE ANNOUNCED AT A LATER DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

### Section IV Emergency Rules

#### DEPARTMENT OF LOTTERY

RULE TITLE:	RULE NO.:
Instant Game Number 406, FAST NEW YEAR'S CASH	53ER01-74
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 406, "FAST NEW YEAR'S CASH" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.	
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011	

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-74 Instant Game Number 406, FAST NEW YEAR'S CASH.

(1) Name of Game. Instant Game Number 406, "FAST NEW YEAR'S CASH."

(2) Price. FAST NEW YEAR'S CASH tickets sell for \$2.00 per ticket.

(3) FAST NEW YEAR'S CASH lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning FAST NEW YEAR'S CASH lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any FAST NEW YEAR'S CASH lottery ticket, or as to the prize amount, 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 either 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. 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 FAST NEW YEAR'S CASH 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 "dollar bill" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50.00.

(9) The value, number of prizes, and odds of winning in Instant Game Number 406 are as follows:

GAME PLAY	WIN	WINNERS IN	
		42 POOLS OF	ODDS
TICKET	\$2 TICKET	120,000 TICKETS	
\$2	\$2	705,600	1 in 7.14
\$2 x 2	\$4	168,000	1 in 30.00
\$2 + \$3	\$5	134,400	1 in 37.50
\$5	\$5	168,000	1 in 30.00
\$2 x 5	\$10	168,000	1 in 30.00
\$5 + \$5	\$10	67,200	1 in 75.00
\$10	\$10	33,600	1 in 150.00
(\$2 x 5) + (\$5 x 3)	\$25	33,600	1 in 150.00
\$5 x 5	\$25	12,600	1 in 400.00
\$25	\$25	8,400	1 in 600.00
"Dollar Bill" symbol	\$50	12,600	1 in 400.00
\$10 x 5	\$50	4,200	1 in 1,200.00
\$25 + \$25	\$50	210	1 in 24,000.00
\$10 x 10	\$100	210	1 in 24,000.00
\$20 x 5	\$100	210	1 in 24,000.00
\$100	\$100	168	1 in 30,000.00

(10) The overall odds of winning any prize in Instant Game Number 406 are 1 in 3.32.

(11) For reorders of Instant Game Number 406, the value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

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

(13) Payment of prizes for FAST NEW YEAR'S CASH lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(9)(a),(b),(c) FS. History—New 11-16-01.

THIS EMERGENCY RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: November 16, 2001

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

### WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District announces its intent to issue a variance from the provisions of Rule 40C-4.302(1)(c), F.A.C., and the associated portion of the Applicant's Handbook: Management and Storage of Surface Waters, including Section 12.2.5, (F.O.R. 2001-114) to Sabal Chase Homeowners, Inc., c/o Environmental Services, Inc., 1353 North Courtenay Parkway, Merritt Island, Florida 32953, to construct a 820 square foot community observation pier in a portion of the Indian River which is categorized as Class II waters which are classified by the Department of Agriculture and Consumer Services as conditionally restricted for shellfish harvesting. This variance is sought in conjunction with St. Johns River Water Management District Permit application number 4-009-79889-1, to authorize construction of a surface water management system for a community observation pier. Notice of the petition for variance was published in the Florida Administrative Weekly on September 21, 2001.

A person whose substantial interests are or may be determined by the District's proposed decision has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Sections 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, P. O. Box 1429 Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) within nineteen (19) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District Headquarters in Palatka, Florida. A petition must comply with Chapter 28-106, Florida Administrative Code. The right to an administrative hearing and the relevant procedures to be followed are governed by

Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code, and Section 40C-1.1007, Florida Administrative Code.

If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to District Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at the address described above, within nineteen (19) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.

Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order, which will be during the regularly scheduled Governing Board Regulatory Meeting on December 11, 2001. Failure to observe the relevant time frames for filing a petition for judicial review or for Commission review as described above, will result in waiver of that right to review.

The Petition for Variance and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays at St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177. Request for copies or inspection of these files should be made to Mary Ellen Jones, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, or telephone (386)312-2340.

### AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN that the Agency for Health Care Administration has received a request for a variance from United Cerebral Palsy of North Florida Inc./Tender Love & Care. The request was filed November 2, 2001. United

Cerebral Palsy of North Florida Inc./Tender Love & Care seeks a variance of Rule 59A-13.010(1)(a) and 59A-13.010(1)(d), which requires the Director of Nursing in a Prescribed Pediatric Extended Care Center to have the following qualifications: (a) a minimum of a baccalaureate degree in nursing and (d) a minimum of two year general pediatric experience of which at least 6 months shall have been spent in a pediatric intensive care or neonatal intensive care settings during the previous five years. The variance requested is for the Director of Nursing to hold a baccalaureate degree, or, be a Registered Nurse with one year of supervisory or administrative experience and a minimum of two years general pediatric experience of which at least six months shall have been caring for medically or technologically dependent children within the previous five years.

A copy of the request for variance may be received from and comments submitted to: Molly McKinstry, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, Florida 32308. Comments must be received no later than 14 days from the date of this Notice.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on September 21, 2000 the Board of Professional Surveyors and Mappers issued a Final Order granting a Petition for Waiver by John L. Stillwell. The petition was filed on May 7, 2001 and first published in Vol. 27, No. 20 of the May 31, 2001 issue of the Florida Administrative Weekly. Petitioner requested a waiver of Rule 61G17-4.007 which stipulates an applicant is required to re-apply and pay the appropriate fee if the applicant fails to take the examination on two consecutive regularly scheduled examination dates. The Board accepted Petitioner's plea of substantial hardship, and agreed that he met the purpose of the underlying Section 472.013, Florida Statutes.

For a copy of the Final Order, contact: Sherry Landrum, Executive Director, Board of Professional Surveyors and Mappers, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399.

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on November 9, 2001, a petition from Watson Freeman for a waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition has been assigned OGC case number 01-1488 and is for the Contamination Assessment program task for the Beverly Bryan facility located at 668 North Temple Avenue, Starke, Florida, FDEP Facility #049401677.

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: Tara Young. Comments must be received no later than 14 days from the date of publication of this notice.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on November 14, 2001, a petition from AmeriSteel Corporation, for an emergency temporary variance pursuant to subsections 120.542(2), and 403.201(1), F.S., from the 90-day storage limit for hazardous waste set forth in 40 Code of Federal Regulations (CFR) 262.34 (as adopted by reference in Rule 62-730.020, Florida Administrative Code) (F.A.C.), The petition has been assigned OGC case number 01-1831 and applies to a facility located at 16770 Rebar Road, Baldwin, Florida 32234.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Northeast District, 7623 Baymeadows Way, Suite B200, Jacksonville, Florida 32256, Attn: Ashwin Patel. Comments must be received no later than 14 days from the date of publication of this notice.

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NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on November 7, 2001, a petition from Miami Dade Aviation Department, for a determination pursuant to Chapters 120 and 403, Florida Statutes (F.S.), and Chapter 62-730, Florida Administrative Code (F.A.C.) that certain contaminated soil does not contain hazardous waste as defined in 40 Code of Federal Regulations (CFR) 261.3 (as adopted by reference in Rule 62-730.030, F.A.C.) and that such soil meets alternative land disposal treatment standards. The petition has been assigned OGC case number 01-1787 and applies to treated soil removed from the Miami International Airport.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Southeast District Office, 400 North Congress Road, West Palm Beach, FL, 33401, P. O. Box 15425, West Palm Beach, Florida 33416-5425, Attn: Jeff Smith, (561)681-6670. Comments must be received no later than 14 days from the date of publication of this notice.

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#### **FISH AND WILDLIFE CONSERVATION COMMISSION**

Notice is hereby given that the Florida Fish and Wildlife Conservation Commission has issued a permanent variance from the Brevard County manatee protection rule (68C-22.006 FAC) to Mark E. Radler ("Petitioner"). The petition was filed with the Office of General Council on June 4, 2001. A Notice of Receipt of Petition was published in the Florida Administrative Weekly on July 20, 2001. The Commission

issued an Order on petition for Variance or Waiver on October 23, 2001. The Order only applies to those existing rules applicable to the areas from which Petitioner seeks relief and subject to the conditions specified in the Petition. The Order authorizes Petitioner to operate vessel at about posted speed limit only while conducting commercial crabbing activities and when manatees are not seen within portions of the Banana River currently regulated in existing paragraph 68C-22.006(1)(d) and (8), FAC. The requested areas are located within the Banana River along the eastern side north and south of the Canaveral Barge Canal. If manatee(s) are sighted, Petitioner agreed to travel at Idle Speed and possibly shut the vessel engine off to determine the path, direction and the movements of the manatees then leave the area with due care. In the event that the Commission's rules for these geographic areas are subsequently amended, the Petition would no longer be valid.

Copies of the Order on Petition for Variance or Waiver may be obtained by contacting: Florida Fish and Wildlife Conservation Commission, Office of General Counsel, 620 South Meridian Street, Tallahassee, FL 32399-1600 (Attn: Ross Burnaman, Case No. FWC 01-0081).

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

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

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

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

PLACE: City Hall, Second Floor, Commission Chambers, 300 South Adams Street, 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., Room 212, Knott Building, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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#### DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services** announces a public meeting of the State Library Council.

**DATE AND TIME:** Wednesday, December 12, 2001, 10:00 a.m. – 3:00 p.m.

**PLACE:** The State Library of Florida, First Floor, Board Room, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** As authorized by Sections 257.02 and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

A copy of the agenda may be obtained by contacting: Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6600 or Suncom 205-6600.

Pursuant to Section 286.26, F.S., any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting, (850)245-6600 or TDD (850)922-4085.

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The **Department of State, Office of International Affairs** announces a public meeting, to which all persons are invited:

**COMMITTEE:** Sister Cities Special Project Grant Program Review Panel

**DATE AND TIME:** Thursday, December 13, 2001, 9:00 a.m. – 4:00 p.m.

**PLACE:** Radisson Hotel, 415 N. Monroe Street, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss, review and make recommendations regarding the applications received for the Sister Cities Special Project Grant Program.

A copy of the agenda may be obtained by writing: Office of International Affairs, The Capitol, Room 1902, Tallahassee, Florida 32399-0250 or by calling Melissa Moon, (850)414-1727.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Office of International Affairs will not record these meetings. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least 48 hours before the meeting by contacting Melissa Moon, (850)414-1727.

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#### DEPARTMENT OF INSURANCE

The **Division of State Fire Marshal** announces a public meeting to which all persons are invited:

**DATE AND TIME:** Thursday, December 13, 2001, 10:00 a.m.

**PLACE:** Florida State Fire College, Auditorium, 11655 Gainesville Road, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organizational Meeting of the Firefighters Safety and Health Task Force.

Agenda: Meeting to be called to order by: Charles D. Clark, Director, Division of State Fire Marshal. Election of Officers: Chairman; Vice-Chairman; Secretary; Other. New Business: Goals and objectives of the Florida Firefighters Employment, Standards, and Training Task Force; Means and methods of achieving goals and objectives; Other New Business; Adjournment.

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 Angie Cain, (351)732-1330.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Agriculture Center and Horse Park Authority Executive Committee:

Executive Committee Meeting

DATE AND TIME: Friday, December 7, 2001, 10:00 a.m.

PLACE: Law Offices of Karl Hart, 125 N. W. First Avenue, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting. The purpose of this meeting is to conduct the general business of Florida Agriculture Center and Horse Park.

For additional information or if you need special accommodations, call Bruce Piatek, (904)446-7630.

**DEPARTMENT OF EDUCATION**

The public is invited to a workshop meeting of the Florida **Board of Education**.

DATE AND TIME: December 13, 2001, 10:00 a.m. – 5:00 p.m.

PLACE: Florida Education Center, Rooms 1703/1707, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop discussion of Strategic Plan, Reorganization of the Department of Education, School Code Revision and other matters pertaining to the Florida Board of Education.

A copy of the agenda may be obtained from the Secretary of Education’s website at <http://www.flboe.org>.

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

The public is invited to a meeting of the Florida **Board of Education**.

DATE AND TIME: December 14, 2001, 8:00 a.m.

PLACE: Florida State University School, 3000 Schoolhouse Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Strategic Plan, Reorganization of the Department of Education, School Code Revision and other matters pertaining to the Florida Board of Education. Public testimony will be taken at the conclusion of the regular business agenda on December 14, 2001.

A copy of the agenda may be obtained from the Secretary of Education’s website at <http://www.flboe.org>.

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

The **Department of Community Affairs** (DCA) announces a telephone conference to which all interested persons are invited.

CSBG FUNDING FORMULA TELEPHONE CONFERENCE

DATE AND TIME: December 14, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: (850)488-8295 or Suncom 278-8295. Calling one of these numbers at the time of the conference will allow you to participate in this call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this conference call is to review with the council recommended changes to the currently proposed Community Services Block Grant (CSBG) funding formula to better address concerns of the farm worker representatives. A vote will be taken of the council members concerning the revised proposed formula or additional changes.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered during this public conference call, he or she will be required to provide a record of the proceedings, and for such purposes he or she must ensure that an official record is made, including the testimony and evidence upon which the appeal is to be made.

Any person requiring special accommodations because of a disability or a physical impairment should contact the CSBG program, (850)488-7541, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the CSBG program using the Florida Dual Party Relay System which can be reached at 1(800)955-8771 (TDD) or at the newly assigned 711 number.



**DEPARTMENT OF TRANSPORTATION**

The **Florida High Speed Rail Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 10, 2001, 9:00 a.m. – Conclusion

PLACE: Council Chambers, Second Floor, City Hall, 175 Fifth Street, North, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Authority at least 48 hours before the meetings by contacting Betty Sizemore, (850)414-5244.

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: December 13, 2001, 8:00 a.m. – 9:00 a.m.

PLACE: Department of Transportation, Suwannee Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Briefing of the Florida Transportation Commission.

DATE AND TIME: December 13, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, MS #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.

**STATE BOARD OF ADMINISTRATION**

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

DATE AND TIME: Thursday, December 13, 2001, 9:30 a.m. or soon thereafter

PLACE: The Hilton Garden Inn, First Floor, Conference Room, 3333 Thomasville Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Investment Committee of the Florida Prepaid College Program Board to which all persons are invited.

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

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

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

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

DATE AND TIME: Thursday, December 13, 2001, 11:00 a.m. or soon thereafter

PLACE: The Hilton Garden Inn, First Floor, Conference Room, 3333 Thomasville Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Program Board to which all persons are invited.

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

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

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

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: Monday, December 17, 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 any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting: Division of the Commission Clerk and Administrative Services, Director, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, (850)413-6770. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.florida.psc.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 the Commission Clerk and Administrative Services, (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).

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: Monday, December 17, 2001, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, 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 of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 010795-TP – Petition by Sprint Communications Company Limited Partnership for arbitration with Verizon Florida Inc. pursuant to Section 251/252 of the Telecommunications Act of 1996.

DATE AND TIME: December 18, 2001, 9:30 a.m.

PLACE: Betty Easley Conference Center, Hearing Room 148, 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 the Commission Clerk and Administrative Services, (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).

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The Florida **Public Service Commission** announces a Special Commission Conference in the following docket to which all interested persons are invited.

Docket No. 960786A-TL – Consideration of BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996.

DATE AND TIME: December 19, 2001, 9:30 a.m.

PLACE: Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding BellSouth Telecommunications, Inc.'s entry into interLATA services pursuant to Section 271 of the Federal Telecommunications Act of 1996.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy, (\$1.00 per copy, Rule 25-22.002, F.A.C.) by writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard

Oak Boulevard, Tallahassee, Florida. The agenda and recommendation 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 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 is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (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).

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The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 010503-WU – Application for increase in water rates for Seven Springs System in Pasco County by Aloha Utilities, Inc.

DATE AND TIME: December 20, 2001, 9:30 a.m.

PLACE: Betty Easley Conference Center, 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 the Commission Clerk and Administrative Services, (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).

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The Florida **Public Service Commission** announces a second staff rule development workshop to be held in Docket No. 010774-TP, at the following time and place.

DATE AND TIME: Tuesday, January 15, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade Way, Tallahassee, FL 32399-0862

The Notice of Proposed Rule Development and the preliminary text of the rule was published in the July 6, 2001, Florida Administrative Weekly, Vol. 27, No. 27.

A copy of the agenda may be obtained after December 31, 2001, from: Samantha Cibula, Division of Appeals, Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6202.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771

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The Florida **Public Service Commission** announces customer service hearings to be held in the following docket, to which all interested persons and parties are invited to attend.

Docket No. 010949-EI – Request for rate increase by Gulf Power Company.

DATE AND TIME: Wednesday, January 16, 2002, 10:00 a.m. (CST)

PLACE: Pensacola City Hall, City Council Chambers, 1st Floor, 180 Governmental Center, Pensacola, Florida 32521

DATE AND TIME: Wednesday, January 16, 2002, 4:00 p.m. (CST)

PLACE: Holiday Inn Select, Main Ballroom, 2001 N. Cove Blvd., Panama City, Florida 32405

The hearings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearings may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to give testimony regarding the request for rate increase by Gulf Power Company. At the hearing, customers may be heard on any and all issues in the case relating to this request. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (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).

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## REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** will hold its meeting and the Council's Executive Committee meeting to which all persons are invited:

DATE AND TIME: Friday, December 7, 2001, 10:00 a.m.

PLACE: Central Florida Regional Planning Council, Conference Room, 555 East Church Street, 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 writing: 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.

**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: December 11, 2001, 9:00 a.m.

PLACE: Lakeside Community Center, 155 N. W. 3rd Street, Lake Butler, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters; Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Witt Foster Conservation Easement, 164 acres +/-, Jefferson and Madison Counties, Florida, with funds from the Florida Forever Trust Fund; also the proposed acquisition of the Plum Creek/Manatee Springs Addition, 17,600 acres +/-, Levy County, Florida with funds from the Florida Forever Trust Fund.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (904)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following public meetings to which all persons are invited:

**2001 PUBLIC LAND ACQUISITION AND MANAGEMENT PARTNERSHIP CONFERENCE**

DATES AND TIME: Wednesday, December 12-14, 2001, 8:00 a.m.

PLACE: Mission Inn Golf and Tennis Resort, 10400 County Road 48, Howey-in-the-Hills, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference will provide an opportunity for people involved in land acquisition and management to meet to discuss and exchange ideas and information.

NOTE: A copy of the agenda for these meetings may be obtained by writing: Florida Center for Environmental Studies, Florida Atlantic University, Suite 3210, 3932 RCA Blvd., Palm Beach Gardens, Florida 33410 or call (561)691-8553.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate is requested to advise Lori Griffith, at least 48 hours before the meeting by calling (386)329-4470.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

**ENVIRONMENTAL ADVISORY COMMITTEE**

DATE AND TIME: Wednesday, December 12, 2001, 4:00 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 meetings.

A copy of the agenda may be obtained by writing: 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 **South Florida Water Management District** announces a private closed door attorney-client session:

DATES AND TIME: Wednesday, December 12, 2001; Thursday, December 13, 2001, 8:00 a.m.

PLACE: South Florida Water Management District Governing Board Chambers, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2001), to discuss strategy related to the Foster Wheeler Bid Protest.

ATTENDEES: Governing Board Members T. Williams, P. Brooks-Thomas, M. Collins, H. English, G. Fernandez, P. Gleason, N. Gutierrez, L. Lindahl, H. Thornton; District attorneys J. Fumero, R. Holmes, C. Linton, G. Miller, and R. Panse; and Executive Director H. Dean.

The subject matter shall be confined to the pending litigation. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of governing board members.

A copy of the agenda may be obtained: (1) District website <http://www.sfwmd.gov/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, Florida 33416-4680.

**REGIONAL UTILITY AUTHORITIES**

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, December 17, 2001, 10:00 a.m.  
 PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, 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.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at [www.tampabaywater.org](http://www.tampabaywater.org).

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.

**DEPARTMENT OF ELDER AFFAIRS**

The **Floridians for Improved Elderly Care, Inc.** announces the following meeting which took place on:

DATE AND TIME: November 8, 2001, 6:00 p.m. – 7:00 p.m.  
 PLACE: The meeting location was at the Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Floridians for Improved Elderly Care, Inc. You may contact: Office of Janet Findling, (850)488-1978 for more information

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited. You may contact the State Long-Term Care Ombudsman Office, (850)488-6190 for further information.

DATE AND TIME: December 13, 2001, 9:00 a.m.

PLACE: LTCOP, North West, Florida

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

PLACE: LTCOP, Panhandle, Florida

DATE AND TIME: December 20, 2001, 12:30 p.m.

PLACE: LTCOP, North Central, Florida

DATE AND TIME: December 13, 2001, 1:00 p.m.

PLACE: LTCOP, Withlacoochee Area, Florida

DATE AND TIME: December 11, 2001, 12:00 Noon

PLACE: LTCOP, First Coast, Florida

DATE AND TIME: December 20, 2001, 1:30 p.m.

PLACE: LTCOP, Mid and South Pinellas, Florida

DATE AND TIME: December 13, 2001, 1:30 p.m.

CITY: LTCOP, Pasco and North Pinellas, Florida

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

PLACE: LTCOP, West Central, Florida

DATE AND TIME: December 6, 2001, 12:30 p.m.

PLACE: LTCOP, East Central, Florida

DATE AND TIME: December 4, 2001, 11:00 a.m.

PLACE: LTCOP, Southwest, Florida

DATE AND TIME: December 17, 2001, 2:30 p.m.

PLACE: LTCOP, Treasure-Gold Coast, Florida

DATE AND TIME: December 11, 2001, 1:30 p.m.

PLACE: LTCOP, Broward County, Florida

DATE AND TIME: December 18, 2001, 1:15 p.m.

PLACE: LTCOP, South Dade and the FL Keys, Florida

DATE AND TIME: December 13, 2001, 10:30 p.m.

PLACE: LTCOP, North Dade, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 7, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: Orlando Airport Hyatt, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Certificate of Need (CON) Workgroup as authorized by Chapter 2000-318, Laws of Florida.

A copy of the agenda may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308. Agendas can also be requested via e-mail at [colvinl@fdhc.state.fl.us](mailto:colvinl@fdhc.state.fl.us).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, (850)922-0791.

**DEPARTMENT OF MANAGEMENT SERVICES**

The **State Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: December 10-11, 2001, 8:30 a.m.

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Suite 230, 2424 Allen Road, Tallahassee, Florida 32312 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk, at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Florida **Board of Landscape Architecture** announces the following meetings to which all parties are invited to attend.

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

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL, (850)488-5776 or Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Landscape Architecture, 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 Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: December 12, 2001, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 727 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Robert A. Crabill, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, Suite 60, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202 or by phone, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** announces a public meeting of the Environmental Regulation Commission (ERC) to which all interested persons are invited.

DATE AND TIME: December 11, 2001, 9:00 a.m.

PLACE: Conference Room A, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regularly scheduled meeting of the ERC will include several briefings. Briefings include: Rules Under Development; Rules Under Appeal; Everglades Phosphorus Criterion; proposed amendments to Chapters 62-4 and 62-302, Florida Administrative Code (F.A.C.), in response to the Department's comprehensive review of the State's surface water quality standards, Triennial Review, as required under the Clean Water Act; and Chapter 62-532, F.A.C., Water Well Permitting and Construction Standards. Time will be allotted at the end of the meeting for public comment.

A copy of the agenda may be obtained by contacting: Jacqueline McGorty, Department of Environmental Protection, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)921-9660.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey (850)488-2996, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection** announces three public meetings to which all persons are invited:

DATE AND TIME: December 11, 2001, 9:00 a.m.

PLACE: Sarasota County Health Department, 1301 Cattleman Road, Sarasota, Florida

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

PLACE: Southeast District Office, Florida Department of Environmental Protection, 400 North Congress Avenue, West Palm Beach, Florida

DATE AND TIME: December 14, 2001, 9:00 a.m. (Central Time)

PLACE: Gulf Coast Community College, Building L, Language Arts Lecture Hall, 5230 West Highway 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department plans to gather public comment on possible amendments to surface water treatment rules for drinking water systems and to provide training in disinfection byproducts sampling.

A copy of the agenda may be obtained by writing: Virginia Harmon, Department of Environmental Protection, Drinking Water Section, MS 3520, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling Virginia Harmon, (850)921-6844.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least 48 hours before the meeting by contacting the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

The **Department of Environmental Protection** announces a one-day public meeting regarding the development of numeric nutrient criteria for Florida to which all interested persons are invited.

DATE AND TIME: Wednesday, December 12, 2001, 9:00 a.m. – 4:00 p.m.

PLACE: Florida Department of Environmental Protection, Conference Room A, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss a strategy for the development of numeric nutrient criteria for Florida's surface waters.

A copy of the agenda for the meeting may be obtained by writing: Mrs. Pat Waters, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS 3555, Tallahassee, Florida 32399-2400 or by calling her, (850)488-0780.

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 the Bureau of Personnel Services, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The **Florida Forever Advisory Council** (FFAC), as defined in Section 259.0345, Florida Statutes, announces the following public meeting to which all interested parties are invited for the purpose of conducting business of the Council.

DATE AND TIME: December 7, 2001, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room A, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

For more information or to obtain a copy of the agenda, please contact: Office of Environmental Services, (850)487-1750. If an accommodation is needed for a disability in order to participate in these meetings, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

**DEPARTMENT OF HEALTH**

The **Department of Health**, Bureau of Chronic Disease Prevention will hold the following meeting:

MEETING: Fourth Annual Tobacco-Free Educational Forum

DATE AND TIME: December 7, 2001, 9:00 a.m. – 5:00 p.m.

PLACE: Renaissance Hotel, Orlando FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To promote awareness of tobacco control issues among decision-makers of all organizations in Florida with an interest in tobacco control.

Pursuant to Section 381.90, F.S., the Florida **Health Information Systems Council** will hold a telephone conference meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local and private entities.

DATE AND TIME: December 17, 2001, 1:00 p.m. – 3:00 p.m.

PLACE: Call: (850)414-1706 or Suncom 994-1706. Note: The following location has been received to provide the option to local participants to assemble at a common site for the conference call. Department of Health, Room 301, 4052 Esplanade Way, Tallahassee, FL 32399

The Florida **Board of Medicine**, Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 19, 2001, 9:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

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).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

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The **Department of Health, Board of Psychology** announces a meeting to which all persons are invited.

**DATES AND TIME:** December 7-8, 2001, approximately 9:00 a.m. or soon thereafter

**PLACE:** The Capital Circle Office Complex, Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by contacting the Board Office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the Board Office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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The **Community Hospital Education Council** and the **Graduate Medical Education Committee** will hold a joint meeting.

**DATE AND TIME:** December 14, 2001, 10:00 a.m. – 3:00 p.m., (EST)

**PLACE:** Tampa Airport Marriott, Sarasota Room, Tampa, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct general business of the council and committee.

An agenda may be obtained by contacting: JoAnn Kodaj, Office of Community Health Resources, (850)245-4440, Ext. 2710.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Office of Community Health Resources, (850)245-4440, Ext. 2710, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Office of Community Health Resources using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: JoAnn Kodaj, 4052 Bald Cypress Way, BIN #C15, Tallahassee, Florida 32399-1735 or call (850)245-4440, Ext. 2710.

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### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The **Department of Children and Family Services**, District Ten, in conjunction with the community will conduct the following meeting during the month of December:

The Department of Children and Family Services, ADM Standing Committee announces a public meeting to which you are invited to attend:

**DATE AND TIME:** December 10, 2001, 3:00 p.m.

**PLACE:** Broward Regional Health Planning Council, Conference Room 115, 915 Middle River Drive, Ft. Lauderdale, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Alcohol, Drug Abuse and Mental Health related issues.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, Suite 200, 201 W. Broward Blvd., Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Scott Silverman) at least 5 working days before the meeting at (954)759-5446 or (954)467-4509 (TDD).

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The **Department of Children and Family Services**, SunCoast Region announces the following public meeting to which all persons are invited:

Pasco Community Alliance

**DATE AND TIME:** December 12, 2001, 2:00 p.m.

**PLACE:** Counsel Square II, Conference Room 200 D\*\*, 7601 Little Road, New Port Richey, FL. (\*\* Note Room change.)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss implementation of community alliances in the SunCoast Region.

Agendas can be obtained seven days in advance of each meeting at: Mary Grizzle State Office Building, Suite 414, 11351 Ulmerton Road, Largo, FL.



Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting, (727)588-7055 or TDD (727)588-6662 to arrange accommodations.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The **Fish and Wildlife Conservation Commission** announces a public workshop concerning shrimping in the St. John’s area, to which all interested persons are invited:

DATE AND TIME: December 10, 2001, 5:00 p.m. – 7:00 p.m.

PLACE: Mandarin Public Library, The Hall, 3330 Kori Road, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a workshop to gather public testimony regarding opening a specified area between the Fuller Warren and Buckman Bridges on the St. John’s River to commercial shrimp trawling and harvest.

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.

For further information, contact: Dr. Roy E. Crabtree, Suite 201, 2590 Executive Center Circle, East, Tallahassee, Florida 32301, (850)487-0554.

**ENTERPRISE FLORIDA**

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Rural Working Group Meeting

DATE AND TIME: Tuesday, December 4, 2001, 1:00 p.m. – 2:30 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Competitiveness Working Group Meeting

DATE AND TIME: Tuesday, December 4, 2001, 2:30 p.m. – 4:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Marketing Working Group Meeting

DATE AND TIME: Tuesday, December 4, 2001, 4:00 p.m. – 5:30 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Team Florida: Business Assistance Task Force Steering Committee Meeting

DATE AND TIME: Tuesday, December 4, 2001, 5:30 p.m. – 6:30 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Partner Council Meeting

DATE AND TIME: Wednesday, December 5, 2001, 8:00 a.m. – 12:00 Noon

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Nomination and Compensation Committee

DATE AND TIME: Wednesday, December 5, 2001, 11:00 a.m. – 12:00 Noon

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Audit and Finance Committee

DATE AND TIME: Wednesday, December 5, 2001, 12:00 Noon – 1:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Small Business Council Meeting

DATE AND TIME: Wednesday, December 5, 2001, 1:00 p.m. – 2:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Florida International Business Council

DATE AND TIME: Wednesday, December 5, 2001, 2:00 p.m. – 3:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Florida TEC Leadership Council Meeting

DATE AND TIME: Wednesday, December 5, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Defense and Space Advisory Council Meeting

DATE AND TIME: Wednesday, December 5, 2001, 2:30 p.m. – 4:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Strategic Planning Committee

DATE AND TIME: Wednesday, December 5, 2001, 4:00 p.m. – 5:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Legislative Committee

DATE AND TIME: Wednesday, December 5, 2001, 4:00 p.m. – 5:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Board Member Dinner

DATE AND TIME: Wednesday, December 5, 2001, 7:00 p.m. – 9:00 p.m.

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Board of Directors Meeting

DATE AND TIME: Thursday, December 6, 2001, 8:30 a.m. – 12:00 Noon

PLACE: Hilton Sandestin, 4000 Sandestin Blvd., South, Destin, Florida 32550, (850)267-9500

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4717, at least seven (7) days 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).

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### **CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM**

The **Charlotte Harbor National Estuary Program** announces a scheduled Policy Committee meeting to which all persons are invited:

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

PLACE: Punta Gorda-Port Charlotte-North Port Association of Realtors, Port Charlotte, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the CHNEP Policy Committee.

Please note that if a person decides to appeal any decision made by the Charlotte Harbor National Estuary Program Policy Committee with respect to any matter considered at the above cited workshop, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by writing: CHNEP, 4980 Bayline Dr., North Ft. Myers, FL 33917 or by calling Ms. Patti Armbruster, (941)995-1777.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations due to disability or physical impairment should contact Ms. Patti Armbruster, (941)955-1777, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Daltry using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**FLORIDA RESIDENTIAL PROPERTY AND CASUALTY JOINT UNDERWRITING ASSOCIATION**

The Florida Residential Property and Casualty Joint Underwriting Association announces a teleconference meeting of its Board of Governors.

DATE AND TIME: Wednesday, December 12, 2001, 9:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, rate filings and professional service agreements.

For additional information, please call 1(800)807-7647, Extension 3805.

**Section VII**

**Notices of Petitions and Dispositions Regarding Declaratory Statements**

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on November 9, 2001 from Edward P. Campbell. Petitioner is seeking amendment of Rule 33-401.401, Florida Administrative Code, Use of Tobacco Products.

A copy of the Petition may be obtained by writing: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Susan H. MacPherson. The Department denied the Petition to amend Rule 33-602.201, Florida Administrative Code, to allow inmates to be permitted two blankets as approved property, and that inmates be issued specific sheets and/or pillow cases rather than receiving them. A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received and will consider the following Petition for Declaratory Statement:

Case No.: DS-2001-001

In Re: Petition for Declaratory Statement of Mary W. Zalenski

Mary W. Zalenski is petitioning the Public Employees Relations Commission to issue a Declaratory Statement concerning the following issues:

Issues: Does the ruling in City of Tallahassee v. PERC, 410 So2d 487 (Fla. 1982) prohibit a pension board from authorizing ad hoc payments or other enhancements for older retirees without the agreement of the unions and the City? If so, under what circumstances? If the pension board granted additional benefits to retirees, could the unions force this to impasse? If so, under what circumstances? Does this ruling in City of Tallahassee v. PERC, 410 So2d 487 (Fla. 1982) compel a pension board to approve and fund all collectively bargained pension benefits for future retirees once all legal requirements have been met? In other words, does the ruling guarantee that the new pension benefits will come from the existing pension fund? Does this ruling in City of Tallahassee v. PERC, 410 So2d 487 (Fla. 1982) prohibit the City and the unions from establishing a separate or supplemental plan to provide new benefits?

A copy of the petition may be obtained by writing: Clerk, Public Employees Relations Commission, 2586 Seagate Drive, Suite 100, Tallahassee, Florida 32301-5032. Any person desiring to submit a statement regarding the petition may do so by filing such statement at the above address within 20 days of the date of this publication.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement In Re: Petition for Declaratory Statement, Robert I. Rea, Owner, Maple Leaf Estates, Petitioner; Docket Number MD2001-039.

The declaratory statement provided, in summary, that the Division declares that Maple Leaf equity owners are park owners subject to Chapter 723, Florida Statutes, that Maple Leaf equity owners do not enjoy the protections afforded mobile home owners under Chapter 723, Florida Statutes, and that Maple Leaf may not require purchasers of mobile homes from mobile home owners to also purchase an equity ownership in the park under Section 723.059(3), Florida Statutes, unless the prospectus governing the tenancy for the mobile home being sold requires it.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**INVITATION TO BID**

The Florida State University FO&M Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University  
FO&M Maintenance, Purchasing  
Room 114F, Mendenhall Building A  
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FO&M18-1  
Purchasing Agent: B. J. Lewis, FO&M  
Mandatory Jobsite Visit: Wednesday, December 12, 2001, 2:00 p.m.  
Public Bid Opening: Wednesday, December 18, 2001, 2:00 p.m.

FSU-FO&M Maintenance  
Room 114, Mendenhall Hall,  
Building A  
Tallahassee, Florida 32306-4150  
FO&M Maintenance Purchasing

Bid Documents: Removal and disposal of existing BUR roofing and flashing systems. Replace with new multi-ply modified bitumen membrane roofing and flashing systems at the Shores Building on Florida State University Campus.

FSU Contact Person: Richard Brooks  
Phone (850)644-5980  
Cell (850)567-9006  
Architect Contact: Randy Lewis  
Phone (850)385-9200  
Cell (850)524-2398

All interested contractors are required to submit a prequalification package for evaluation and possible prequalification to bid this project.

This package may be obtained from the architect's office at 2074 Raymond Diehl Road, Tallahassee, Florida 32308.

The completed prequalification package is to be submitted to the architect at the mandatory jobsite visit on December 12, 2001, 2:00 p.m.

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**CALL FOR BIDS**

made by the Florida State University, State of Florida.

**PROJECT NAME AND NUMBER:** New Residence Hall, BR-252

**QUALIFICATION:** All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

**DATE AND TIME:** Tuesday, January 15, 2002, until 2:00 p.m. (Local Time)

**PLACE:** 101 Mendenhall Maintenance Building A  
Florida State University  
Tallahassee, Florida 32306

at which time and place they will be publicly opened and read aloud.

**PROPOSAL:** Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the ARCHITECT/ENGINEER: KBJ Architects, Inc., 510 North Julia Street, Jacksonville, FL 32202, Attn: Kris Bolt, AIA, (904)356 9491, Fax (904)356 1031.

**MINORITY PROGRAM:** Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

**PRE-BID MEETING:** Bidders are encouraged to attend the pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

**DATE AND TIME:** Wednesday, December 19, 2001, 2:00 p.m. (Local Time)

**PLACE:** 101 Mendenhall Maintenance Building A  
Florida State University  
Tallahassee, Florida 32306

**PURCHASE:** Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased directly from The Blueprint Shop, 1130 Thomasville Road, Tallahassee, Florida 32303, (850)224-2699, for \$425.00 per set for the printing and handling cost. Purchase of partial sets is not recommended, any such sets are subject to the provisions of Article B-27 of the Instructions To Bidders. Partial sets may be purchased at \$1.50 per sheet of the drawings and \$0.10 per copy of the Project Manual, and are sold subject to the provisions of Article B-27

of the Instructions to Bidders. CONTRACTORS MUST REGISTER WITH THE ARCHITECT AS PLAN HOLDERS IN ORDER TO RECEIVE ADDENDA.

**PUBLIC ENTITY CRIMES:** As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

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**NOTICE OF RESUMPTION OF SELECTION PROCESS TO PROFESSIONAL CONSULTANTS**

The University of South Florida announces the resumption of the selection process for Professional Services in the discipline of architecture previously advertised in the Florida Administrative Weekly, in Vol. 27, No. 37, dated September 14, 2001, and originally suspended October 11, 2001, for the project listed below:

Project Number: 559

Project and Location: Chemistry Building Remodeling, University of South Florida, Tampa Campus, Tampa, Florida.

To obtain professional qualifications supplement forms, descriptive project information and selection criteria please contact: Vanessa Poole, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, (813)974-0891 or (813)974-2625, Fax (813)974-3542.

Submittals must be received in the University of South Florida, Facilities Planning and Construction Office, FPC110 by 2:00 p.m., (Eastern Standard Time), Friday, December 14, 2001, addressed to: Steven P. Warren, Project Manager, Division of Facilities Planning and Construction, University of South Florida, FPC-110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Facsimile (FAX) submittals are not acceptable and will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications or design proposals without obligation to the respondent. The award of this contract is subject to availability of funds.

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**NOTICE TO CONSTRUCTION MANAGERS**

The University of South Florida announces, construction management services will be required for the project listed below:

Project No.: BR-568

Project and Location: Northwest Satellite Plant Expansion, Phase II, University of South Florida, Tampa Campus, Tampa, Florida.

The Northwest Satellite Plant Expansion, Phase II is a continuation of the expansion of chilled water and utility functions serving the USF Health Sciences Center and FMHI. The project will be located adjacent to the Northwest Satellite Plant Expansion, Phase I (completed in 2001) and may partially replace existing Building MHB. The design will take into consideration the functional relationships described by the Facilities Program and Feasibility Study, as well as expansion capabilities for future phases as funding becomes available.

The award for construction manager services is subject to completion of the budget amendment process. Project development, including construction manager services, is contingent upon availability of funds. The range of the estimated construction cost is \$3,200,000.00 – \$5,000,000.00, and Phase II may be broken down into sub-phases depending upon the availability of funding.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at the Design Development phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications including experience and ability, past experience, bonding capacity, record-keeping/administrative ability, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, qualification of the firm's personnel, staff and consultants, and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements, and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial, or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed State University System "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The State University System Construction Manager Qualifications Supplement form and the Project Fact Sheet may be obtained by contacting: Vanessa Poole, Program Assistant/Contracts Administrator, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, (813)974-0891, (813)974-2625 or Fax (813)974-3542.

Interested firms are invited to attend a Pre-submittal Meeting at the University of South Florida, Tampa Campus, to be held at 10:00 a.m. (Eastern Standard Time), Tuesday, December 18, 2001, in the FPC Conference Room FPC-109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. All interested firms are encouraged to attend. Requests for meeting by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the shortlisted applicants and the State University System. Requests for any project information must be in writing to the above address.

Six (6) bound copies of the above required proposal data shall be submitted to: Richard Lyttle, AIA, Project Manager, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Submittals must be received at the above campus address (FPC110) by 2:00 p.m. (Eastern Standard Time), Friday, January 4, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered.

Notice to Bidders  
BID REQUEST FOR:  
VENDED BOTTLE WATER

Bid No: 5981 Opening Date: December 12, 2001, 2:00 p.m. (EST)

Phone: (941)479-4250, Fax: (941)337-8200, In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594

Requests must be received by December 6, 2001, 2:00 p.m.

Complete Bid Package available only upon request.

By: Linda Owen, Senior Buyer

The Polk County School Readiness Coalition, Inc. announces the following Request for Proposal to which all persons are invited to bid.

TIME: Proposal available January, 2002

PLACE: Polk County

PURPOSE: The Polk County School Readiness Coalition will be soliciting proposals for subsidized child care and related services for the 2002-2003 fiscal year. Services will be funded through federal, state and local allocations. Providers must meet state and federal criteria for subsidized child care, Project Safety Net and other support services. School Readiness Legislation requires specific services including Eligibility/Enrollment and Provider Payments, Parent and Child Services, Provider Services and Health Screening and Diagnostic Services.

All multi-agency collaboration with a lead agency or single agencies are encouraged to submit a proposal. Please contact the Polk County School Readiness Coalition, P. O. Box 8091, Lakeland, FL 33802-8091, (863)499-2440 or (863)499-2637 Fax, for more information. The proposal will be available for distribution by early 2002, with the successful bidder's contract for approximately \$16 million to begin July 1, 2002.

REQUEST FOR ARCHITECTURAL SERVICES

The Gulf Coast Community College District Board of Trustees is seeking submittals from architectural firms qualified to render services for the addition of two floors to the Student Union West on the campus located at 5230 West U.S. Highway 98, Panama City, Florida. The college has received approximately four million dollars to complete this project that includes faculty and staff offices, classrooms, laboratories and conference rooms.

Interested firms may call the Office of the Coordinator of Purchasing, (850)872-3843, to receive a copy of the submittal outline. Submittals for this project must be received by the Coordinator of Purchasing, Administration Building Room

126, Gulf Coast Community College, 5230 West U.S. Highway 98, Panama City, FL 32401, on or before 2:00 p.m. (CST), December 18, 2001. Please label your submittal "Student Union West Addition, 2002-14." Submittals received after this time and date will not be considered. Questions about this project can be directed to the coordinator of purchasing.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDRS 78-01/02

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Jonathan Dickinson State Park  
Bathhouse

SCOPE

OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to remove and dispose of the existing bathhouse and utilities then construct a new bathhouse, reconnect utilities and provide an access walkway.

PARK

LOCATION: Jonathan Dickinson State Park  
16450 S. E. Federal Highway  
Hobe Sound, Martin Co., Florida

PROJECT

MANAGER: Kimsey Helms  
Bureau of Design and Recreation Services  
Telephone Number (850)488-5372  
Fax Number (850)488-3537

MINORITY

DIVERSITY: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PRE-

QUALIFICATION: When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes



for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available Friday, November 30, 2001 at:  
Jonathan Dickinson State Park  
16450 S. E. Federal Highway  
Hobe Sound, Florida 33453  
Attention: Mark Nelson, Park Manager  
Telephone Number (561)744-9814  
Fax Number (561)744-7604

**ADA**

**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL**

**DUE DATE:** No later than 4:00 p.m., Friday, December 21, 2001, to the below address:  
Florida Department of Environmental Protection  
Bureau of Design and Recreation Services  
3540 Thomasville Road  
Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 77-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Jonathan Dickinson State Park  
Boat Ramp

**SCOPE**

**OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to remove and dispose of silt and sediment and to remove and replace the existing boat ramp and dock, make stormwater management improvements and install additional paving.

**PARK**

**LOCATION:** Jonathan Dickinson State Park  
16450 S. E. Federal Highway  
Hobe Sound, Martin Co., Florida

**PROJECT**

**MANAGER:** Kimsey Helms  
Bureau of Design and Recreation Services  
Telephone Number (850)488-5372  
Fax Number (850)488-3537

**MINORITY  
DIVERSITY:**

The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-**

**QUALIFICATION:** When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available Friday, November 30, 2001 at:  
Jonathan Dickinson State Park  
16450 S. E. Federal Highway  
Hobe Sound, Florida 33453  
Attention: Mark Nelson, Park Manager  
Telephone Number (561)744-9814  
Fax Number (561)744-7604

**ADA**

**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL**

**DUE DATE:** No later than 4:00 p.m., Friday, December 21, 2001, to the below address:  
 Florida Department of Environmental Protection  
 Bureau of Design and Recreation Services  
 3540 Thomasville Road  
 Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
 Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID**

**BID NO. BDRS 76-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Fort George Island State Park  
 Ribault Clubhouse Site Work

**SCOPE**

**OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to grade and fill, then construct a parking lot, sidewalks, service drive, septic tank and drain field, decorative fence, wire fence and water storage tank.

**PARK**

**LOCATION:** Fort George Island State Park  
 12157 Heckscher Drive  
 Jacksonville, Duval Co., Florida

**PROJECT**

**MANAGER:** Randy Smith  
 Bureau of Design and Recreation Services  
 Telephone Number (850)488-3541  
 Fax Number (850)488-1141

**MINORITY**

**DIVERSITY:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-**

**QUALIFICATION:** When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available Friday, November 30, 2001 at:  
 Fort George Island State Park  
 12157 Heckscher Drive  
 Jacksonville, Florida 32226  
 Attention: Bob Joseph, Park Manager  
 Telephone Number (904)251-2324

**ADA**

**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL**

**DUE DATE:** No later than 3:00 p.m., Friday, December 21, 2001 to the below address:  
 Florida Department of Environmental Protection  
 Bureau of Design and Recreation Services  
 3540 Thomasville Road  
 Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:  
Plans and specifications will be available Friday, November 30, 2001 at:  
John Pennekamp Coral Reef State Park  
P. O. Box 487  
Key Largo, Florida 33037  
Attention: Dan Jones, Park Manager  
Telephone Number (305)451-1202

**NOTICE OF INVITATION TO BID**  
**BID NO. BDRS 75-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** John Pennekamp Coral Reef State Park  
Campground Bathhouse

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct a 1980 square foot Bathhouse with associated utilities.

**PARK LOCATION:** John Pennekamp Coral Reef State Park  
Mile Marker 102.5, Overseas Hwy.  
Key Largo, Monroe Co., Florida

**PROJECT MANAGER:** Said Baniahamad  
Bureau of Design and Recreation Services  
Telephone Number (850)488-3541  
Fax Number (850)488-1141

**MINORITY DIVERSITY:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-QUALIFICATION:** When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL DUE DATE:** No later than 2:30 p.m., Friday, December 21, 2001 to the below address:  
Florida Department of Environmental Protection  
Bureau of Design and Recreation Services  
3540 Thomasville Road  
Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID**  
**BID NO. BDRS 74-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Gold Head Branch State Park  
Cabin Area Development and Related Site Improvements

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct 2 rental cabins with utilities and related site improvements.

**PARK**  
**LOCATION:** Gold Head Branch State Park  
 6239 State Road 21  
 Keystone Heights, Clay Co., Florida

**PROJECT**  
**MANAGER:** Jim Ross  
 Bureau of Design and Recreation  
 Services  
 Telephone Number (850)488-3541  
 Fax Number (850)488-1141

**MINORITY**  
**DIVERSITY:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-**  
**QUALIFICATION:** When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:  
 Plans and specifications will be available Friday, November 30, 2001 at:  
 Gold Head Branch State Park  
 6239 State Road 21  
 Keystone Heights, Florida 32656-9709  
 Attention: Bill Peters, Park Manager  
 Telephone Number (352)473-4701  
 Fax Number (352)473-0827

**ADA**  
**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the

Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL**  
**DUE DATE:** No later than 2:00 p.m., Friday, December 21, 2001 to the below address:  
 Florida Department of Environmental Protection  
 Bureau of Design and Recreation Services  
 3540 Thomasville Road  
 Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
 Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID**  
**BID NO. BDRS 73-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Silver River State Park  
 Cabin Area Development Related Site Improvements

**SCOPE**  
**OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct 4 rental cabins and related site improvements.

**PARK**  
**LOCATION:** Silver River State Park  
 1425 N. E. 58th Avenue  
 Ocala, Marion Co., Florida

**PROJECT**  
**MANAGER:** Jim Ross  
 Bureau of Design and Recreation Services  
 Telephone Number (850)488-3541  
 Fax Number (850)488-1141

**MINORITY**  
**DIVERSITY:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to

furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PRE-

QUALIFICATION: When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below: Plans and specifications will be available Friday, November 30, 2001 at: Silver River State Park 1425 N. E. 58th Avenue Ocala, Florida 34470 Attention: Bob Lamont, Park Manager Telephone Number (352)236-1714 Fax Number (352)236-3002

ADA

REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539 at least five (5) workdays prior to opening.

BID SUBMITTAL

DUE DATE: No later than 1:30 p.m., Friday, December 21, 2001 to the below address: Florida Department of Environmental Protection Bureau of Design and Recreation Services 3540 Thomasville Road Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

NOTICE OF INVITATION TO BID

BID NO. BDRS 79-01/02

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Lake Louisa State Park Uplands Restoration Project

SCOPE

OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to accomplish the restoration of 1,100 acres of former pasture and orange groves. Work will include the restoration of scrub, sandhill, groundcover and road shoulder and pasture and the set up of a nursery, irrigation system and perimeter hog wire fencing.

PARK

LOCATION: Lake Louisa State Park On Lake Nellie road 2.5 miles off State Road 561, Lake Co., Florida

PROJECT

MANAGER: Rosi Mulholland District 3 Biologist Telephone Number (407)884-2000 Fax Number (407)884-2139

MINORITY DIVERSITY:

The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PRE-

QUALIFICATION: When the total bid price including alternates exceeds \$200,000, bidders whose fields are governed by Chapters 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:  
 Plans and specifications will be available Friday, November 30, 2001 at:  
 Lake Louisa State Park  
 12549 State Park Drive  
 Clermont, Florida 34711  
 Attention: Chuck McIntire, Park Manager  
 Telephone Number (352)394-3969  
 Fax Number (352)394-1318

**ADA**

**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-3539, at least five (5) workdays prior to opening.

**BID SUBMITTAL**

**DUE DATE:** No later than 4:30 p.m., Friday, December 21, 2001 to the below address:  
 Florida Department of Environmental Protection  
 Bureau of Design and Recreation Services  
 3540 Thomasville Road  
 Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
 Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID**  
**BID NO. BDRS 71-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Alafia River State Park  
 Park Improvements

**SCOPE**

**OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct a road way, parking lot, restroom, (4) picnic pavilions and all utilities and site work.

**PARK**

**LOCATION:** Alafia River State Park  
 15 miles south of Plant City  
 County Road 39 South, Hillsborough Co.  
 Florida

**PROJECT**

**MANAGER:** Efrain Prado  
 Bureau of Design and Recreation Services  
 Telephone Number (850)488-5372  
 Fax Number (850)488-3537

**MINORITY BUSINESS**

**REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-**

**QUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on Friday, November 30, 2001 at:  
 Alafia River State Park  
 14502 County Rd. 39, South  
 Lithia, FL 33547  
 Attention: Michael Beres, Park Manager  
 Telephone Number (813)672-5057

**ADA**

**REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed

because of disability, please contact the Bureau of Design and Recreation Services, (850)488-5372, at least five (5) workdays prior to openings.

**BID SUBMITTAL**

**DUE DATE:** No later than 3:30 p.m., Tuesday, January 8, 2002 to the below address:  
Florida Department of Environmental Protection  
Bureau of Design and Recreation Services  
3540 Thomasville Road  
Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

**NOTICE OF INVITATION TO BID**

**BID NO. BDRS 70-01/02**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Lignumvitae Key State Park  
Dock, Road, Maintenance Yard and Shop Bldg.

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to construct approximately 200 linear feet of dock, access road, maintenance yard, 3 bay shop building and all associated utilities and site work.

**PARK LOCATION:** Lignumvitae Key State Park  
Mile Marker 67.5, Long Key  
Monroe Co., Florida

**PROJECT MANAGER:** Efrain Prado  
Bureau of Design and Recreation Services  
Telephone Number (850)488-5372  
Fax Number (850)488-3537

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of

sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PRE-QUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on Friday, November 30, 2001 at:  
Lignumvitae Key State Park  
P. O. Box 1052  
Islamorada, FL 33036  
Attention: Pat Wells, Park Manager  
Telephone Number (305)664-2540

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services, (850)488-5372, at least five (5) workdays prior to openings.

**BID SUBMITTAL DUE DATE:** No later than 3:00 p.m., Tuesday, January 8, 2002 to the below address:  
Florida Department of Environmental Protection  
Bureau of Design and Recreation Services  
3540 Thomasville Road  
Tallahassee, Florida 32309

The Department reserves the right to reject any or all bids.  
Michael Renard, Contracts Manager, Bureau of Design and Recreation Services.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### FAMILY SAFETY CONTRACTED SERVICES REQUEST FOR PROPOSAL

The Florida Department of Children and Family Services is seeking proposals from qualified private not-for-profit agency(ies) to provide services within the counties of Charlotte, Collier, Hendry, Glades and Lee for families referred by the department whose children are at risk of removal from the home due to allegations of abuse and/or neglect, and families of children who have been returned home after removal due to alleged abuse and/or neglect. The purpose is also to seek qualified not-for-profit or governmental community-based organizations that are interested in serving as the agency for the provision of the following services: in-home protective services, interstate compact for the placement of children, post-placement supervision, out-of-town inquiries and appropriate related services. It is the intent of the department that the agency will be the single Family Safety agency for children and families served in the counties mentioned above.

All proposals must be received by the department no later than 5:00 p.m. (EST), January 28, 2002, for the delivery of IN-HOME (PROTECTIVE SUPERVISION) SERVICES, Safety and Permanency Services for Children who are Victims or At Risk of Abuse, Neglect or Abandonment and their Families in District 08.

RFP #08-029

Notice of Intent to Submit a Request for Proposal to be received by the department no later than December 21, 2001, 5.00 p.m. (EST)

Copies of the Request for Proposal may be obtained by contacting: Thomas Marr, District Eight Family Safety Contracted Services, Florida Department of Children and Family Services, 2295 Victoria Avenue, 2nd Floor, Suite 234A, P. O. Box 60085, Fort Myers, Florida 33906, Fax (941)338-1419 or phone (941)338-1265. Please reference the RFP number when requesting.

A prospective Providers conference will be held at 2:00 p.m. (EST), January 2, 2002, at the Florida Department of Children and Family Services, 2295 Victoria Avenue, Fort Myers, Florida 33901.

It is the Provider's responsibility to assure that their application is delivered on or before the date and time and at the place applications are due as stated above. Applications which for any reason are not so delivered will not be considered.

Certified Minority Business Enterprises are encouraged to participate in any Solicitation Conferences which are scheduled.

The Department reserves the right to reject any or all applications.

### INVITATION TO BID

PROPOSALS ARE REQUESTED FROM QUALIFIED UTILITY/GENERAL CONTRACTORS BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: DCF-99230200

SAMAS CODE: 60-10-1-000302-60400200-80-080751-99 and 60-10-2-021015-60400200-80-0800500-00.

PROJECT NAME: FLORIDA STATE HOSPITAL POTABLE WATER SYSTEM IMPROVEMENTS AND NEW EAST ELEVATED WATER TANK

LOCATION: FLORIDA STATE HOSPITAL, CHATTAHOOCHEE, FLORIDA 32324

FOR: CONSTRUCTION OF A NEW 250,000 GALLON PEDESTAL STYLE ELEVATED WATER STORAGE TANK; CONSTRUCTION OF APPROXIMATELY 2,700 LINEAR FEET OF 10-INCH WATER MAIN; RELOCATION OF APPROXIMATELY 130 LINEAR FEET OF 6-INCH WATER MAIN; BID ALTERNATES FOR DEMOLITION OF A 500,000 GAL GROUND STORAGE TANK AND A 500,000 GAL BACKWASH TANK, DEMOLITION OF THE EXISTING 250,000 GAL ELEVATED STORAGE TANK AND 5-YEAR MAINTENANCE/INSPECTION CONTRACT.

PREQUALIFICATION: Each prime bidder shall be state certified in accordance with Chapter 489, Florida Statutes, as a utility/general contractor. Bids from contractors not able to furnish proof of the required certification will be disqualified.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

SITE VISITS TO THE PROJECT AREA ARE ENCOURAGED PRIOR TO SUBMITTING A BID. DIRECTIONS TO THE SITE ARE AVAILABLE FROM THE ENGINEER OR OWNER.

Sealed bids will be received on:

DATE AND TIME: December 21, 2001, until 2:00 p.m. (Local Time, Eastern Standard Time), at which time they will be publicly opened and read aloud.

PLACE: Boyle Engineering Corporation Office, 5971 Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232

Bids shall be submitted in triplicate in a sealed envelope plainly marked in the lower right hand corner, indicating the name of the bidding contractor, the project name and number, and the closing time and date of the bid, and clearly marked on the face of the envelope the words "SEALED BID". Bids shall be addressed to:



Boyle Engineering Corporation  
 5971 Cattleridge Boulevard, Suite 200  
 Sarasota, Florida 34232  
 for the Florida Department of  
 Children and Family Services

**PROPOSAL:** Bids must be submitted in full accompanied by a bid guarantee in the amount of 5% of the bid amount, in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the Engineer.

**ENGINEER:** Boyle Engineering Corporation, 5971 Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232, (941)377-8858. Plans and specifications may be purchased from the office of Boyle Engineering Corporation, 5971 Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232, for a non-refundable payment of \$125.00 per set.

Checks shall be payable to Boyle Engineering Corporation. Contractors, subcontractors, and suppliers requesting plans and specifications should provide a complete mailing and street address, telephone and telefax numbers, and name of person to contact.

**CONTRACT AWARD:** The Bid Tabulation and Notice of Award Recommendation will be posted at 4:00 p.m. local time (Eastern Standard Time) on December 31, 2001 at the location where the bids were opened. 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. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protest Procedures", the Owner will award a contract to the qualified, responsive low bidder in accordance with established Owner contracting procedures (CFOP 70-7).

All questions regarding the project should be addressed to Bryan T. Veith, P.E., Boyle Engineering Corporation, 5971 Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232, (941)377-8858, eFax (208)988-3928 or Fax (941)371-2569. Approved resolution of discrepancies, questions, and modifications to the Contract Documents will be made in writing by Addendum only. Addenda will be issued to all registered plan holders. The bid proposal must acknowledge all addenda. No addenda will be issued after 72 hours prior to bid opening.

## HILLSBOROUGH COUNTY AVIATION AUTHORITY

### NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Architectural, Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

#### CONSOLIDATED AIRFIELD RESCUE FIREFIGHTING FACILITY AND RELATED WORK TAMPA INTERNATIONAL AIRPORT

Services to be furnished shall include, but not be limited to, all architectural design and all engineering related to civil, airfield pavement, roadways, structural, mechanical/HVAC, plumbing, fire protection, electrical, electronic and information technology systems; related surveys, testing and geotechnical engineering; assistance during advertising, bid and award phase; and architectural/engineering services during construction. A more detailed Scope of Service will be included in the formal Request for Proposals.

Qualified Consultants desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

William J. Connors, Jr.  
 Senior Director of Planning and Development  
 Hillsborough County Aviation Authority  
 Post Office Box 22287  
 Tampa, Florida 33622

Interested parties may inquire as to project description, details, and required data submissions, to William J. Connors Jr., Senior Director of Planning and Development, (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSALS IS REQUIRED AT THIS TIME.**

The Letters of Interest (Only) must be received at or before 5:00 p.m. (Local Time), Thursday, December 20, 2001. Subsequent to receiving Letters of Interest, a Request for Proposal will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will then be held on Wednesday, January 23, 2002, 10:00 a.m. (Local Time), at the offices of Hillsborough County Aviation Authority located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Proposals.

### HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller

Louis E. Miller, Executive Director

Rev. 2/19/01

**PASCO-HERNANDO JOBS AND EDUCATION PARTNERSHIP REGIONAL BOARD**

Request For Proposal

The Pasco-Hernando Jobs and Education Partnership Regional Board, Inc. is soliciting proposals from qualified organizations with the expertise and capacity to deliver services to youths in-school and after-school in Pasco and Hernando Counties under the Federal Workforce Investment Act and Florida's Welfare Transition Program. The expected term of the contract award will be 15 months, from April 1, 2002, through June 30, 2003, with a single 1-year extension possible. To receive a copy of the Request for Proposal please contact: Mr. David Hamilton, Pasco Hernando Jobs & Education Partnership Regional Board, Inc., 15588 Aviation Loop Drive, P. O. Box 15790, Brooksville, FL 34604, (352)797-5781, email: david@pasco-hernando.com. Additionally, beginning November 16, 2001, the RFP may be viewed online at: www.pasco-hernando.com. For consideration, an original proposal and eight (8) copies must be submitted to and received by the Pasco Hernando Jobs & Education Partnership Regional Board, Inc., by 3:00 p.m., January 18, 2002 at the above listed address. A bidders' conference is scheduled for December 3, 2001, 10:00 a.m., Career Central – West Pasco, 4440 Grand Blvd., New Port Richey, Florida 34652.

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE OF APPROVAL FOR  
PRESERVATION 2000 FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P10 funding cycle. The project plans listed below were 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 projects and that funds be released as follows:

Project: 00-026-P10/Mobbly Bayou Wilderness Preserves Addition

Grantee: City of Oldsmar and Pinellas County

Amount of Approved Funds: the lesser of 50% of the final total project costs or \$515,500.00

**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 the Relocation of a  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyundai Motor America, intends to allow the establishment of Prestige Hyundai, Inc. d/b/a Prestige Hyundai, as a dealership for the sale of Hyundai vehicles, at 2202 North Main Street, Gainesville (Alachua County), Florida 32609, on or after November 7, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Prestige Hyundai, Inc. d/b/a Prestige Hyundai are dealer operator: Leo J. Hill, 9254 Silverthorn Road, Largo, Florida 33777; principal investor(s): Leo J. Hill, 9254 Silverthorn Road, Largo, Florida 33777.

The notice indicates an intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Marty Vaughn, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, GA 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program.

**PURPOSE:** To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the final rates, the methodologies underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Long-Term Care Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

**FINAL RATES:** Effective January 1, 2002, the final rates for Medicaid nursing home reimbursement will be rates resulting from the current methodology used to calculate per diem rates except for the following:

1. There will be direct care and indirect care subcomponents of the patient care component of the per diem rate. These two subcomponents together shall equal the patient care component of the per diem rate. Separate cost-based ceilings shall be calculated for each patient care subcomponent. The direct care subcomponent of the per diem rate shall be limited by the cost-based class ceiling and the indirect care subcomponent shall be limited by the lower of the cost-based class ceiling, by the target rate class

ceiling or by the individual provider target. The Agency will adjust the patient care component effective January 1, 2002. The cost to adjust the direct care subcomponent shall be net of the total funds previously allocated for the case mix add-on. The agency shall make the required changes to the nursing home cost reporting forms to implement this requirement effective January 1, 2002.

2. The direct care subcomponent shall include salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to residents in the nursing home facility. This excludes nursing administration, MDS, and care plan coordinators, staff development, and staffing coordinator.
3. All other patient care costs shall be included in the indirect care cost subcomponent of the patient care per diem rate. There shall be no costs directly or indirectly allocated to the direct care subcomponent from a home office or management company.
4. There will be an adjustment to the direct care component to adjust for the increased staffing requirements effective January 1, 2002. The Agency will compute an add-on to each provider's reimbursement rate for direct care to account for the additional costs incurred to comply with the minimum staffing requirements. The Plan will detail the requirements for obtaining an adjusted rate prior to January 1, 2002 for the increased staffing.

**METHODOLOGIES:** The methodology underlying the establishment of the final rates for Medicaid nursing facilities will be rates resulting from the current methodology used to calculate reimbursement rates, except that it will include the following changes:

1. There will be direct care and indirect care subcomponents of the patient care component of the per diem rate. These two subcomponents together shall equal the patient care component of the per diem rate. Separate cost-based ceilings shall be calculated for each patient care subcomponent. The direct care subcomponent of the per diem rate shall be limited by the cost-based class ceiling and the indirect care subcomponent shall be limited by the lower of the cost-based class ceiling, by the target rate class ceiling or by the individual provider target. The Agency will adjust the patient care component effective January 1, 2002. The cost to adjust the direct care subcomponent shall be net of the total funds previously allocated for the case mix add-on. The agency shall make the required changes to the nursing home cost reporting forms to implement this requirement effective January 1, 2002.
2. The direct care subcomponent shall include salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to

residents in the nursing home facility. This excludes nursing administration, MDS, and care plan coordinators, staff development, and staffing coordinator.

3. All other patient care costs shall be included in the indirect care cost subcomponent of the patient care per diem rate. There shall be no costs directly or indirectly allocated to the direct care subcomponent from a home office or management company.
4. There will be an adjustment to the direct care component to adjust for the increased staffing requirements effective January 1, 2002. The Agency will compute an add-on to each provider's reimbursement rate for direct care to account for the additional costs incurred to comply with the minimum staffing requirements. The Plan will detail the requirements for obtaining an adjusted rate prior to January 1, 2002 for the increased staffing.

JUSTIFICATION: The justification for the final rate change is provided in Section 49 of Senate Bill 1202 of the 2001-2002 Legislative Session.

The Agency is proposing the above rates and changes in methodology, effective January 1, 2002. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the final rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: John Owens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the final reimbursement plan incorporating the above changes may be obtained (when available) by contacting John Owens, Medicaid Cost Reimbursement Section, at the address above.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF AVAILABILITY**

**FLORIDA CATEGORICAL EXCLUSION NOTIFICATION**

The Florida Department of Environmental Protection has determined that the proposed City of Sebring, "Lake Jackson Shores Wastewater Collection and Transmission System Improvements" project will not have a significant adverse affect on the environment. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. The potential amount of the loan is estimated at \$1,443,987.

A full copy of the Florida Categorical Exclusion Notification 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.

**DEPARTMENT OF HEALTH**

On November 9, 2001, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Carol P. Cooper Roberts, L.P.N. Roberts holds license number PN 0187641. Roberts's last known address is Route 12, Box 211, Lake City, Florida 32025. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to 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 November 9, 2001, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Mary Ellen Dezes, R.N. Dezes holds license number RN 9167991. Dezes's last known address is 3254 Split Oak Court, Abingdon, MD 21009. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to 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 November 14, 2001, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Jennifer Lynn Hinson, R.N. Hinson holds license number RN 3160102. Hinson's last known address is 3706 West Fountain Lane, Citrus, Florida 34433. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to 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 November 14, 2001, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Dorothy Ann Gay, R.N. Gay holds license number RN 2828462. Gay's last known address is 3 Glady Knoll, Candler, NC 28715. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to 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.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN November 12, 2001  
 and November 16, 2001

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF INSURANCE**

4-137.001	11/14/01	12/4/01		27/39
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**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

12D-1.010	11/13/01	12/3/01		27/37
12D-7.015	11/13/01	12/3/01		27/37
12D-13.014	11/13/01	12/3/01		27/37
12D-13.019	11/13/01	12/3/01		27/37
12D-13.037	11/13/01	12/3/01		27/37
12D-13.061	11/13/01	12/3/01		27/37
12D-13.062	11/13/01	12/3/01		27/37
12D-13.063	11/13/01	12/3/01		27/37

**DEPARTMENT OF CORRECTIONS**

33-210.104	11/14/01	12/4/01		27/40
33-302.104	11/15/01	12/5/01		27/40

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF LOTTERY**

53-20.001	11/13/01	12/3/01		27/39
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid Program Office**

59G-6.030	11/16/01	12/6/01	27/34	27/41
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**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

64B6-2.006	11/16/01	12/6/01		27/35
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**Board of Opticianry**

64B12-8.020	11/13/01	12/3/01	27/11	27/42
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**Board of Pharmacy**

64B16-27.500	11/15/01	12/5/01		27/30
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**Board of Physical Therapy Practice**

64B17-2.005	11/16/01	12/6/01		27/35
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**FISH AND WILDLIFE CONSERVATION**  
**COMMISSION**

**Marine Fisheries**

68B-5.005	11/13/01	1/1/02		27/39
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